

October 24, 2011

CALL FOR WRITTEN COMMENTS--EXTENDED

Proposed Changes to the ADA CERP Eligibility Criteria

Proposed changes

In January 2011, the ADA Council on Dental Education and Licensure (CDEL) circulated a proposal to modify the Eligibility Criteria for participation in ADA CERP. The proposal calls for “commercial entities,” defined as companies that produce, market, re-sell or distribute health care goods or services consumed by, or used on, patients, to no longer be eligible to be ADA CERP approved continuing education providers. Proposed revisions to the CERP Eligibility Criteria are attached.

Call for comments extended

In response to some feedback from the communities of interest, and to dispel misinformation, the Council has proposed an additional clarification, indicating that CE providers will be screened during a pre-application process to determine whether they meet the definition of a “commercial entity.” If any provider markets, produces or sells a health care product or service used on patients, the provider would be considered a “commercial entity” and therefore *not* be eligible for CERP recognition.

In order to provide stakeholders with clarifying information and additional opportunity to comment on the proposed change, the Council presents the Frequently Asked Questions below and extends the comment period until **February 1, 2012**. **The Council urges all CE stakeholders to carefully consider this information and provide comment.**

How would the changes to the CERP Eligibility Criteria impact CE providers?

- Commercial entities--companies that produce, market, re-sell or distribute health care goods or services consumed by, or used on, patients--could no longer be CERP approved providers of continuing dental education. Providers of clinical services directly to patients, such as dental practices or hospitals, for example, are *not* considered commercial entities.
- Currently there are 426 ADA CERP approved providers. Of these, approximately 9% would be considered commercial entities.

What role could commercial entities have in the continuing dental education arena?

- Commercial entities could continue to support CE activities offered by *independent* CERP-approved CE providers in the following ways:
 - Grants to CERP approved providers
 - In-kind support to CERP approved providers—equipment, supplies, meeting space, etc.
 - Paid advertising and exhibits
- Under current CERP Standards, CE providers may accept support from commercial interests. *This will not change*. The Council fully supports opportunities for collaboration between industry and dental professionals, if they are managed in accordance with existing standards for commercial support of CE (ADA CERP Standard V).

- Independent CE providers could still develop and offer courses presenting data and results from industry-sponsored research.
- Commercial entities may continue to offer educational activities, but not under the aegis of the Continuing Education Recognition Program.

Why is the Council proposing these changes?

The proposed change would only apply to companies that manufacture or market healthcare products or services. It would *not* apply to dental organizations or schools, education companies, or providers of patient care such as hospitals, group practices, etc. The proposed changes would *not* prohibit commercial entities from supporting CE activities. Commercial support would still be acceptable in accordance with existing CERP guidelines outlined in Standard V of the ADA CERP Recognition Standards. The Council believes that the change will:

- Reduce opportunities for commercial bias in continuing dental education. A conflict of interest exists when a company with a vested interest in a product also controls the content of continuing education on that topic.
- Demonstrate good practice, complying with FDA and other federal and state agencies' guidelines which require CE for the healthcare professions to be delivered by CE providers not controlled by commercial interests.
- Bring ADA CERP eligibility requirements in line with CE accreditation standards for other healthcare professions, including medicine, pharmacy, nursing, osteopathy, and optometry.

How will the final decision be made?

The Council will consider comments and take action on the revisions at its May 2012 meeting. If approved, the Council would phase in the revised Eligibility Criteria gradually. Commercial entities that are currently ADA CERP approved providers would be able to maintain recognition status through 2014.

Let the CDEL know what you think about the proposed changes

All interested parties are invited to submit written comments on the attached proposed revisions by **February 1, 2012**.

Comments may be forwarded by e-mail, fax or mail to cerp@ada.org, Fax: 312-440-2915, or ADA CERP, 211 East Chicago Ave, Chicago, IL 60611. If you have any questions, please contact ADA CERP manager, Ms. Mary Borysewicz, at borysewicz@ada.org or 800-622-8099, x2704.

Sincerely,

Dr. George J. Kinney, Jr.
Chair, Council on Dental Education and Licensure

Dr. Jade A. Miller
Chair, ADA CERP Committee

Proposed Revisions to ADA CERP Eligibility Criteria

October 2011

Proposed additions underlined; proposed deletions in ~~strikethrough~~

ELIGIBILITY:

The ADA CERP approves providers as defined in the Lexicon of Terms in the ADA CERP *Recognition Standards and Procedures*. The ADA CERP recognizes providers of continuing dental education (CDE), not individual courses. Institutions, organizations or major units or departments within an institution/organization (e.g., an oral and maxillofacial surgery department of a medical center) are eligible to apply for recognition. Any provider of CDE meeting the ADA CERP standards and criteria and the following requirements will be eligible to apply for recognition. CDE providers submitting an application must meet the following eligibility criteria:

1. ADA CERP considers the following types of continuing education providers ~~may to~~ be eligible to apply for recognition:

- Dental schools
- Colleges and universities
- ADA constituent societies
- ADA component societies
- Government organizations
- National dental professional membership organizations
- Dental education companies
- Communications/publishing companies
- Non-health care related companies
- Insurance companies
- Group dental or medical practices
- Hospitals
- Managed care companies
- Health care delivery systems
- Study clubs
- Dental labs
- 501c non-profit organizations
- Individuals who are continuing dental education providers

During the pre-application review process, applicants will be screened to determine if they are "commercial interests."

Commercial interests are *not* eligible for recognition. A commercial interest is defined in the ADA CERP Lexicon of Terms as any entity producing, marketing, re-selling, or distributing health care goods or services consumed by or used on patients. ADA CERP does not consider providers of clinical service directly to patients to be commercial interests.

A continuing education provider affiliated with a commercial interest may be ineligible for ADA CERP recognition; for example, if the provider is employed by a commercial interest to provide a

continuing education course, or provides a course as an agent of or advocate for a commercial interest or pursuant to a contract with a commercial interest.

4 2. The CDE provider must offers a planned program of continuing dental education activities consistent with the definition of continuing dental education provided in the Lexicon of Terms. ~~The CDE provider must demonstrate oversight by an independent advisory committee~~ The provider must present continuing dental education on a regular and recurring basis. The provider must have offered a planned program of CDE activities for at least 12 months. If the provider organization has not offered a course during the 12 months immediately preceding the application date the provider may apply for a one-year term of recognition. The CDE provider must demonstrate oversight by an independent advisory committee.

2 3. A CDE provider must ensure that all courses offered have a sound scientific basis in order to adequately protect the public. ADA CERP reserves the right to require that the applicant provide documentation that courses offered by the provider have a sound scientific basis, proven efficacy, and promote public safety.

3 4. The CDE provider must demonstrate that it assumes the financial and administrative responsibility of planning, publicizing and offering the continuing education program consistent with the definition of provider in the Lexicon of Terms.

4 5. The CDE provider must ensure that the educational methods are appropriate to the stated objectives for the activity and, when participation is involved, enrollment must be related to available resources to assure effective participation by enrollees.

5 6. The CDE provider must ensure that the facilities selected for each activity are appropriate to accomplishing the educational method(s) being used and the stated educational objectives.

When there is a question regarding eligibility, ADA CERP reserves the right to make decisions on the issue.

Although ADA CERP may not directly benefit some smaller groups, such as local CE study clubs, such groups are encouraged to explore possible affiliation agreements with their local or state dental societies.