

## FAQs Regarding the Minimizing Commercial Influence on Education Policy

**Please Note:** The term “CERP” when used to describe an educational activity means that the educational activity is either eligible for or has already been approved for Continuing Education Recognition Points (CERPs).

### General Questions about the Policy

**FAQ: IBCLCs need to know about the breastfeeding and lactation care products that are available and it is difficult to organize and pay for educational activities without financial support from companies that sponsor exhibits or help pay for certain activities. Is commercial influence of IBCLCs really that big of an issue?**

*Commercial influence on the education of IBCLCs is an issue. As the lactation consultant profession grows and has more influence on others, IBCLCs have become an increasingly important target market for products and services. Companies view IBCLCs as a trustworthy source of information for parents and families. Because IBCLCs are viewed as such a reliable source of information, more companies want to market their products and services to them. As a targeted market, IBCLCs are at risk for being unduly influenced by commercial sponsorship of education.*

*IBCLCs are in a position to influence many families to use products of all sorts, including breast pumps, slings, nipple creams, bras, and foods just to name a few. The purpose of advertising and marketing of products is to convince individuals to buy or use a product. Companies may exhibit at CERP educational activities in order to encourage, entice and shape the opinions of IBCLCs to be favorable toward their products and services. As the organization that awards CERPs to educational activities and as the certifying body for IBCLCs, IBLCE has the duty to set standards aimed at avoiding and minimizing such conflicts of interest. Companies that are associated with the education of IBCLCs might influence the opinions of IBCLCs and, as a result, might unduly influence the purchasing decisions of families served by IBCLCs.*

*For example, if you attend a conference or workshop at which a Company sponsors a meal or party, the Company may be hoping that you will be influenced by the fact that they provided you with food. They may also be hoping that you will remember this meal or party with fondness and, therefore, be more inclined to recommend their products to families in your care. Promotional items that you pick up at exhibit booths may have the same intention—to encourage you to use the company’s products or services. Through the “Minimizing Commercial Influence on Education Policy” IBLCE seeks to minimize the possibility that IBCLCs will be influenced by such common marketing practices and, upon their return home, use their own influence as health care practitioners to influence mothers and other consumers.*

### Standard 1.2

A Company cannot take the role of non-approved partner in a joint sponsorship relationship.

**FAQ: I am the president of a local lactation consultant association and we have very little money. A breast pump company has offered to pay for speakers at our educational meetings and workshops. We could not afford to bring in the speakers that they have offered without their assistance. If we accept their offer, can we receive CERPs for the education?**

*No because you, the CERP Provider, are responsible for choosing the educational content, learning objectives and speakers.*

**FAQ: A breastfeeding products company has told us that a well-known researcher whose research they support will be traveling to our country in the near future. They have suggested that we might want to have this researcher speak at one of our conference sessions. Is this okay?**

*If you are made aware of the availability in your region/country of an international speaker who is an expert on a topic that your conference planning committee has chosen independently, you can invite that speaker as long as your group pays the speaker's area/regional travel expenses to the location of your conference (i.e. pays the reasonable "side-trip" travel expenses).*

**FAQ: I'm an IBCLC in private practice and through my practice I rent and sell a variety of breastfeeding products. I also provide education that is designed as continuing education for IBCLCs. Am I allowed to offer CERP-approved education?**

*Making an effort to separate the commercial business of selling or renting breastfeeding products from the educational offerings is best practice. If you are offering education under the name and auspices of your private practice, there may be real or perceived conflicts of interest. Although it is not possible to completely separate the two aspects of your business, it would be preferable for you to offer education through a different business name, not under the name and authority of your private practice. When applying for CERPs, you should disclose the connection between your private practice and your educational offerings and explain how you maintain boundaries around your different business activities in order to avoid real or perceived conflicts of interest.*

**FAQ: It is very difficult to provide lactation education without some help from companies. Am I required to turn down all offers for financial help?**

*CERP Providers may accept funds from companies so long as the funds are given as an unrestricted educational grant. The company may not place any conditions on how the CERP Provider can spend the money and the CERP Provider may not announce that the Company paid for any specific portion or cost of the conference. The CERP Provider must have and assume full responsibility for decisions regarding the educational content and speakers for the program.*

### Standard 2.3

The provider must have implemented a mechanism to identify and resolve all conflicts of interest prior to the CERP education activity being delivered to learners.

**FAQ: What kind of mechanism is acceptable? What measures does a CERP Provider need to take?**

*Have all speakers disclose any possible conflicts of interest early on in the speaker selection process, and require speakers to identify any potential conflicts with their sources of funding, employment, etc., before they speak. Please see the [Sample Speaker Disclosure Form](#).*

### Standard 3.3

All commercial support associated with a CERP educational activity must be given with the full knowledge and approval of the CERP provider.

**FAQ: Please expand on this. I'm confused about what is expected of me.**

*As the CERP Provider, you are expected to know about any commercial support received by any partners with whom you are working to provide the educational activity. In addition, you are expected to know about any commercial support such as support for research or program development that any speakers have received. Any such support must be disclosed to you and approved by you before the educational activity is given. In addition, any such commercial support must be disclosed to the participants at the beginning of the educational activity.*

*This means that the provider needs to ensure that all speakers declare their commercial support to the provider as well as the audience before they speak. The purpose of such disclosures is to allow learners to make informed decisions about the information provided during the educational activity.*

#### Standard 3.5

The written agreement must specify the Company that is the source of commercial support.

*Please see the [Sample Speaker Disclosure Form](#).*

#### Standard 3.8

The CERP provider, the joint sponsor, or designated educational partner must pay directly any teacher or author honoraria or reimbursement of out-of-pocket expenses in compliance with the CERP provider's written policies and procedures.

**FAQ: Our lactation consultant association would like to offer education at a local hospital over lunch. Can a company sponsor this “lunch and learn” activity? Their financial help is needed to make this happen. We don’t have the money to do this by ourselves.**

*You can accept an educational grant from the company. The grant cannot have any restrictions. In other words, the company would give your association the money and your association would decide how to use it. Your association is responsible for deciding what your expenses will be and how you will use the financial support you received. At the “lunch and learn,” you may tell participants that some financial support was received from the company (and say the company’s name); however, you cannot say, “Thanks to “company\_\_\_\_\_” for lunch.” or “Thanks to “company\_\_\_\_\_” for paying the speaker’s costs.”*

#### Standard 3.10

If teachers or authors are listed on the agenda as facilitating or conducting a presentation or session, but participate in the remainder of an educational event as a learner, their expenses can be reimbursed and honoraria can be paid for their teacher or author role only.

**FAQ: May a CERP Provider give speakers a complimentary registration for the conference?**

*No. The standard states that a speaker’s reimbursement and/or honoraria can be paid for their role as author or teacher only. Speakers cannot be paid to be a learner. A complimentary registration would be paying for the speaker’s learning during the conference.*

#### Standard 3.12

The CERP provider may not use commercial support to pay for travel, lodging, honoraria, or personal expenses for non-teacher or non-author participants of a CERP educational activity. The CERP provider may use commercial support to pay for reasonable travel, lodging, honoraria, or personal expenses for bona fide employees and volunteers of the CERP provider, joint sponsor or educational partner.

**FAQ: Can CERP Providers accept commercial sponsorship for scholarships for learners/participants?**

*No. CERP Providers may not accept commercial sponsorship to pay for scholarships for learners/participants. Such scholarships would be considered a commercial grant specifically meant to pay for sending people to attend the conference, i.e. their registration, travel and/or lodging.*

**FAQ: Does this mean that CERP Providers cannot offer scholarships to participants?**

*No. CERP Providers may use their own funds, if they so desire, to offer scholarships to participants. If a CERP Provider accepts an unrestricted grant from a company, the CERP Provider could choose to*

*use a portion of the unrestricted grant to offer scholarships. However, the CERP Provider may not advertise in any way that the Company's grant was used to offer scholarships.*

**FAQ: May CERP Providers use commercial sponsorship money to pay costs for employees and volunteers?**

*Yes. If a CERP Provider accepts unrestricted funds from a Company, the CERP Provider may use the funds to pay for their employees and paid staff. And, keep in mind that the CERP Provider may feel indebted to the Company and speak highly of their products. By paying for staffing expenses, the Company is not getting public exposure, but the funds provided by the Company places the educator in a position of potential influence to give preference for the Company's products and services.*

Standard 4.2

Product-promotion material or product-specific advertisement of any type is prohibited in or during CERP educational activities. The juxtaposition of editorial and advertising material on the same products or subjects must be avoided. Live (staffed exhibits, presentations) or enduring (printed or electronic advertisements) promotional activities must be kept separate from CERP educational activities. All advertisements should be clearly identified as such.

**FAQ: Is it permissible for printed documents and promotional materials to have advertisements in a separate section divided from the educational content? Can these advertisements be in the same document or volume?**

*Yes, the advertisements must be in a section separate from the educational content and clearly marked as advertising.*

**FAQ: If a handbook or handout is given out, is it permissible in a separate section (divided from the educational material) to have advertisements and still be in one volume?**

*Yes, as long as the advertisement is not related to the educational content. For example, a handbook or handout on breast-milk expression could not have advertisements related to breast pumps, milk storage containers or other related products.*

**FAQ: May speakers offer their books or other educational material for sale and signing?**

*Yes, so long as the sales and signing are offered in a space that is separated from the educational activity. Speakers may cite their books during the educational presentation but they should not sell their books within the room where the education is being offered. There should be some physical separation between such commercial activities and the educational presentation.*

Standard 4.3

Educational materials that are part of a CERP educational activity, such as slides, abstracts and handouts, cannot contain any advertising, trade name or a product-group message.

**FAQ: If the speaker is making a presentation about a specific breastfeeding product—for example nipple creams—may they show brand name products in their presentation?**

*Showing brand names in presentations should be avoided. The brand name should be obscured or more than one brand should be shown. It is better to refer to products by their generic names or active ingredients. Speakers also should not use company logos on their presentation because frequent exposure to logos increases familiarity and potentially biases individuals toward the company's products.*