

Ineligible Company Reference Guide

Memorial Sloan Kettering Cancer Center Continuing Medical Education (MSK CME)

Definition of Ineligible Company

Companies whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients. Examples of such organizations include:

- Advertising, marketing, or communication firms whose clients are ineligible companies
- Bio-medical startups that have begun a governmental regulatory approval process
- Compounding pharmacies that manufacture proprietary compounds
- Device manufacturers or distributors
- Diagnostic labs that sell proprietary products
- Growers, distributors, manufacturers or sellers of medical foods and dietary supplements
- Manufacturers of health-related wearable products
- Pharmaceutical companies or distributors
- Pharmacy benefit managers
- Reagent manufacturers or sellers

Owners and Employees of Ineligible Companies

The **owners** and **employees** of ineligible companies are considered to have unresolvable financial relationships and must be excluded from participating as planners or faculty, and must not be allowed to influence or control any aspect of the planning, delivery, or evaluation of accredited continuing education, except:

- A. When the content of the activity is not related to the business lines or products of their employer/company.
- B. When the content of the accredited 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.
- C. 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.

Owners and employees are individuals who have a legal duty to act in the company's best interests.

- **Owners** are defined as individuals who have an ownership interest in a company, **except for stockholders of publicly traded companies, or holders of shares through a pension or mutual fund.**
- **Employees** are defined as individuals hired to work for another person or business (the employer) for compensation and who are subject to the employer's direction as to the details of how to perform the job.

The above is outlined in greater detail within the Accreditation Council for Continuing Medical Education's [Standards for Integrity and Independence in Accredited Continuing Education](#).

If you have any questions, please email cme@mskcc.org.

Thank you for your participation in one of our MSK CME activities.

Revised 8/9/2021

