

Principles Governing Academy Relationships with External Sources of Support

Adopted by
American Academy of Neurology
American Academy of Neurology Institute
American Academy of Neurology Foundation
August 2011

I. Preamble

A. As a professional organization, the Academy operates with a high level of purpose representing the ideals of neurology and medicine, depending on the dues of its members to help fulfill its mission. Nevertheless, the Academy, like most non-profit associations today, also generates non-dues revenues to fulfill its mission, including support from external sources. The Academy's values and ethical principles should guide the appropriate development and utilization of external support that may be necessary to implement programs and activities to fulfill the Academy's mission.

B. Leaders of the Academy recognize the critical role the organization plays as the largest professional association for neurology in the United States. Academy activities reflect on all neurologists, and all neurologists are represented to some extent by the Academy. Thus, the Academy serves all neurologists as a representative for the profession of neurology and is not merely an advocacy group for Academy members. Academy leaders make programmatic choices that reflect a commitment to the Academy's professional values and its core organizational purpose. Similarly, every staff member in the Academy is accountable to explicit ethical standards that are derived from the mission and core values of the association.

C. American Academy of Neurology Mission: To promote the highest quality patient-centered neurologic care and enhance member career satisfaction.

D. American Academy of Neurology Core Values:

Leadership - We ("the Academy") provide guidance and inspiration through education, information, policy development and advocacy for our members and their patients.

Integrity - We set and maintain the highest ethical and professional standards for ourselves, our staff and our programs.

Professionalism - We work with expertise, commitment and diligence to provide high quality neurologic care.

Commitment - We are dedicated to upholding the integrity and mission of the American Academy of Neurology.

Respect - We embrace the dignity and uniqueness of every human being and in all we do keep the interests of the patients first.

Compassion - We are sensitive and empathetic to the needs of others.

E. American Academy of Neurology Foundation Mission:

The American Academy of Neurology Foundation exists to further the goals of the American Academy of Neurology by supporting education and research in neurology, and is dedicated to improving patient care, quality of life and public understanding of brain and other neurological disorders.

II. Overview of Principles

A. Any financial relationship with an external source of support may create a potential conflict of interest for the Academy. Conflicts of interest are common, and although some conflicts are unethical, others are not and can be appropriately managed (Academy Code of Professional Conduct and Academy Policy on Conflicts of Interest). The appearance of a conflict of interest may be damaging to Academy's reputation, regardless of whether a conflict of interest actually results in inappropriate action.

Concerns that the acceptance of external support create an inappropriate conflict of interest occur in two particular situations: 1) when external support is from for-profit companies (or not-for-profit entities funded largely by for-profit companies); and 2) when the amount of external support, particularly from a single source, becomes large enough that the Academy may become dependent on external support to continue essential activities.

B. These principles apply to all external sources of support, including industry support, philanthropic support from individuals or foundations (excluding the American Academy of Neurology Foundation), federal or state grant support, and other external sources of support. As used throughout this document, the term "industry" Industry includes for-profit entities that develop, produce, market, or distribute drugs, devices, services or therapies used to diagnose, treat, monitor, manage, and alleviate health conditions (e.g., pharmaceutical and medical device/software manufacturers and other for-profit health services/product providers). Industry does not include non-profit entities, entities outside of the healthcare sector, or entities through which physicians provide clinical services directly to patients (e.g., hospitals, medical centers, publishers, foundations, recruiters, insurance providers)..

C. External support includes financial support (e.g. contracts or grants), material support (e.g. products or publications), and staff support (e.g. salary support for Academy staff or provision of external staff to accomplish Academy activities).

D. These principles should serve as a starting point for anyone reviewing or developing Academy relationships with outside groups. These principles apply to all Academy corporate entities, including the American Academy of Neurology, the American Academy of Neurology Foundation, the American Academy of Neurology Institute, and AAN Enterprises, Inc. (collectively referred to herein as, "Academy").

E. These principles should be reviewed periodically to assure their relevance to the mission, values, and operations of the Academy and its business environment.

F. The Academy's principles to guide external funding relationships have been organized into the following sections: General Principles that apply to most situations; Special Guidelines that address specific issues and concerns; Special Guidelines related to Academy Relationships with Industry; Organizational Review that outlines the roles and responsibilities of the Board of Directors, Executive Director, and other staff units; and operational issues that outline the annual reports to the Board of Directors.

III. General Principles

The Academy's mission statement provides guidance for developing relationships to secure external support. Relationships that are not motivated by the Academy's mission can threaten the Academy's integrity and reputation, along with its ability to provide representation and leadership for its members, neurologists, and the neurological profession.

A. The Academy's mission and values must drive the proposed activity.

The Academy's mission and values must determine whether a proposed relationship for external support is appropriate for the Academy. In general, rather than responding to others, the Academy will proactively choose its priorities for external relationships and participate in those that fulfill Academy priorities. The Academy should not have relationships with organizations whose principles, policies, or actions obviously conflict with the Academy's mission. For example, relationships with producers of products that harm the public health (e.g., tobacco) are not appropriate for the Academy.

B. The external support relationship must preserve or promote trust in the Academy and the medical profession.

To be effective, medical professionalism requires the public's trust. External support relationships that could undermine the trustworthiness of the Academy, and thus the public's trust in the Academy or the profession, are not acceptable. For example, no relationship should raise questions about the scientific content of the Academy's health information publications or clinical practice guidelines, the Academy's advocacy on health issues, or the truthfulness of Academy public statements.

C. The Academy must maintain its objectivity with respect to health issues regardless of external support relationships.

The Academy shall accept support, funds or royalties from external sources only if acceptance does not pose a conflict of interest with the Academy mission and values, and in no way impacts the objectivity of the Academy, its members, activities, programs or employees. The Academy must strive to assure that its actual or perceived objectivity with respect to health issues is not biased by external support relationships.

D. The externally supported activity must benefit public health, patient care, research, or physician practice.

Public education campaigns and programs for Academy members or the public are potentially of significant benefit to the Academy's mission and constituency. Externally supported programs that provide financial benefits to the Academy but no significant benefit to the public or direct professional benefits to Academy members are not

acceptable. In the case of member benefits, external relations must not detract from Academy's professionalism.

E. The Academy shall comply with applicable laws, regulations, and codes of ethics as they apply to external support of Academy activities and programs.

Many Academy activities and programs are affected by laws, regulations, and codes of ethics, including, but not limited to, those governing continuing medical education, political activities, advocacy, and relationships with industry. In addition, many entities that are current or potential sources of external support for Academy activities are similarly governed by laws, regulations, and their own codes of ethics. The Academy, in establishing and implementing its relationships with external sources of support, shall make every effort to respect and comply both with its own and with the external source's applicable laws, regulations, and codes of ethics. When conflicts arise between the laws, regulations, and codes of ethics affecting the Academy and its external sources of support, the American Academy of Neurology Board of Directors has final responsibility for approving an acceptable resolution which, in rare circumstances, may entail not proceeding with a proposed externally-supported activity. For its relationships with industry sources of support, the Academy is a signatory to, and shall comply with, the Council of Specialty Medical Societies' Code for Interactions with Companies in addition to compliance with the principles and guidelines contained herein.

F. The Academy shall apply the principles of disclosure and transparency for all external support relationships.

Consistent with expectations outlined in the American Academy of Neurology Code of Professional Conduct and the American Academy of Neurology Policy on Conflicts of Interest for its members, the Academy has a duty to disclose its financial relationships with external sources of support.

IV. Special Guidelines

The following guidelines address several special situations concerning Academy development and utilization of external support.

A. The Academy may provide health and medical information for the public and health care professionals through its own and externally-supported publications and electronic media.

The public and health care professionals can benefit through the creation of independently authored and reviewed publications and electronic media addressing health care issues. External support of such publications is permissible as long as the Academy retains control over the assignment of authors, the determination of content, and the editorial review process. See Special Guidelines for Academy Relationships with Industry (Section V.G.), for guidance on industry support of clinical practice guidelines and performance measures.

B. The Academy must not involve itself in the production, sale, endorsement, or marketing to consumers of products that claim a health benefit.

Marketing to consumers of health-related products that claim a health benefit (e.g., pharmaceuticals, medical devices, and home health care products) undermines the Academy's objectivity and diminishes its role in representing health care values and educating the public about their health and health care. Academy publications and websites created for the public must include language, located conspicuously, disclaiming the Academy's endorsement of any advertised products in such publications and websites.

C. Externally supported activities should be funded from multiple sources whenever possible.

Support of individual activities from multiple sources reduces Academy dependence on a single source for continuing a given activity. The Academy recognizes that there may be some activities for which the benefits to its mission and constituency are so great, the potential harms so minimal, and the prospects for developing multiple sources of support so unlikely that single-source support is a reasonable option.

D. The relationship between the Academy and external sources of support must preserve the Academy's control over any projects and products bearing the Academy name or logo. The Academy retains editorial control over any information produced as part of an externally supported arrangement.

When an Academy program receives external support from an entity that requests the Academy's name be placed on products produced by the external entity, the Academy must remain in control of its name, logo and content, and must approve all marketing materials to ensure that the message is congruent with the Academy's mission. A statement regarding Academy editorial control, as well as the names of the program's supporters, must appear in all public materials describing the program and in all educational materials produced by the program.

E. Relationships between the Academy and external sources of support must not permit or encourage influence by the external source of support on Academy policies, priorities, or actions.

An Academy relationship with an external source of support must not permit influence, or the appearance of influence, by the external source of support on Academy policies, priorities, and actions. For example, agreements stipulating access by representatives of the external source of support to Academy leadership would be of concern. Additionally, some relationships that appear to be acceptable when viewed in isolation may become unacceptable when viewed in light of other existing or proposed Academy priorities and activities.

F. Receipt of support from an external source does not imply Academy's endorsement of the external source of support, its products, services, or policies.

An external source's support or sponsorship of an Academy program does not imply Academy approval of the external source's general policies, nor does it imply that the

Academy will exert any influence to advance the external source's interests outside the substance of the arrangement itself. The Academy's name and logo should not be used in a manner that would express or imply an Academy endorsement of the external source of support, its products, services, or policies. See Special Guidelines for Academy Relationships with Industry (Section V.G.), for guidance on industry support of clinical practice guidelines and performance measures.

G. To preclude any appearance of undue influence on the affairs of the Academy, the Academy will not accept external support for core governance activities.

Financial dependence is potentially created when the Academy's core operations become too reliant on external support. The Academy operating budget best reflects expenses for core activities; it is the proportion of external support contained within the operating budget that, if too high, raises concerns about dependence. In this context, "internal" funds are considered revenues from dues, meeting and course registrations, serial publications (including subscriptions and royalties from *Neurology*®), sales of products and services to members, and member donations. "External" funds are revenues from all other sources.

Financial support of core governance activities (e.g., financial support for conduct of the Board and standing committees or clinical practice guideline development) by an external funding source could make the Academy become dependent on external funding for its existence, could allow an external funding source to have undue influence on the affairs of the Academy, or create the appearance of a conflict of interest, compromising the integrity of the Academy's mission or its ability to fulfill its mission. The American Academy of Neurology Board of Directors is responsible for assuring the separation of core governance activities from external funding sources.

H. Funds from external funding sources shall not be used to support direct lobbying or formal political advocacy activities.

To maintain independence, all Academy direct lobbying and formal political advocacy activities, such as Neurology on the Hill, must only be funded from internal revenue sources. With appropriate oversight, general advocacy skills training and support programs, such as the Palatucci Advocacy Leadership Forum, may receive industry support in accordance with all current laws, codes of conduct, and Academy policies. Furthermore, the Academy should be mindful of the potential that even the appearance of influence of an Academy position by an external funding source could compromise the Academy's integrity and effectiveness in advocacy. The Academy shall seek multiple sources of support from both industry and non-industry sources and organize training and develop content for programming that is independent of industry.

V. Special Guidelines Concerning Academy Relationships with Industry

For the Academy, relationships with industry can produce conflicts of interest or the appearance of conflicts of interest. Through effective regulation, the Academy can minimize both conflicts of interest and the appearance of conflicts of interest in order to maintain member, patient, and public confidence in Academy's independence, credibility, and integrity. Academy policies governing relationships with industry are configured to allow appropriate areas of mutual benefit while, most importantly, maintaining the Academy's high ethical and professional standards and protecting its

most valuable and cherished asset, its credibility and integrity as a professional organization.

These special guidelines govern how the Academy shall address receipt of industry support for specific areas, programs and offerings, and are to be applied in addition to the General Principles and Special Guidelines stated above.

A. General budgetary support.

The Academy shall: (1) adhere to, and periodically update established policies related to external support from industry; (2) draft new policies, as required, that eliminate actual conflicts of interest; (3) strictly enforce those policies; (4) reduce reliance on industry support, in order to eliminate perceived conflicts of interest; and (5) increase diversification of external sources of support.

B. Continuing Medical Education (CME).

In addition to endorsing the principles concerning CME programming in the Council of Specialty Medical Societies' Code for Interactions with Companies, the Academy requires a written statement to be conspicuously placed on all signage related to CME programming that states: (1) the name of the industry supporter (company or product logos are prohibited); (2) that the funding was made through an educational grant to the Academy; and (3) that the Academy was solely responsible, with no influence from the industry supporter, for selection of content, format, presenters, and moderators of the CME program, and that the speakers have not been contacted or influenced in any way by the industry supporter with regard to the CME program.

C. Exhibit Hall.

The Academy: (1) may continue soliciting industry to exhibit and hold presentations within the Academy's exhibit hall; and (2) shall continue to enforce Academy policies and guidelines related to exhibitors.

D. General Sponsorship at Academy Conferences, Events and Programs.

The Academy shall: (1) increase efforts to pool industry sponsorship support into a single general fund to support Academy meeting and conferences, events and programs; and (2) seek multiple sources of sponsorship support, including non-industry sources.

E. Corporate Therapeutic Updates.

The Academy may continue non-CME Corporate Therapeutic Updates, but it shall continue to enforce Academy guidelines related to industry participants.

F. Industry-sponsored *Neurology*® Supplements.

The Academy may continue the practice of publishing *Neurology*® industry-sponsored supplements, but it shall; (1) increase disclosure by more conspicuously placing disclosure language in each industry-sponsored supplement; and (2) increase editorial oversight of industry-sponsored supplements.

G. Clinical Practice Guidelines and Performance Measures.

The Academy shall: (1) not accept industry funds to develop guidelines or derivatives of guidelines; (2) not permit direct industry support for the initial printing, publication, and distribution of guidelines or derivatives of guidelines; (3) permit, after initial development, printing, publication and distribution is complete, the acceptance of industry support for distribution of guidelines or derivatives of guidelines through industry purchase of guideline reprints or derivatives of guidelines; (4) prohibit industry logos, product logos and promotional information on guideline reprints and derivatives of guidelines; (5) permit, if the guideline reprint or derivative includes an off-label use, industry name and other information, as needed to comply with applicable FDA guidance, to be appropriately placed on, or attached to, guideline reprints and derivatives of guidelines only with prior Academy approval; (6) require a written statement to be conspicuously placed on reprints of guidelines or derivatives of guidelines purchased by industry acknowledging that the content of the guideline reprint or derivative was developed solely by the Academy, independent of industry influence; and (7) prohibit authors of guidelines from speaking about the guideline they authored (“Guideline”) or serve as an expert witness about the Guideline on behalf of a company in industry, if that company could be positively or negatively affected by care provided in adherence with the Guideline, for a period of one year after the Academy’s publication of the Guideline.

All of the above applies to Academy performance measures.

H. Advocacy Skills Training and Support Programs.

The Academy: (1) may seek industry grants for advocacy skills training and support programs, such as the Palatucci Advocacy Leadership Forum; (2) shall seek multiple sources of support from both industry and non-industry sources¹; and (3) shall organize training and develop content for programming that is independent of industry.

I. Leadership Programs.

The Academy: (1) may seek industry funding for Academy leadership programs in the form of unrestricted grants, but it may not allow direct access by industry to program participants; and (2) shall never solicit funds from industry for training of officers, board members, or committee members.

J. Corporate Roundtable.

The Academy: (1) may continue the Corporate Roundtable, but shall not nominate or elect Corporate Roundtable members to serve as Public Trustees on the Foundation Board of Trustees; (2) may permit a member of the Corporate Roundtable to serve as a non-voting liaison to the Board of Trustees when appropriate; and (3) may appoint a permanent Academy committee, or tasking an existing committee, to address industry-Academy relations, which may consult with industry representatives when appropriate.

K. Endorsements.

¹ Multiple sources to be sought by 2015.

Academy publications and websites created for the public shall include language, located conspicuously, disclaiming the Academy's endorsement of any advertised products in such publications and websites. Academy shall develop guidelines for endorsements, modeled after the education endorsement process.

L. Academy Leaders.

No Key Academy Leader may have a "Direct Financial Relationship," as defined by the Council of Specialty Medical Societies' Code for Interactions with Companies, with industry during his or her term of service.²

Key Academy leaders are; (1) officers in the Presidential line of succession (e.g., the President-Elect, the President, and the Immediate Past President) of the American Academy of Neurology (AAN); (2) Chair and Immediate Past Chair of the American Academy of Neurology Foundation (AANF); (3) Chair of AAN Enterprises, Inc. (AEI); (4) the Executive Director and Deputy Executive Director of the AAN, AAN Institute, and AANF; (5) Chief Operating Officer of AEI; (6) and the Editor-in-Chief of the Academy's journal.

VI. Organizational Review

A. Every proposal for an Academy external funding relationship must be submitted to, and approved by, Executive Director prior to staff implementation. The Executive Director will consult with the appropriate Executive Staff concerning all proposals.

B. The Executive Director shall report all approved external funding relationships to the American Academy of Neurology Board of Directors.

C. All Academy decisions regarding external funding arrangements will be reported by the American Academy of Neurology Board of Directors to the membership at the annual meeting and published in the Annual Report.

Policy history:

Approved on June, 26, 2004, by the AAN Board of Directors (AAN Policy 2004-16).

Approved on June 11, 2010, by the AANF Board of Trustees. Amended on June 12, 2010, by the AAN Board of Directors (AAN Policy 2010-24) and the AANPA Board of Directors (AANPA Policy 2010-16). Amended on August 1, 2011, by the AAN Board of Directors (AAN Policy 2011-21).

The General Counsel edited this policy to reflect the name changes (i.e., American Academy of Neurology ~~Professional Association~~ and American Academy of Neurology Institute) that were effective December 6, 2010 (AAN Policy 2010-40 and AANPA Policy 2010-23).

JCH:20110801

² Effective 2013.