

### **Requirement 3: Transparency in Course Planning, Delivery, and Marketing**

*The Provider (organization) must focus their courses on scientific and professional education, not product or service promotion. The Provider must have processes to resolve and disclose conflicts of interest. These processes must also address the management and disclosure of financial and in-kind support of CE courses. Additionally, the Provider must appropriately manage exhibits and advertising associated with CE courses.*

#### **Guidelines**

*The purpose of having processes to manage financial and in-kind support, exhibits/advertising, and conflicts of interest is to ensure that learners are informed of situations that might influence the content or presentation of courses. Disclosure contributes to a transparent relationship between providers and presenters of continuing education and consumers of that education.*

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### **Required Practices**

3.1 The Provider must ensure that CE course content and the presentation focus on the science and/or contemporary practice of speech-language pathology and/or audiology. Attempts to persuade organizations and individuals involved in planning, implementing, or evaluating the course to favor, recommend, purchase, use, or promote a particular product, equipment, device, or service are not permitted. Likewise, attempts to persuade learners of the same are not permitted in courses offered for ASHA CEUs.

3.1.a The Provider must ensure that the sale or promotion of products or services are not the focus of CE course content and related materials.

Product and service promotion should not influence the following decisions:

- (a) Identification of learning needs;
- (b) Determination of learner outcomes;
- (c) Selection and presentation of content;
- (d) Selection of all persons and organizations that will be in a position to control the content of the course;
- (e) Selection of educational methods;
- (f) Assessment of learning outcomes;
- (g) Evaluation of the course;
- (h) Selection of facilities.

3.1.b Providers who offer courses about products or services or jointly plan courses with an organization that has products or services:

- (a) Must provide information in a scholarly manner regarding (1) theoretical aspects related to the product or service and/or (2) the details of operation.
- (b) Must disclose prior to the course that there will be limited or no information provided about similar products or services when a course is focused on a specific product or service. Conversely, when a specific product or service is not presented, the use of trade or product names from several companies will be considered.

3.2 The Provider must have a written process in place to (1) identify relevant conflicts of interest, (2) determine if the existence of those conflicts of interest disqualifies an individual from being involved in the course planning and delivery, and (3) disclose conflicts of interest to learners. *Conflicts of interest* in continuing education arise when financial and/or nonfinancial considerations, relevant to the course content, compromise or have the potential to compromise professional judgment.

3.2.a The Provider must document that each individual developing and/or delivering course content has disclosed, prior to and during course planning, all existing and relevant financial and nonfinancial relationships.

3.2.b The Provider must have a process to identify relevant financial and nonfinancial relationships that have developed after course planning and prior to course delivery.

3.2.c Any individual involved in developing and/or delivering course content who refuses to disclose relevant financial and nonfinancial relationships will be disqualified and cannot have control of, or responsibility for, the planning, management, presentation, or evaluation of the CE course.

3.2.d The Provider must have a process to determine whether relevant conflicts of interest disqualify the individual from participation in course planning and/or delivery or if the conflicts may be resolved through disclosure.

3.2.e The Provider must have a process for disclosing relevant conflicts of interest for all instructional personnel.

3.2.f The Provider must ensure that instructional personnel disclosure is available to potential registrants in promotional efforts and at the start of the course.

3.2.g The Provider must ensure that the following information is disclosed to learners:

- The name of the instructional personnel;
- Relevant financial relationship(s): Listing the name of the organization and the type of financial relationship; and/or
- Relevant nonfinancial relationship(s): Listing the name of the organization and the type of nonfinancial relationship; or
- No relevant financial or nonfinancial relationships exist.

3.3 The Provider must manage and disclose all financial and in-kind support given by other organizations that is used to pay all or part of the costs of the CE course.

3.3.a The Provider must make all decisions regarding the allocation and disbursement of funds received from other organizations.

3.3.b The Provider must be able to produce accurate and detailed written documentation of:

- Names of organizations that provided financial and/or in-kind support,
- Dollar amount received from each organization,
- Monetary value and description of in-kind support received,
- How the money and in-kind support were used.

3.3.c As a condition of receiving financial and in-kind support, a Provider is not required to accept advice or services from contributing organizations concerning planners, instructional personnel, learners, course content, planning, implementation, or evaluation.

3.3.d If payment for planners and instructional personnel is involved, it must come directly from the Provider or cooperative party (or parties) involved in course content development, not from the other organization(s) providing financial or in-kind support for the CE course.

3.3.e The Provider may use financial or in-kind support received from other organizations to pay for travel, lodging and other expenses for learners. The Provider must manage the disbursement of this assistance.

3.3.f The names of other organizations contributing financial and in-kind support must be disclosed to learners prior to the beginning of the CE course.

3.4 The Provider must appropriately manage exhibits and advertisements associated with a CE course.

3.4.a The Provider controls decision making over placement of exhibits and advertisements and the time and place of social events or meals.

3.4.b Promotional activities, such as exhibits, commercial presentations, and printed or electronic advertisements, are prohibited in the physical or virtual location where CE courses are conducted. Likewise, promotional activities are prohibited as part of the instructional portion of CE courses. For example:

- Live, face-to-face CE courses: Display or distribution of advertisements and promotional materials is prohibited in the instructional space where the CE course is conducted.
- Print-based CE courses: Advertisement and promotional materials are prohibited within the pages of the CE content. Advertisements and

promotional materials may face the first or last pages of printed CE content.

- Web/computer-based CE courses: Advertisements and promotional materials are prohibited on the screen, the web page, or as “pop-ups” where the CE content is displayed.
- Recorded CE courses: Advertisements and promotional materials are prohibited within the CE course. There will be no “commercial breaks.”

3.4.c Providers must ensure that products, equipment, or devices used in conducting the course are not sold or marketed as part of the instructional portion of the CE course.

3.4.d Print or electronic information distributed about the CE course that is not directly related to the transfer of education to the learner, such as schedules and content descriptions, may include product, service, or organizational promotion or product-specific advertisements.