

Commercial Interest FAQs

What is a “commercial interest”?

ADA CERP defines a commercial interest as “(1) An individual or entity that produces, markets, re-sells or distributes health care goods or services consumed by, or used on, patients, or (2) an individual or entity that is owned or controlled by an individual or entity that produces, markets, resells, or distributes health care goods or services consumed by, or used on, patients. Providing clinical services directly to or for patients (e.g., a dental practice, dental lab, or diagnostic lab) does not, by itself, make an individual or entity a commercial interest.”

This definition is published in the [ADA CERP Glossary](#) and the [ADA CERP Recognition Standards](#).

Can commercial interests receive ADA CERP recognition?

Effective July 1, 2023, commercial interests will no longer be eligible to receive ADA CERP recognition. The recognition status of any commercial interests that were previously ADA CERP recognized expires June 30, 2023.

Why did ADA CERP make this change?

The intent of this change is to reduce the potential conflicts of interest that can arise when entities that produce, market, distribute or re-sell healthcare goods or services used on patients also control the content of continuing dental education activities. The revised ADA CERP Eligibility Criteria also helps align CERP continuing dental education standards with those for other healthcare professions, and with U.S. Food and Drug Administration guidance regarding separation of marketing and education activities.

Are for profit education companies considered commercial interests?

Education companies, whether for profit or not for profit, may be eligible for ADA CERP recognition. They would not be considered commercial interests unless they also produce, market, re-sell or distribute health care goods consumed by or used on patients, or unless they are owned or controlled by an entity that does so.

Are dental laboratories considered commercial interests?

If a dental lab only fulfills work orders from dentists, it would not be considered a commercial interest unless it also markets, distributes, re-sells or produces proprietary healthcare products used on patients, or if it is owned or controlled by an entity that does so.

How do I know whether my organization is a commercial interest?

If you are considering applying for ADA CERP recognition, we recommend that you review the [commercial interest self-assessment questions](#) (PDF).

If your organization is currently an ADA CERP recognized provider, you completed a commercial interest questionnaire either in the form of a commercial interest survey in 2020-2021, or as part of the ADA CERP Pre-application process; and the Commission has already notified you regarding your eligibility to participate in ADA CERP.

If your organization was previously determined to be eligible but has since undergone changes in ownership, legal status, or form of control, you must report those changes to the Commission. Information on reporting substantive changes is available under [Reporting substantive change](#).

Can ADA CERP recognized providers accept support from commercial interests?

ADA CERP recognized providers may accept grants or in-kind support, such as donated equipment or supplies, from commercial interests that wish to support a provider's CE activities. This is considered "commercial support." Standard V in the [ADA CERP Recognition Standards](#) outlines the requirements for managing commercial support appropriately. For example, commercial support must be documented in a letter of agreement stating what is being given, and the supporting company must agree that it will have no role in developing the course, selecting the instructor, or providing any course content. Commercial support must also be disclosed to learners.

May an ADA CERP recognized provider ask a commercial interest to suggest a course or instructor for a program it is putting on?

Commercial interests may have no role in selecting CE course topics, instructors or content. Once the independent CE provider has identified a topic and instructor it may invite commercial interests to support the CE activity with a grant or in-kind support.

May a commercial interest act as a joint provider of a CE activity?

Beginning July 1, 2023, commercial interests will no longer be eligible for ADA CERP recognition. At that time commercial interests may no longer act as "joint providers" of CE activities. This means that commercial interests may not partner with an ADA CERP recognized provider to plan or administer CE activities, or have any role in developing CE activities. The ADA CERP [Joint Providership Policy](#) has been updated to reflect this change.

Commercial interests may provide financial and in-kind support for CE activities developed by ADA CERP recognized providers, as long as the commercial interests have no role in selecting or providing the topics, content or instructors.

May an employee of a commercial interest serve as an instructor in a CERP recognized provider's CE program?

A CE provider must take steps to minimize potential conflicts of interest that may arise when an individual has a financial interest in a product and is in a position to control the content of a CE presentation in which that product is discussed. Owners and employees of commercial interests have a conflict of interest when the content of a CE activity is related to the business lines or products of their company, and should not serve as instructors or course planners. There are three exceptions to this.

Owners and employees of a commercial interest may serve as instructors if

- a) the content of the activity is not related to the business lines or products of their company;*
- b) the content of the CE activity is limited to basic science research and they do not make care recommendations; and*
- c) 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.*

Where can I learn more about ADA CERP's new requirements regarding commercial interests?

Slides from the March 2023 presentation on Understanding the Revised ADA CERP Eligibility Criteria are available under [Resources for Providers](#).

Contact [CCEPR staff](#) for more information.