



# **RULES POLICIES AND PROCEDURES**

Commission for Continuing Education Provider Recognition  
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Policies and procedures for the ADA Continuing Education Recognition Program are contained in the separate document [ADA CERP Recognition Standards and Procedures](#).

# RULES OF THE COMMISSION FOR CONTINUING EDUCATION PROVIDER RECOGNITION

## Article I. MISSION

The Commission for Continuing Education Provider Recognition serves the public, the dental profession, and other healthcare providers by developing and implementing standards that promote excellence in continuing dental education to support professional competence and continuous improvement of patient care.

## Article II. BOARD OF COMMISSIONERS

Section I. LEGISLATIVE AND MANAGEMENT BODY: The legislative and management body of the Commission for Continuing Education Provider Recognition shall be the Board of Commissioners.

Section 2. COMPOSITION: The Board of Commissioners shall consist of:

Four (4) members who shall be appointed by the Board of Trustees from the names of active, life or retired members of this Association. None of the appointees shall be a faculty member of any dental education program working more than one day per week or a member of a state board of dental examiners or jurisdictional dental licensing agency. At least two (2) of members appointed shall be general dentists.

One (1) member who is an active member of the American Association of Dental Boards and also, if eligible, an active, life or retired member of this Association shall be selected by the American Association of Dental Boards.

One (1) member who is an active member of the American Dental Education Association and also, if eligible, an active, life or retired member of this Association shall be selected by the American Dental Education Association.

The remaining Commissioners shall be selected as follows: one (1) dentist who is board certified in the respective discipline-specific area of practice and is selected by each of the following organizations: American Academy of Oral and Maxillofacial Pathology, American Academy of Oral and Maxillofacial Radiology, American Academy of Oral Medicine, American Academy of Orofacial Pain, American Academy of Pediatric Dentistry, American Academy of Periodontology, American Association of Endodontists, American Association of Oral and Maxillofacial Surgeons, American Association of Orthodontists, American Association of Public Health Dentistry, American College of Prosthodontists; the American Society of Dentist Anesthesiologists; one (1) member appointed by the American Society of Constituent Dental Executives and one (1) member of the public who is neither a dentist nor an allied dental personnel nor teaching in a dental or allied dental education institution and who is selected by the Commission, based on established and publicized criteria. In the event a Commission member sponsoring organization fails to select a Commissioner, it shall be the responsibility of the Commission to select an appropriate representative to serve as a Commissioner. The Director of the Commission shall be an ex-officio member of the Board without the right to vote.

Section 3. TERM OF OFFICE: The term of office of the members of the Commission shall be one four (4) year term.

Terms of Commissioners shall begin and end with adjournment of the closing session of the annual meeting of the House of Delegates of the American Dental Association in the appropriate year.

Section 4. POWERS:

- A. The Board of Commissioners shall be vested with full power to conduct all business of the Commission subject to the laws of the State of Illinois, the *Constitution and Bylaws* of the

American Dental Association, the *Governance and Organizational Manual* of the American Dental Association, the *Standing Rules for Councils and Commissions* and these *Rules*.

- B. The Board of Commissioners shall have the power to establish rules and regulations to govern its organization and procedure provided that such rules and regulations are consistent with the *Constitution and Bylaws* of the American Dental Association, the *Governance and Organizational Manual* of the American Dental Association, the *Standing Rules for Councils and Commissions* and these *Rules*.
- C. The Board of Commissioners shall be vested with full power to conduct meetings in accordance with these *Rules* and the *Policies and Procedures Manual of the Commission on Continuing Education Provider Recognition*.
- D. The Board of Commissioners shall appoint special committees of the Commission for the purpose of performing duties not otherwise assigned by these *Rules*.
- E. The Board of Commissioners shall appoint consultants to assist in developing provider recognition standards and conducting CE provider evaluations, and to assist with other duties of the Commission from time to time as needed. The Board of Commissioners shall have the authority to remove a consultant for cause in accordance with procedures established by the Commission.
- F. The Board of Commissioners shall have the sole authority to remove a Commission member for cause in accordance with procedures established by the Commission, which procedures shall provide for notice of the charges, including allegations of the conduct purported to constitute each violation, and a decision in writing which shall specify the findings of fact which substantiate any and all of the charges. Prior to issuance of the decision of the Commission, no Commission member shall be excused from attending any meeting of a Commission unless there is an opportunity to be heard or compelling reasons exist which are specified in writing by the Commission. The Commission shall inform the American Dental Association Board of Trustees and any relevant appointing organization when it has removed a member for cause.

#### Section 5. DUTIES:

- A. The Board of Commissioners shall prepare a budget annually for carrying on the activities of the Commission for the ensuing fiscal year and shall submit said budget to the Board of Trustees of the American Dental Association in accordance with the *Governance and Organizational Manual* of the American Dental Association.
- B. The Board of Commissioners shall submit an annual report of the Commission's activities to its communities of interest, including the House of Delegates of the American Dental Association, and interim reports, on request, to the Board of Trustees of the American Dental Association.

#### Section 6. MEETINGS:

- A. **REGULAR MEETINGS:** There shall be two (2) regular meetings of the Board of Commissioners each year.
- B. **SPECIAL MEETINGS:** Special meetings of the Board of Commissioners may be called at any time by the Chair of the Commission. The Chair shall call such meetings on request of a majority of the voting members of the Board provided at least ten (10) days' notice is given to each member of the Board in advance of the meeting. Confirmation of meeting attendance by a majority of voting members of the Board shall serve as an indication of the Board's request to conduct the special meeting. No business shall be considered except that provided in the call to the meeting unless consideration of said business is approved by unanimous consent of the members of the Board present and voting.

- C. **LIMITATION OF ATTENDANCE DURING MEETINGS:** In keeping with the confidential nature of the deliberations regarding the recognition status of individual CE providers, a portion of the meetings of the Commission shall be designated as confidential, with attendance limited to members, the American Dental Association Trustee Liaison, and selected staff of the Commission.

Section 7. **QUORUM:** A majority of the voting members of the Board of Commissioners shall constitute a quorum.

Section 8. **VACANCIES:** In the event of a vacancy in the office of a Commissioner, the following procedures shall be employed:

- A. In the event that the Commissioner was selected by an association, the Director of the Commission shall notify the appointing organization and such association shall select a successor who possesses the qualifications established by the *Governance and Organizational Manual* of the American Dental Association and these *Rules* to complete the unexpired term. In the event the appointing organization fails to select a Commissioner, it shall be the responsibility of the Commission to select an appropriate representative to serve as a Commissioner.
- B. In the event that the Commissioner was the public representative, the Board of Commissioners shall elect a successor who possesses the qualifications established by these *Rules* and Commission policy to complete the unexpired term.
- C. If the term of the vacated office of a member of the Commission has fifty percent (50%) or less of a full four-year term remaining at the time the successor member is appointed to fill the vacancy, the successor member shall be eligible for appointment to a new four-year term. If more than fifty percent (50%) of the vacated term remains to be served at the time of the appointment of a successor member to fill the vacancy, the successor member shall not be eligible for another term.

### Article III. APPEAL BOARD

Section 1. **APPEAL BOARD:** The appellate body of the Commission shall be the Appeal Board from which shall be selected a hearing panel which shall have the authority to hear and decide appeals filed by continuing education providers from decisions rendered by the Board of Commissioners denying or revoking recognition. Such appeals shall be heard pursuant to procedures established by these *Rules* and the Commission's policies.

Section 2. **COMPOSITION:** The Appeal Board consists of one representative selected by each of the organizations represented on the Board of Commissioners who has previously served on the Board of Commissioners. When an appeal is initiated, the Director selects three (3) individuals from the pool of available Appeal Board Members to serve as a hearing panel to adjudicate the appeal and issue a decision which shall be final. One (1) member of the Appeal Board shall be appointed annually by the Chair of the Commission to serve as the Chair and shall preside at all meetings of the Appeal Board. The Director of the Commission shall provide assistance to the Appeal Board.

Section 3. **TERM OF OFFICE:** The term of office of members on the Appeal Board shall be one four (4) year term.

Section 4. **MEETINGS:** The Appeal Board shall meet at the call of the Director of the Commission, provided at least ten (10) days' notice is given to each member of the Appeal Board in advance of the meeting. Such meetings shall be called by the Director only when an appeal to the appellate body has been duly filed by a continuing education provider.

Section 5. **QUORUM:** A majority of the voting members of the Appeal Board shall constitute a quorum.

Section 6. VACANCIES:

- A. In the event of a vacancy in the membership of the Appeal Board of the Commission, the Chair of the Commission shall appoint a member of the same organization, or in the case of a consumer of the general public, possessing the same qualifications as established by these Rules, to fill such vacancy until a successor is selected by the respective representative organization.
- B. If the term of the vacated position has fifty percent (50%) or less of a full four-year term remaining at the time the successor member is appointed, the successor member shall be eligible for a new, consecutive four-year term. If more than fifty percent (50%) of the vacated term remains to be served at the time of the appointment, the successor member shall not be eligible for another term.

Article IV. CONTINUING EDUCATION RECOGNITION PROGRAM

Section 1. RECOGNITION STANDARDS AND PROCEDURES: The Commission, acting through the Board of Commissioners, shall establish and publish specific Standards and Procedures for the recognition of providers of continuing dental education programs.

Section 2. PROCEDURES FOR EVALUATING INITIAL AND RENEWAL APPLICATIONS FOR RECOGNITION: Providers of continuing dental education activities shall be evaluated for compliance with the Standards and Procedures and recognition status conferred by the Board of Commissioners on the basis of the information and data provided on survey forms and reports and secured by the members of, and consultants to, the Board of Commissioners, as set forth in the Standards and Procedures and in the Procedures for an Adverse Action Against a Continuing Education Provider.

Article V. OFFICERS

Section 1. OFFICERS: The officers of the Commission shall be a Chair and Vice-chair, Director and such other officers as the Board of Commissioners may authorize. The Chair and Vice-chair shall be elected by the Board of Commissioners.

Section 2. ELIGIBILITY: The Chair and Vice-chair shall be ~~a dentist~~ who are members of the Board of Commissioners. The Chair and Vice-chair shall be active, life or retired members of the American Dental Association.

Section 3. ELECTION AND TERM: The Chair and Vice-chair of the Commission shall be elected annually by the Board of Commissioners. The term of the Chair and Vice-chair shall be one (1) year beginning and ending with adjournment of the closing session of the annual meeting of the House of Delegates of the American Dental Association.

Section 4. DUTIES: The duties of the officers are as follows:

- A. CHAIR:
  1. Appoint members and chairs of such committees as are necessary for the orderly conduct of business except as otherwise provided in these *Rules*.
  2. Circulate or cause to be circulated an announcement and an agenda for each regular or special meeting of the Board of Commissioners.
  3. Preside during meetings of the Board of Commissioners.
  4. Prepare or supervise the preparation of an annual report of the Commission.

5. Prepare or supervise the preparation of an annual budget of the Commission.
  6. Represent the Commission during sessions of the House of Delegates of the American Dental Association.
- B. VICE-CHAIR: The Vice-chair shall assist the Chair in the performance of his or her duties. If the Chair is unable to attend any given meeting of the Board of Commissioners, the Vice-chair shall preside at the meeting. If the Vice-chair also is unable to attend the meeting, the other members of the Board of Commissioners present and voting shall elect by majority vote an acting chair for the purpose of presiding at that meeting only.
- C. VACANCIES: In the event the vacancy involves the Chair, the Vice-chair shall immediately assume all duties of the Chair. In the event the vacancy involve the Vice-chair, a meeting of the Commission shall be convened to select a new Vice-chair.

Section 5. DIRECTOR:

- A. Appointment: The Director of the Commission shall be an employee of the American Dental Association selected by the Executive Director of that Association.
- B. Duties: The Director of the Commission shall:
1. Prepare an agenda and keep minutes of meetings of the Board of Commissioners.
  2. See that all notices are duly given in accordance with the provisions of these *Rules* or as required by law.
  3. Be the custodian of records of the Commission.
  4. Manage the office and staff of the Commission.
  5. In general shall perform all duties incident to the office of Director.

Article VI. REMOVAL FOR CAUSE

Pursuant to the *Rules of the Commission for Continuing Education Provider Recognition*, the following are causes for removal of a member from the Board of Commissioners, Committees, or Appeal Board:

- continued, gross or willful neglect of the duties of the office;
- failure to comply with the Commission's policies on conflict of interest;
- failure or refusal to disclose necessary information on matters of Commission business;
- failure to keep confidential any exclusive information protected by secrecy that becomes known to the member by reason of the performance of his or her duties on the Commission's behalf;
- failure to comply with the Association's professional conduct policy and prohibition against harassment;
- unauthorized expenditures or misuse of Commission funds;
- unwarranted attacks on the Commission, any of its committees or any person serving the Commission in an elected, appointed or employed capacity;
- unwarranted refusal to cooperate with any Commissioner, Committee Member or Appeal Board member or staff;
- misrepresentation of the Commission and any person serving the Commission in an elected, appointed or employed capacity to outside persons;
- being found to have engaged in conduct subject to discipline pursuant to Chapter XI of the *Governance and Organizational Manual* of the American Dental Association; and
- conviction of a felony.

## Article VII. MISCELLANEOUS

Section 1. Meeting Minutes: Minutes of the Commission shall be posted and available for public viewing.

Section 2. Contracts: The Commission may enter into contracts for services related to recognition activities pursuant to the policies and procedures of the Commission.

Section 3. Parliamentary Procedure: The rules contained in the current edition of “The American Institute of Parliamentarians Standard Code of Parliamentary Procedure (AIPSC)” shall govern the deliberations of the Board of Commissioners and Appeal Board in all instances where they are applicable and not in conflict with the *Constitution and Bylaws* of the American Dental Association, the *Governance and Organizational Manual* of the American Dental Association and these *Rules*.

## Article VIII. AMENDMENTS

These *Rules* may be amended at any meeting of the Board of Commissioners by a two-thirds majority vote of the members of the Board present and voting.

Adopted October 3, 2019  
Revised April 23, 2020



# CCEPR POLICIES AND PROCEDURES

Adopted April 23, 2020

## APPOINTMENT OF PUBLIC MEMBER

The composition of the Commission for Continuing Education Provider Recognition, as established by the *ADA Governance and Organizational Manual* and the Commission's *Rules*, includes one public member to be selected by the Commission. The public member may not be a dentist, an allied dental personnel, nor teaching in a dental or allied dental education institution, and must meet the Criteria for Appointment to the Commission. The public member shall be appointed to one (1) four (4) year term.

The Commission shall publicize an open position for a public member by posting notices on the CCEPR website and and/or emailing notices to professional organizations, state boards, and other interested parties and groups. Notices shall be sent at least 60 days before the deadline for applications. Applications will be submitted to CCEPR staff. Applications will be reviewed by an ad hoc committee comprised of three members of the Board of Commissioners to be appointed by the Chair. The Committee shall review applications and make recommendations to the Board of Commissioners.

The Board of Commissioners will select and appoint the public member at a regularly scheduled meeting of the Commission, by conference call or by electronic ballot.

## CRITERIA FOR APPOINTMENT TO THE COMMISSION

All appointees to the Commission must meet the following criteria:

- Ability to commit to one (1) four (4) year term;
- Willingness to commit to ten (10) to twenty (20) days per year to Commission activities, including but not limited to training, comprehensive review of print and electronic materials, and participation in and travel to Commission meetings;
- Ability to evaluate a continuing dental education program objectively in terms defined by recognition standards;
- Stated willingness to comply with all Commission policies and procedures;
- Ability to conduct business through electronic means (email, Commission web sites);
- Active, life or retired member of the American Dental Association, where eligible.

Additional criteria for public member appointees:

- A commitment to bring the public/consumer perspective to the Commission's deliberations. The candidate should not have any formal or informal connection to the profession of dentistry; also, the candidate should have an interest in, or knowledge of, health-related or accreditation issues. In order to serve, the candidate must not be a:
  - a. Dentist or member of an allied dental discipline;
  - b. Instructor in a dental or allied dental education institution;
  - c. Employee, member of the governing board, owner, or shareholder of, or independent consultant to a continuing dental education provider or a company that produces dental products or services;
  - d. Member or employee of any professional trade association, licensing/regulatory agency or membership organization related to, affiliated with or associated with the Commission, dental education, or dentistry; or
  - e. Spouse, parent, child or sibling of an individual identified in a-d above.

## **POLICY ON CHANGES TO THE COMPOSITION OF THE BOARD OF COMMISSIONERS**

The Commission is composed of representatives and subject area experts from the dental education, dental licensure, organized dentistry, specialty and general dentistry practice communities, and the public at large. As the practice of dentistry and dental education continue to evolve, the Commission may consider a change in its composition, consistent with the Commission's *Rules* and the American Dental Association's *Bylaws and Governance and Organizational Manual*.

## **COMMITTEES OF THE COMMISSION**

The Commission for Continuing Education Provider Recognition has four (4) standing Committees that are advisory to the Board of Commissioners: Finance, Planning and Evaluation, Policies and Procedures, and CERP Complaints. The composition of the Standing Committees are made up of members of the Board of Commissioners who are appointed by the Chair of the Commission. The Standing Committees typically convene by conference call. The charge of each of the Standing Committees follows:

### Planning and Assessment Committee:

- Develop and implement an ongoing strategic planning process;
- Develop and implement a formal program of outcomes assessment tied to strategic planning;
- Use results of the assessment processes to evaluate the effectiveness of the Commission and make recommendations for appropriate changes;
- Assist Commission with preparation of self-assessment to House of Delegates.

### Finance Committee:

- Monitor, review and make recommendations to the Commission concerning the annual budget;
- Review and make recommendations regarding the Intercompany Memorandum of Understanding and Services Agreement.

Policies and Procedures Committee: Draft and periodically review Commission policies and procedures; recommend revisions as needed.

CERP Complaints Committee: Investigate formal complaints submitted against CERP recognized providers in accordance with the CERP Complaints Policy and make recommendations regarding disposition of the complaint to the Commission.

Ad-hoc Committees: In addition to the four standing committees, the Commission may form ad hoc committees to address specific issues or concerns. An ad hoc committee functions until the issue is resolved or until the ad hoc committee becomes a standing committee of the Commission. Committees shall be comprised of members of the Board of Commissioners. The Chair shall appoint Commissioners to serve on ad hoc committees and taskforces. The Board of Commissioners may appoint Consultants who possess certain knowledge and expertise to serve on ad hoc committees as needed.

Other Committees: Commissioners may also be asked by the Chair to serve on groups established by external agencies, such as task forces or joint committees, in accordance with applicable ADA rules.

## **APPOINTMENT OF CONSULTANTS**

The Board of Commissioners shall appoint Consultants to assist in developing provider recognition standards, conducting CE provider evaluations (Reviewer Consultants), and to assist with other duties of the Commission from time to time as needed. Consultants shall be appointed for a one-year term. Consultants may be reappointed to serve additional terms. The Board of Commissioners shall have the

authority to remove a Consultant for cause. Possible causes for removal of a Consultant shall be the same as for removal of a Commissioner, as enumerated in Article VI of the Commission's *Rules*.

Consultants may make recommendations to the Board of Commissioners on recognition matters and/or policy. Final decisions on recognition actions and policies are made by the Board of Commissioners.

Reviewer Consultants: The Commission may invite Commissioners whose terms have expired to serve as CERP Reviewer Consultants. Reviewer Consultants will be appointed by the Commission to serve a one-year term. Reviewer Consultants may be reappointed to serve additional terms.

Reviewer Consultants will be assigned to review 3-5 applications per CERP review cycle. Reviewer Consultants will conduct business electronically and by conference call as needed, but will not attend Commission meetings, except at the invitation of the Chair.

## **PROCEDURES FOR REMOVAL OF COMMISSIONERS, CONSULTANTS AND APPEAL BOARD MEMBERS**

Pursuant to the Rules of the Commission for Continuing Education Provider Recognition, the Commission may remove from office a member of the Commission or Appeal Board or a Consultant for cause. The causes for removal from office are documented within the Commission's Rules. Before a member is removed for cause, the following procedures shall be followed by the Board of Commissioners.

The Chair of the Board of Commissioners shall notify the accused member in writing of the allegations concerning the member's performance. The written notice shall include a description of the conduct purported to constitute each charge. The accused shall be invited to respond in writing. If the accused member wishes, he or she may resign the position voluntarily or may request the opportunity to appear before the Board to respond to the allegations received. If an appearance is requested, the Board shall schedule it during the next meeting of the Board.

If the Commission, Committee or Appeal Board of which the accused is a member is scheduled to meet before the date of the appearance, the Board of Commissioners at its discretion may excuse the accused member from attending that meeting only after the Board of Commissioners offers the accused the opportunity for an appearance to discuss the allegations, or where it determines that compelling reasons exist for excusal. It shall specify the reasons for excusal in writing.

Formal rules of evidence shall not apply to the appearance to discuss the allegations made, but if requested, the Board of Commissioners shall permit the accused member to be assisted by legal counsel. Following the appearance, the Board shall decide by majority vote whether or not to remove the accused member. Every decision, which results in removal of a Commission, Review Committee, or Appeal Board member for cause, shall be reduced to writing and shall specify the findings of fact which support the decision to remove the accused member. If the Board of Commissioners decides to remove the accused, that action shall create a vacancy on that Commission, Review Committee, or Appeal Board which shall be filled in accordance the appropriate provisions in these Rules. All records of the proceedings and the cause for removal shall be confidential information.

The Commission shall provide notice to the ADA Board of Trustees once the Commission acts to remove a member for cause.

## **CONDUCT OF MEETINGS**

The Commission meets twice each year to consider CERP provider applications and reports, policies related to recognition, and Commission business.

Policy on Attendance at Open Portion of Commission Meetings: The Commission may elect to make portions of a meeting open to interested members of the public, such as the communities of interest, international observers, and representatives of continuing dental education programs. Those attending are observers only and do not participate in the Commission's discussion. Confidential matters, such as recognition matters, are discussed in a closed session of the meeting that is not open to observers. Observers are asked to pre-register to assist the Commission in making arrangements for the meeting. Pre-registration helps ensure that the individual is notified when the preliminary agenda is available. When appropriate, the Commission may make policy reports and committee summary reports related to agenda items available to non-Commissioners prior to the meeting. Access to the preliminary meeting agenda and non-confidential meeting materials, as appropriate, may be provided through CCEPR's website. The Commission does not assume any travel, hotel or other costs for observers attending the meeting. Observers are not required to pay any registration or materials fee for observing the meeting.

Guests Invited to Commission Meetings: On occasion the Commission may invite representatives from accrediting agencies in other professions or other organizations, as the Commission deems appropriate, to attend portions of Commission meetings as guests, provided they agree to comply with the Commission's Confidentiality Agreement.

Confidentiality of Recognition Applications and Reports: Certain policy portions of the Commission meetings may be open to observers, while discussion of recognition applications and reports, and recognition actions are confidential and conducted in closed session. All deliberations of the Appeal Board are confidential and conducted in closed session. Unless required by law, Commission members and Consultants are not authorized to disclose to other parties any information about a CE provider obtained during the review process or discussed during Commission meetings.

Meeting Materials/Discussions: Background reports and informational materials related to recognition matters are regularly prepared for review by the Commission and its Consultants. These materials and all discussions related to recognition matters routinely remain confidential. The Commission determines when, and the manner in which, newly adopted policy and informational reports will receive public distribution.

## **CONFIDENTIALITY POLICY**

All materials generated and received in the recognition process are confidential. In all instances identifiable patient information must not be submitted to the Commission. If submitted, identifiable patient information should be secured, returned to the sender or securely deleted when appropriate, and must not be improperly used or disclosed. The Commission's confidentiality policies apply to Commissioners, Consultants and members of the Appeal Board. Confidential materials are maintained to ensure the integrity of the continuing education provider and of the recognition process.

ADA CERP Confidentiality: The Commission for Continuing Education Provider Recognition will not release in any form the name of any continuing dental education provider that has:

1. Initiated contact with the Commission concerning application for recognition;
2. Applied for recognition but has not yet been apprised of a decision;
3. Applied for and been denied recognition.

Further, the Commission will not confirm that a CE provider has not applied for recognition, or provide details regarding any weaknesses of an AADA CERP recognized provider. All inquiries as to the recognition status of a specific provider will be answered by referral to the published, official list of ADA CERP recognized providers.

The following are examples of documents to which confidentiality applies:

- Pre-applications and Applications for recognition submitted by CE providers
- Progress reports submitted by CE providers
- Reviewer evaluation checklists and summaries: The reviewer evaluation checklists and summary score sheets are unofficial documents and remain confidential between members of the Commission and Consultants, and may not, under any circumstances, be released. Members of the Commission and Consultants who review providers' applications and reports and prepare these assessments must keep the contents confidential, except when discussing with assigned co-reviewers, or with the Commission during the confidential portion of the meeting. Further, the names of Commissioners and Consultants assigned to review individual applications or reports will not be released.
- Decision reports and transmittal letters to providers: Information on the recognition status and term granted is public information. However, the formal Decision Report and transmittal letter to CE providers summarizing the Commission's findings remain confidential between the institution and the Commission unless the institution wishes to release this information at its sole discretion.

Surveys: Routinely gathered survey data are used in the recognition process and also provide a national data base of information about the Continuing Education Recognition Program (CERP). The Commission may release to the public any portion of de-identified, aggregated survey data that is collected unless the terms of confidentiality for a specific section are clearly indicated on the survey instrument. Any data which may be reported from confidential subsections are published in a manner which does not allow identification of an individual institution/program.

Identifiable Patient Information: CE providers are instructed to comply with the CERP Policy on Compliance with Privacy Laws. In the event that an application or report submitted by a CE provider includes any information that could identify an individual as a patient, this information must be securely disposed of or securely redacted from Commission records. If a Commissioner, Consultant Reviewer or Appeal Board member believes any identifiable patient information has been inappropriately used or disclosed, he/she must contact the Commission office immediately. CE providers must not provide identifiable patient information to Commissioners, Consultant Reviewers, or Commission staff.

Reminder of Confidentiality: The following statement will be reviewed by the Commission at meetings and provided to Consultant Reviewers at the beginning of each CERP review cycle:

The Commission for Continuing Education Provider Recognition reminds you that confidentiality is an integral part of the recognition process. The Commission must have access to much sensitive information in order to conduct its review of programs. The confidentiality of this information must be protected by CCEPR meeting participants as well as by Consultants participating in the CERP review process. The Commission requires that all Commissioners, Consultants and Appeal Board members sign an Agreement of Confidentiality annually. In signing the Agreement, you indicate your familiarity with the Commission's policy on confidentiality and agreed to abide by it. Unless indicated otherwise, all meeting materials, CERP application and review materials, any identifiable patient information, and all discussions related to the recognition of programs are confidential. Identifiable patients information, which includes any information that identifies or that could be used to identify an individual as a patient may not be used by you for any purpose. If you believe any identifiable patient information has been inappropriately used or disclosed, you must immediately contact the director of the Commission at 312-440-2869. Confidentiality has no expiration date.

Agreement of Confidentiality: I am aware that as a participant in the ADA CERP recognition review process or appeal process, or a participant in a meeting where such matters are discussed, I have access to information which must remain confidential. I have read and understand the Commission for Continuing Education Provider Recognition's policy on Confidentiality and agree to protect the confidentiality of all materials, all identifiable patient information, recommendations and suggestions and discussions before, during and after the Commission's meetings, or during the CERP review process.

Name: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## **CONFLICT OF INTEREST POLICY**

Policies and procedures used in the recognition of continuing dental education providers establish a system of checks and balances regarding the fairness and impartiality in all aspects of the recognition process. A central component of the Commission's operations is the impartiality of its decision-making and each member's personal duty to avoid real conflicts of interest or even the appearance of conflicts of interest. The potential for a conflict of interest arises when a member's duty to make decisions in the public's or profession's best interest is compromised by competing interests of a personal or private nature.

Conflict of interest is considered to be (1) any relationship with an institution or program, or (2) a partiality or bias, either of which might interfere with objectivity in establishing continuing education recognition standards or the provider recognition process. Procedures for appointments to the Commission, Consultants and the Appeal Board, conduct of meetings, and conducting reviews support transparency and impartiality.

The Commission believes that conflict of interest or the appearance of a conflict of interest must be avoided in all situations in which decisions are being made by Commissioners, Consultants, or members of the Appeal Board. Even where there is no conflict of interest that would require the removal of a Commissioner or the disqualification of a Commissioner-designee, a conflict of interest with respect to a particular issue or decision may arise. No Commissioner, Consultant, or member of the Appeal Board should participate in any decisions in which he or she, or an immediate family member, has a financial or personal interest, has divided loyalties, and/or has a personal stake related to the outcome of a decision.

During a term of service to the Commission, a Commissioner, Consultant or Appeal Board member, must not serve as a consultant to continuing education providers that are seeking ADA CERP recognition from the Commission.

Current and former volunteers involved in the Commission's recognition process may be requested to make presentations to third-parties related to the Commission and its recognition process. Unless the presentation is pre-authorized and prepared by the Commission, the volunteer must make it clear that the presentation is not endorsed by the Commission for Continuing Education Provider Recognition. Further, it must be made clear that the information provided is based only on experiences of the individual and not being provided on behalf of the Commission.

## **PROTOCOL FOR MANAGING POTENTIAL CONFLICTS OF INTEREST**

Commissioners, Consultants and Appeal Board members are required to disclose annually any affiliations that may be relevant to the work of the Commission. Disclosure may include but is not limited to

- Material financial interest in a business, activity or organization which is also a provider of continuing dental education
- Position of substantial participation in a business, activity or organization which is also a provider of continuing dental education
- Material financial interest in a business, activity or organization which engages or intends to engage in any transactions or arrangements with ADA or CCEPR, or which competes or

- may compete with ADA's or CCEPR's business, relationships or activities
- Position of substantial participation in a business, activity or organization which engages or intends to engage in any transactions or arrangements with ADA or CCEPR, or which competes or may compete with ADA's or CCEPR's business, relationships or activities
- Faculty appointments
- Position as a dental examiner, member of a state or regional testing agency or board of dentistry
- Immediate family member who has any of the relationships listed above

Determination of a conflict of interest with respect to a particular matter under consideration by the Commission shall be made by the Chair of the Commission, in consultation with the Director of the Commission, the public member of the Commission and legal counsel. In the event that a conflict of interest is identified in a particular instance, the Commissioner may be instructed to not access documentation related to the topic in advance of or at the time of the meeting. Further, the Commissioner may be asked to leave the room or recuse themselves from the discussion. In cases in which a conflict of interest is less obvious, it is the responsibility of any Commissioner who feels that a potential conflict of interest exists to disclose the potential conflict to the Chair, who will determine the action that is appropriate under the circumstances.

ADA CERP Recognition Process: Commission staff will consult the list of disclosures from Commissioners, Consultants and Appeal Board members and assign applications and reports for review where there is no apparent conflict of interest. Each application cycle, staff will send to all CERP reviewers, including Commissioners and Reviewer Consultants, a copy of the Commission's Conflict of Interest Policy and criteria and a preliminary list of Reviewer Assignments. Reviewers will be asked to identify any relevant affiliations that may exist and notify staff so that the document to be reviewed may be reassigned to another reviewer if appropriate. At any time during the review process a reviewer may notify staff of a relevant relationship that may create a conflict of interest and request that the document be reassigned.

Potential conflicts of interest when reviewing CERP applications and reports include, but are not limited to, the following:

- Close professional or personal relationship or affiliation with the institution/program or key personnel at the institution/program which may create the appearance of a conflict of interest;
- Serving as an institutional consultant to the institution/program;
- Being a graduate of the institution/program;
- Being a current employee or appointee of the institution/program;
- Having a family member who is employed by or affiliated with the institution/program;
- Having been an employee of the institutions/program within the last five years;
- Manifesting a professional or personal interest at odds with the institution/provider.

During the portion of the Commission meeting in which the Commission takes action on CERP recognition status, the Chair will remind the Commission of the Conflict of Interest Policy and request members of the Commission to identify any relevant affiliations they may have with any institution/program on which a recognition action will be taken. Any members disclosing such a relationship will be asked to recuse themselves from voting on those institutions/programs.