

AAP Committee on CME (COCME) Guidelines for Addressing Intellectual Property in AAP CME Activities

All AAP CME activities must fully comply with the Accreditation Council for CME (ACCME) Standards for Commercial Support, and all planning group members, editorial board members, faculty, and authors (herein referred to as “*faculty*”) must comply with the AAP Policy on Disclosure of Financial Relationships and Resolution of Conflicts of Interest.

The COCME recognizes that AAP CME faculty are experts in their specialty or subspecialty, and many have authored or otherwise participated in the development of AAP and non-AAP intellectual property. These intellectual properties include, but are not limited to, publications, books, papers, manuals, digital media, toolkits, and self-assessment materials.

The COCME has set forth guidelines for faculty to follow when participating in an AAP CME activity, when they have collaborated on or developed intellectual property.

I. For intellectual property in which the faculty member receives a financial benefit from sales of the product

Participation in AAP CME activities must meet all standards for disclosing financial support. When authors stand to gain financially, they must disclose their financial support to the AAP and to learners. Faculty who have authored intellectual property and receive a financial benefit from sales of the product must not exploit their participation as invited faculty in an AAP CME activity as an opportunity for self- or product-promotion. Faculty may list their intellectual property, when appropriate, within a listing of references or bibliography in their educational materials (syllabus, handouts, CD-ROM, etc.) associated with the AAP CME activity in which they are participating. It is acceptable to use content from the intellectual property with the appropriate credit given to the source and in compliance with the *AAP Policy on Allegations of Plagiarism*. However, in the CME activity, the faculty member must not:

- a) indicate where or how to purchase or order the intellectual property,
- b) show, display, or market the intellectual property, nor
- c) direct learners to a location, such as an exhibit table, exhibit hall site, or web site, to view, purchase, or order the intellectual property.

II. For intellectual property in which the faculty member does not receive a financial benefit from sales of the product

Faculty who have authored intellectual property, but do not receive a financial benefit from sales of the product, must also meet all standards for disclosing financial support. Faculty must not use their participation in an AAP CME activity as an opportunity for self- or product-promotion. Faculty may list this intellectual property, when appropriate, within a listing of references or bibliography in their educational materials (syllabus, handouts, CD-ROM, etc.) associated with the AAP CME activity in which they are participating. It is acceptable to use content from the intellectual property with the appropriate credit given to the source and in compliance with the *AAP Policy on Allegations of Plagiarism*. However, in the CME activity, the faculty member must not:

- a) indicate where or how to purchase or order the intellectual property,
- b) show, display, or market the intellectual property, nor
- c) direct learners to a location, such as an exhibit table, exhibit hall site, or web site, to view, purchase, or order the intellectual property.

III. For intellectual property developed in association with the AAP

Intellectual properties developed in association with the AAP constitute a special case, for which authors may or may not stand to gain financially. In those cases when authors stand to gain financially from sales of the AAP product, they must disclose their financial support to the AAP (in relation to the CME activity in which they are participating) and to learners.

AAP intellectual property is aimed at educating AAP members to enhance their practice and learning and improve children's health. Faculty may refer both verbally and in visual aids to AAP intellectual property (toolkits, self-assessment materials, patient education materials, Red Book, etc.) with the appropriate credit given to the source and in compliance with the *AAP Policy on Allegations of Plagiarism*. The AAP intellectual property may be included, when appropriate, within a listing of references or bibliography in the educational materials (syllabus, handouts, CD-ROM, etc.) within the context of other similar informational resources available. However, in the CME activity, the faculty member must not:

- a) indicate where or how to purchase or order the intellectual property,
- b) market the intellectual property, nor
- c) direct learners to a location, such as an exhibit table, exhibit hall, or web site, to view, purchase, or order the intellectual property.

IV. Implementation and Compliance

The COCME will rely on CME planning groups, editorial boards, and AAP staff to communicate these guidelines to their faculty and authors, monitor the implementation in their respective AAP CME activities, and take any action needed to ensure compliance. If any action is taken, documentation of such action should be included in the CME activity's accreditation file maintained at the AAP office.

Any questions about these COCME guidelines may be directed to AAP Division of CME staff.

7/08; Revised: 5/10, 1/17