

DATE **June 4, 2020**

TO: OFFICERS, COUNCILORS, AND TRUSTEES

**FROM: MARK J. ADAMS, MD, MBA, FACR, MSSNY COMMISSIONER ON
MEDICAL EDUCATION**

**MIRIAM HARDIN, PHD, MANAGER, CONTINUING MEDICAL
EDUCATION**

**Re: REPORT FROM THE OFFICE OF CONTINUING MEDICAL
EDUCATION**

**Report of the MSSNY Committee on Continuing Medical Education
John Maese, MD**

The Committee on Continuing Medical Education oversees the Subcommittee on Educational Programs (which fulfills MSSNY's role as Accredited Provider) and the Subcommittee on Surveys (which fulfills MSSNY's role as Recognized Accreditor). Each Subcommittee makes a report of their activities and decisions and the full Committee ratifies those decisions.

The Subcommittee on Surveys reports are provided by the Chair, Sandhya Malhotra, MD. The Subcommittee on Educational Programs reports are provided by Charles Gonzalez, MD. All subcommittee members must be members of the full CME Committee.

Since the Council's March meeting, the CME Committee has met once, on March 20, 2020. During that meeting, the committee reviewed the memorial resolutions that had been submitted for this year's House of Delegates, for Pauline Hecht, MD and Sheldon Putterman, MD. Dr. Hecht, who had passed in September 2019, had been chair of the Subcommittee on Surveys for approximately 20 years. Dr. Putterman, who had passed in January 2020, had been the chair of the Subcommittee on Educational programs for ten years. Dr. Maese proposed that the CME Committee name the keynote lecture at MSSNY CME Provider Conference after Dr. Hecht and Dr. Putterman, and the committee approved the measure.

In addition, the committee discussed next steps for "Proposed Standards for Integrity and Independence in Accredited CE," which, when finalized and adopted by the Accreditation Council for Continuing Medical Education (ACCME) will replace their current Standards for Commercial Support. Having collected and considered feedback from multiple stakeholders, ACCME anticipates release of their new standards by the end of the year.

The Continuing Medical Education Committee is scheduled to meet again on June 19, 2020.

On March 23, 2020, ACCME sent MSSNY notification on reaccreditation. The findings and actions taken in relation to them are described in an affixed memorandum to Dr. Maese.

Report of the Subcommittee on Educational Programs **Charles Gonzalez, MD, Chair**

Since the Council's March meeting, Subcommittee on Educational Programs has met via conference has not met; however, they will have met via conference call on May 20, 2020 when this report is delivered. The call that would have taken place on March 18, 2020 was cancelled, and the call that would have taken place on April 15, 2020 was replaced by offline collaboration related to MSSNY's progress report (discussed in the affixed memo).

Report of the Subcommittee on Surveys **Sandhya Malhotra, MD, Chair**

Since the Council's March meeting, the Subcommittee on Surveys has met once, on March 20, 2020. At this meeting, two MSSNY-accredited providers submitted for reaccreditation, Nassau University Medical Center and Staten Island University Hospital. These decisions were the result of a year-long process for reaccreditation that included submission of a written self-study, documentation review of performance in practice (activity files), and an interview between the survey team (members of the Subcommittee) and the representatives of the organization.

The Subcommittee on Surveys is scheduled to meet again on June 19, 2020.

Miscellaneous

As the ACCME Recognized Accreditor in New York State, MSSNY has awarded accreditation status to 30+ organizations across New York State. The MSSNY Office of Continuing Medical Education manages the accreditation of these organizations and holds a monthly web-conference with all MSSNY-accredited providers to discuss CME requirements and issues. Since the March Council meeting, this web-conference was held on March 11, 2020; April 1, 2020; and May 13, 2020. When this report is delivered, the June training will have occurred on June 3, 2020.



MEDICAL SOCIETY OF THE STATE OF NEW YORK

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Memorandum

To: John Maese, MD
Chair, MSSNY CME Committee

From: Miriam Hardin, PhD
Manager of Continuing Medical Education

Date: May 18, 2020

RE: MSSNY Reaccreditation, Probation, and Corrective Actions

This memo will contain a summary of ACCME's notifications to MSSNY regarding the March 2020 reaccreditation decision, noncompliance findings based on one CME activity, and the timeline for completing ACCME's progress-report process.

ACCME communicated MSSNY's reaccreditation decision via a letter dated March 23, 2020. The letter conveyed that ACCME's finding was Probation. The reason for the decision was that in one of the fifteen CME activity files reviewed, the joint provider had allowed two employee/founders of ACCME-defined commercial interests to serve as faculty on CME content related to their product.

MSSNY was given an eight-month timeline to complete a progress report. The progress report is due July 8, 2020, and the decision on the progress report will be made in November 2020. Notification on the progress-report decision will occur in December 2020.

On March 30, 2020, there was a conference call with all three of our CME chairs: You, as chair of the CME Committee, Charles Gonzalez, MD; chair of the Subcommittee on Educational Programs; Sandhya Malhotra, MD; chair of the Subcommittee on Surveys; and me, on behalf of the Office of CME. We began the process of devising an improvement plan.

On April 17, 2020, ACCME held a conference call with MSSNY. The following participants were on the call:

ACCME Participants:

Graham McMahon, MD; President and CEO of ACCME
Dion Richetti, Vice President of Accreditation and Recognition
David Baldwin, Director of Accreditation Services
Whitney Mayer, Systems Manager of Accreditation and Recognition

MSSNY Participants:

Art Fougner, MD; MSSNY President
Bonnie Litvack, MD; MSSNY President-Elect
Phil Schuh, CPA; MSSNY EVP & CEO
Pat Clancy, Senior VP Public Health, MSSNY
John Maese, MD; MSSNY CME Committee Chair
Miriam Hardin, PhD; MSSNY CME Manager

Garfunkel Wild (MSSNY's General Counsel) Participants:

Barry Cepelewicz, Esq.
Andrew Zwerling, Esq.

On the call, ACCME staff covered the rationale for the decision and covered MSSNY's options. Following the call, MSSNY made the internal decision to accept ACCME's findings and proceed with the progress-report process.

MSSNY's Subcommittee on Educational Programs, the subcommittee that fulfills MSSNY's role as an accredited CME provider, has been working on the improvement plan, and this will be the focus of their May 20, 2020 conference call. The next time the full CME Committee meets will be Friday, June 19, 2020. The meeting materials for that date will include the draft self-study report and activity files, so that the committee can amend if needed and approve the product in advance of the July 8, 2020 submission deadline.

During the probationary period, MSSNY can continue to administer directly provided CME activities. Entering into joint-providership agreements during this time is not permitted; however, the jointly provided activities that were already contracted prior to the decision notification are still allowed to be carried out as planned. Academy of Medicine of Richmond is working with MSSNY to temporarily partner with joint providers that would otherwise contract with MSSNY.

ACCME staff have expressed confidence that MSSNY can succeed in having the probation lifted through the progress report, on the timeline described above. The CME Committee and MSSNY staff will take the necessary steps to ensure this outcome.