



Montana Nurses Association

Key Steps for the Identification, Mitigation, and Disclosure of Relevant Financial Relationships

Based on 2020 Criteria – updated 7/1/21



Key Steps for the Identification, Mitigation, and Disclosure of Relevant Financial Relationships

If any of the following statements apply to the education, you DO NOT identify, mitigate, or disclose relevant financial relationships for this approved continuing education:

- It will only address a non-clinical topic (e.g., leadership or communication skills training).
- Other rare circumstances-Contact MNA Director of Professional Development
 - It is for a learner group that is in control of the content entirely
 - It is a self-directed educational activity where the learner will control their educational goals and report on changes that resulted (e.g., a personal development plan).

If none of the above exceptions apply:

STEP 1: Financial Disclosure Form

Before you begin planning your education, collect information from all members of the planning committee, and all faculty, and others who would be in positions to control content. Ask them to provide information about **all** their financial relationships with ineligible companies over the previous **24 months**. *There is no minimum financial threshold; individuals must disclose all financial relationships, regardless of the amount, with ineligible companies.*

- **Definition:** Ineligible companies are those whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients.

STEP 2: Mitigation Worksheet

Review all relationships and **exclude owners and employees of ineligible companies from participating as a nurse planner, and faculty, or other roles** unless the educational activity meets one of the exceptions listed below.

There are only three exceptions that allow for owners and/or employees of ineligible companies to participate as planners or faculty in approved continuing education.

1. When the content of the activity is **not related** to the business lines or products of their employer/company.
2. When the content of the approved activity is limited to basic science research, such as pre-clinical research and drug discovery, or the methodologies of research, and they do not make care recommendations.
3. When they are participating as technicians to teach the safe and proper use of medical devices, and do not recommend whether or when a device is used.

STEP 3: Mitigation Worksheet

Determine which financial relationships are **relevant** to the content of the continuing education activity, **mitigate** those relevant financial relationships to prevent commercial bias, and **disclose** the presence or absence of all relevant financial relationships to learners prior to the activity.

- A. Determine **relevant financial relationships** for all who will be in control of educational content. Financial relationships are relevant if the following three conditions are met for the individual who will control content of the education:
 - a. A financial relationship, in **any amount**, exists between the person in control of content and an ineligible company.
 - b. The content of the education is related to the products of an ineligible company with whom the person has a financial relationship.
 - c. The financial relationship **existed** during the past **24 months**.



- B. **Mitigate** relevant financial relationships prior to individuals assuming their roles in the educational activity.
 - a. Use the **Mitigation Worksheet** to implement mitigation strategies appropriate to their role(s) in the educational activity.
- C. Before the learner engages in the education, **disclose** to learners the presence or absence of relevant financial relationships for all persons in control of content.

What gets disclosed to learners before the educational activity?

<p>If there are No relevant financial relationships: <i>Inform learners that nurse planners, content experts’, faculty, and others in control of content (either individually or as a group) have no relevant financial relationships with ineligible companies.</i></p> <p>Remember that you <u>do not</u> make disclosures for the 3 exceptions noted above in Step 2.</p> <ul style="list-style-type: none"> • It will only address a non-clinical topic (e.g., leadership or communication skills training). • Other rare circumstances-Contact MNA Director of Professional Development <ul style="list-style-type: none"> - learner group in control of content entirely or self-directed educational activity 	<p>If there ARE relevant financial relationships: <i>Disclose name(s) of the individuals, name of the ineligible company(ies) with which they have a relevant financial relationship(s), the nature of the relationship(s), and a statement that all relevant financial relationships have been mitigated.</i></p>
<p>Examples</p> <p><i>“Dr. Xin Lee FNP, faculty for this educational event, has no relevant financial relationship(s) with ineligible companies to disclose.”</i></p> <p><i>“Ruth Hopkins, Dr. Maryam Elbaz, and Ken Sanders, authors of this educational activity, have no relevant financial relationship(s) with ineligible companies to disclose.”</i></p> <p><i>“None of the planning committee for this educational activity have relevant financial relationship(s) to disclose with ineligible companies whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients.”</i></p>	<p>Example</p> <p><i>None of the planners or presenters for this educational activity have relevant financial relationships to disclose with ineligible companies except for speaker Nicolas Garcia who is on the speakers’ bureau for XYZ Device Company.</i></p> <p><i>All of the relevant financial relationships listed for this individual have been mitigated.</i></p>



Relevant Financial Relationship Determination

**Do NOT identify, mitigate, or disclose relevant financial relationships if content is nonclinical ONLY
(not related to clinical care or knowledge)***

If none of the above exceptions apply:

1. Does the person have the ability to control the content of the activity?
 - If yes, complete **Financial Disclosure Form**

2. Does the person have a non-employee financial relationship with an ineligible company in the past 24 months?
(see employee/owner exceptions)
 - If no, disclose absence of relevant financial relationships
 - If yes, complete **Mitigation Worksheet**

3. Are the products of the ineligible company related to the topic?
 - If no, document on **Mitigation Worksheet** and disclose absence of relevant financial relationships
 - If yes, document on **Mitigation Worksheet** and disclose presence of relevant financial relationships

An ineligible company is entity whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients

Financial relationships are relevant if the following three conditions are met for the prospective person who will control content of the education:

- A financial relationship, in any amount, exists between the person in control of content and an ineligible company
- The financial relationship existed during the past 24 months
- The content of the education is related to the products of an ineligible company with whom the person has a financial relationship

- * Other rare instances (learner group in control of content entirely or self-directed educational activity)
- Contact MNA Director of Professional Development