



Code for Interactions with Companies (Code)

Introduction

As part of our commitment to transparency and accountability and to attain the highest standards of excellence, IDSA strives to maintain independence, objectivity, and scientific rigor in all its activities. IDSA requires all volunteers and key staff to disclose personal, professional, financial and business relationships when engaged in IDSA activities.

For-profit entities that develop, produce, market or distribute drugs, devices, services or therapies used to diagnose, treat, monitor, manage, and alleviate health-related conditions, referred to in this Code as “Companies,” also strive to help patients live longer and healthier lives. Companies invest resources to bring new drugs, devices and therapies to patients while maximizing value for shareholders.

Members and patients count on IDSA to be an authoritative and independent voice when dealing with ethical issues. Public confidence in our objectivity is critical to conducting the mission of IDSA. The public relies on us to minimize actual and perceived conflicts of interest. IDSA is committed to acting with integrity and transparency. IDSA adopts this Code to reinforce the core principles that help us maintain actual and perceived independence.

Key Definitions

The following terms are defined for purposes of this Code.

Advertising: Advertising is a Business Transaction in which a Company pays a fee to the Society in exchange for the Society’s publication of a promotional announcement that highlights the Company or the Company’s products or services. For purposes of this Code, Advertiser refers to a Company that purchases Advertising.

Business Transaction: A Business Transaction is an interaction between the Society and a Company in which a Company pays a fee to the Society in exchange for the Society’s item, service, or product. Examples of Business Transactions include Company payment of fees associated with subscriptions to Society publications, advertising in Society publications, registrations for Society meetings, and exhibit space rental.

Charitable Contribution: A Charitable Contribution is a gift, including an in-kind gift, given by a Company to a qualified tax-exempt organization (e.g., IDSA, HIVMA or IDSA Foundation) for use in furthering the organization’s charitable purposes and in accordance with applicable tax rules and legal standards.

Clinical Practice Guideline: A Clinical Practice Guideline (or Guideline) is a systematically developed statement to assist practitioner and patient decisions about appropriate healthcare for specific clinical circumstances. As used in this Code, the term Clinical Practice Guideline also refers to clinical performance measures, medical technology assessments, clinical opinions, and other evidence-based clinical practice tools, as well as updates to existing Clinical Practice Guidelines (“Guideline Updates”).

Company: A Company is a for-profit entity that develops, produces, markets, or distributes drugs, devices, services or therapies used to diagnose, treat, monitor, manage, and alleviate health conditions.

This definition is not intended to include non-profit entities, entities outside of the healthcare sector, or entities through which physicians provide clinical services directly to patients.

Continuing Medical Education (CME): CME consists of educational activities for which the learner may receive CME credit (e.g. American Medical Association (AMA) Physician’s Recognition Award Credit, American Academy of Family Physicians (AAFP) Prescribed or Elective Credit, American Osteopathic Association (AOA) Credit – various categories) based on accreditation awarded to the continuing education provider by a recognized accrediting body (e.g., Accreditation Council for Continuing Medical Education (ACCME), AOA, AAFP). CME activities “serve to maintain, develop, or increase the knowledge, skills, and professional performance and relationships that a physician uses to provide services for patients, the public, or the profession.” For purposes of this Code, educational activities for physicians and other health care professionals who are not CME-accredited are considered Non-CME Educational/Informational Programs.

Corporate Sponsorship: A Corporate Sponsorship is an arrangement in which a Company, typically through its marketing department, provides monetary or in-kind support for a Society product, service, or event, and is then acknowledged in connection with the product, service or event. Corporate Sponsorships are distinct from Educational Grants, and do not constitute Commercial Support of CME. For purposes of this Code, Corporate Sponsor refers to a Company that provides a Corporate Sponsorship.

Direct Financial Relationship: A Direct Financial Relationship is a relationship held by an individual that results in wages, consulting fees, honoraria, or other compensation (in cash, in stock or stock options, or in kind), whether paid to the individual or to another entity at the direction of the individual, for the individual’s services or expertise.

Educational Grant: An Educational Grant is a sum awarded by a Company, typically through its grants office, for the specific purpose of supporting an educational or scientific activity offered by the Society. Educational Grants awarded by a Company to support a CME activity are referred to in the ACCME Standards for Commercial Support as “Commercial Support” of CME. An Educational Grant also may be “in-kind.”

Key Society Leaders: Key Society Leaders are officers in the Presidential/Chair track (IDSA Vice President, IDSA President-Elect, IDSA President, IDSA Immediate Past President, HIVMA Vice Chair, HIVMA Chair-Elect, HIVMA Chair, HIVMA Immediate Past Chair), Editors-in-Chief of the Society’s Journals, HIVMA Executive Director and IDSA Chief Executive Officer.

Society: A Medical Specialty Society (or Society) is a non-profit organization composed of members that include predominantly physicians who practice in a specific medical specialty or sub-specialty that seeks to further the medical specialty, to advance the interests and education of individuals engaged in the specialty, to improve patient care, and to provide information for patients and the general public. If a function described in the Code is carried out by an entity other than a Society’s membership organization (e.g., HIVMA), Code provisions dealing with that function apply to the other entity to the extent the membership organization controls that entity.

Non-CME Informational/Educational Program: A Non-CME Informational/Educational Program is a program offered by a Society, Company or other third party that provides educational or promotional information and does not offer CME credit.

Research Grant: A Research Grant is an award that is given by a Society to an individual, institution, or practice to fund scientific research. Companies may provide the Society with programmatic support (e.g.,

an Educational Grant or Charitable Contribution) designated for the specific purpose of funding Research Grants.

Satellite CME Symposium: A Satellite CME Symposium is a Company-supported CME program held as an adjunct to a Society meeting where CME credit for the Symposium is provided by a third-party CME provider, and for which the Society receives a fee.

Society CME: Society CME refers to CME programs that are planned by a Society and for which the Society, as an accredited CME provider, provides CME credit.

Society Journal: A Society Journal is a peer-reviewed scientific journal published by a Society.

1. INDEPENDENCE

- 1.1 Society will commit that its educational activities, scientific programs, products, services and advocacy positions are independent of Company influence, and will develop and adopt policies and procedures that foster independence.**
- 1.2 Society will separate its efforts to seek Educational Grants, Corporate Sponsorships, Charitable Contributions, and support for Research Grants from its programmatic decisions.**
- 1.3 Society has identified the COI Ethics Committee to maintain and enforce the policies contained in this Code.**
- 1.4 Direct Financial Relationships of Key Society Leaders will be reviewed annually by the COI Ethics Committee for appropriateness. Certain Direct Financial Relationships of Key Society Leaders may require action such as divestiture, recusal and/or other appropriate management of the potential conflict.**
- 1.5 Society will use written agreements with Companies for Educational Grants, Corporate Sponsorships, Charitable Contributions, Business Transactions, and support of Research Grants.**

2. TRANSPARENCY

- 2.1 Society will disclose Company support to the public.**
- 2.2 Society will adopt written disclosure policies for volunteers and will use the disclosed information to manage conflicts of interest in decision-making. Society will require volunteers to update disclosure information at least annually and when material changes occur.**

3. ACCEPTING CORPORATE SPONSORSHIPS

- 3.1 Society will only accept Corporate Sponsorship of an item or program if the item or program is aligned with the Society's strategic plan and mission.**
- 3.2 Society will make reasonable efforts to seek multiple Corporate Sponsors for sponsored items or programs.**
- 3.3 Society will not place the names or logos of Companies or products on Society-distributed, non-educational "reminder" items (e.g., tote bags, lanyards, highlighters, notebooks, and luggage tags).**
- 3.4 If accepting Corporate Sponsorship of data registries, Society will prohibit Corporate Sponsors from participating in the direct management of the registry unless the data registry is in part operating as a public/private medical society, device/drug manufacturer and government partnership or for the purpose of meeting regulatory FDA objectives of device/drug surveillance and patient safety.**

4. SOCIETY ACTIVITIES

4.1 *Society Educational and Informational Programs*

- 4.1.1 Society will comply with ACCME Standards for Commercial Support by adopting policies and procedures designed to identify and manage conflicts of interest in Company-supported Society CME programs.**
- 4.1.2 In providing Society CME, Society will not seek support for product-specific topics.**
- 4.1.3 Society will make reasonable efforts to achieve a balanced portfolio of support for each Society CME program.**
- 4.1.4 Society will retain control over the use of Educational Grants and implement safeguards designed to ensure that educational programs are non-promotional and free from commercial influence and bias.**
- 4.1.5 Society will appoint appropriate committees to select the objectives, content, faculty, and format of educational activities in a manner that is consistent with the Society's organizational mission.**
- 4.1.6 Society will not solicit Companies' suggestions about CME program topics, speakers, or content.**
- 4.1.7 Society will prohibit presenters from using Company-controlled presentation materials and from using slides or other educational material that contains Company logos.**
- 4.1.8 Society will require presenters to give a balanced view of therapeutic options and will require presenters to use generic names in place of product trade names.**
- 4.1.9 Society will clearly distinguish their Non-CME Informational/Educational Programs from Society CME.**

4.2 *CME-Accredited Satellite Symposia*

- 4.2.1 Society will require Satellite CME Symposia to undergo an application and selection process.**
- 4.2.2 Society will require Satellite CME Symposia to comply with ACCME Standards.**
- 4.2.3 Society will ensure that Satellite CME Symposia are clearly distinguished from Society CME in Society meeting programs and promotional materials.**
- 4.2.4 Society will require third-party organizers of Satellite CME Symposia to use appropriate disclaimers to distinguish the Symposia from Society CME programs in Symposia advertising and program materials.**
- 4.2.5 Society will not permit Key Society Leaders to participate in Satellite CME Symposia as faculty members, presenters, chairs, consultants, or in any other role besides that of an attendee who receives no honoraria or reimbursement.**

4.3 *Company Informational/Educational Programs*

4.3.1 Society will require Company Informational/Educational Programs to be clearly distinguished from CME.

4.4 *Exhibits*

4.4.1 Society will adopt written policies that govern the nature of exhibits and the conduct of exhibitors, including by requiring exhibitors to comply with applicable laws, regulations, and guidance.

4.4.2 Society will only permit exhibitor giveaways that are educational and modest in value.

4.4.3 Society will make reasonable efforts to place exhibit booths out of attendees' obligate path to Society CME sessions.

4.4.4 Key Society Leaders may not participate as leaders or presenters in Company promotional/marketing events held in exhibit space.

5. AWARDING OF RESEARCH GRANTS

5.1 Society will not permit Companies to select (or influence the selection of) recipients of Research Grants.

5.2 Society will appoint independent committees to select recipients of Research Grants based on peer review of grant applications.

5.3 Society will not require recipients of Research Grants to meet with Company supporters.

5.4 Society will not permit Companies that support Research Grants to receive intellectual property rights or royalties arising out of the grant-funded research.

5.5 Society will not permit Companies that support Research Grants to control or influence manuscripts that arise from the grant-funded research.

5.6 If the Society receives programmatic support (e.g., an Educational Grant) from a Company to support the Society's own research, the Society will disclose the Company support. The Society will act independently in the selection of research topics and the conduct of the research itself.

6. CLINICAL PRACTICE GUIDELINES

6.1 Society will base Clinical Practice Guidelines on scientific evidence.

6.2 Society will follow a transparent Guideline development process that is not subject to Company influence.

7. SOCIETY JOURNALS

- 7.1 A Society Journal will maintain editorial independence from the Society and from Advertisers.**
- 7.2 Society Journals will require all authors to disclose financial and other relationships with Companies.**
- 7.3 Society Journals will require editors and reviewers to disclose financial and other relationships with Companies.**
- 7.4 The Editor-in-Chief of each Society Journal will have the ultimate responsibility for determining when a conflict of interest should disqualify an editor or reviewer from reviewing a manuscript, according to established policies.**
- 7.5 Society Journals will adopt policies prohibiting the submission of “ghost-written” manuscripts prepared by or on behalf of Companies.**

8. STANDARDS FOR ADVERTISING

- 8.1 Society will adopt written policies that set standards for Advertising.**

9. STANDARDS FOR LICENSING

- 9.1 Society will adopt written standards for licensing that are intended to prevent misuse, unintended use and modification of licensed materials, prohibit modification of licensed materials in a way that would change their meaning, and prohibit use of Society trademarks to imply Society endorsement of Company products or services.**

Assessment of Conflict of Interest and Adherence to the Code

All members of IDSA are encouraged to adopt the principles of this Code and their application. Members may complete their disclosure form here: [Conflict of Interest Disclosure Form](#).

After review of an individual's potential conflict(s) of interest, the COI Ethics Committee will determine whether a conflict exists and if the conflict requires more than simple disclosure. The COI Ethics Committee, by a majority vote, will request recusal, withdrawal of consideration for a nominated position, divestiture or any other appropriate management of the conflict. In certain instances, the recommendation of the COI Ethics Committee may be forwarded to the Board of Directors for its approval and enforcement. If the matter involves an individual who is a member of the Board of Directors, that Member will recuse themselves from any deliberations involving that matter.

Willful non-reporting or withholding of COI information with the intention to conceal ongoing or planned non-permitted activities and/or failure to respond to IDSA requests to complete or clarify COI reporting and/or to divest from specific, non-permitted activities in a timely manner may result in disciplinary action by the Board of Directors. These actions may include reprimand, removal from current volunteer position(s), exclusion from future service on committees, and/or suspension of membership in IDSA.

Approved by IDSA Board of Directors - October 1, 2019