

Virtual Events Guidance

Approved by Code Committee on 6 October 2020

Introduction

The COVID-19 pandemic has changed the healthcare congress environment, at least in the short- and medium-terms. As the need for high-quality medical education and training remains, a significant shift towards online and other virtual formats of providing education can be observed. However, a number of questions arise regarding the application of the [MedTech Europe Code of Ethical Business Practice](#) (“Code”) to these new learning media. As such, MedTech Europe developed this Guidance Document to serve as a repository of guidance that already existed on different formats and platforms regarding the topic of virtual events. Most of the below predates this document. The only substantial addition relates to [meals](#) and [Third-Party Procedure Trainings](#).

Reminder: Supporting Third-Party Organised Educational Events and Company Organised Events

As a reminder, under specific conditions, the Code allows MedTech Europe Member Companies to support both Company Organised Events as well as Third-Party Organised Educational Events through financial and/or in-kind support (e.g. Member Company products). These arrangements may continue as Third-Party programs shift to a virtual format, provided they comply with all applicable provisions of the Code.

In addition, the group commented that there is no position on “fake virtual events”, noting that they are increasing. Virtual events should be thoroughly checked before a decision is made to support them.

Definition of Virtual Events ([link](#))

Q3bis: What is a Virtual Third Party Organised Educational Event (“Virtual Event”) (added in June 2019) A3bis: A [stand-alone] Virtual Third Party Organised Educational Event (“Virtual Event”) consists of the filming of presentations, panel discussions or live clinical procedures (e.g., hands-on sessions, surgery simulations, live surgeries, etc.) and their broadcasting (whether immediate or deferred) to an audience which is not physically in attendance.

A Virtual Event is distinguished by the absence of Healthcare Professional (“HCP”) attendees, as the only HCPs physically present at a Virtual Event would be those involved in its creation, i.e. presentation. As a result, a Virtual Event will not be connected in any way with a physical Third Party Organised Educational Event. For the avoidance of doubt a Virtual Event can also have all or part of its speakers/presenters take part virtually.

Conversely, the filming of presentations, discussions, etc. made during a Third Party Organised Educational Event (“Broadcasted Event”), and its broadcasting to audiences not present at the physically attended Event—whether contemporaneously or after the Event—do not qualify as a Virtual Event.

For avoidance of doubt, Member Companies may provide financial and/ or in-kind support (e.g., Member Company products) to Virtual Events in accordance with the rules of the Chapter 2 of the Code and therefore may not directly support the attendance of HCPs to these Events.

Virtual Events and the Conference Vetting System

Q3ter: Are Virtual Events subject to the MedTech Europe Conference Vetting System (CVS)? (added in June 2019)

A3ter: Virtual Events are not subject to the MedTech Europe CVS. Third Party Organised Educational Events as well as their broadcasting remain subject to CVS evaluation if they are within its eligibility scope.

Both Virtual and Broadcasted Third Party Organised Educational Events are subject to the rules of the MedTech Europe Code of Ethical Business Practice.

Third Party Organised Procedure Trainings

As per the Code, Member Companies may support Third Party Organised Procedure Training (TPPT), in accordance with the Code, either via Educational Grants or by providing financial support directly to individual Healthcare Professionals to cover the cost of attendance at TPPT sessions. As such, the Code Committee further clarified on 8 September 2020, that should the participants' practical, hands-on portion of a TPPT be cancelled or made virtual, the Event itself no longer qualifies as a TPPT. As such, Member Companies may only support, via Educational Grants and registration fee/access to the recording to such Events. Under no circumstances may travel expenses be covered.

Fake Virtual Events & review process

With the rise of Virtual Events, the risk of "fake" Events becomes more prevalent. As such, it may be useful to consider the guidance included *in Q&A 5 which provides what is meant by "legitimate" or "genuine" as used in the definitions of 'Company Event' and 'Third Party Organised Educational Conferences'*. Any Event should be relevant to the Healthcare Professional attendees; the detailed programme should be available in sufficient time prior to the Event; present a clear schedule [...]. If it is a Third Party Organised Educational Event the Faculty must be identified. It is also important that all supporting materials (e.g. flyers, brochures and website) are consistent with the scientific or promotional nature of the programme content, as the case may be.

Companies are therefore encouraged to adopt controls for reviewing requests to support Third-Party Organised Educational Virtual Events and the following questions may be helpful when reviewing such requests:

- Do the topics, faculty, attendees, and educational materials reflect an objective, legitimate, educational purpose?
- Does the agenda reflect legitimate educational, medical, scientific information, or policymaking topics?
- Are the supporting materials (e.g. flyers, brochures and website) consistent with the nature of the programme content and the objective of the Event?
- Is the request for funding reasonable and reflective of the educational purpose of the program?

Fair-market-value

Q&A 44 defines fair-market-value (FMV) is the value of the specified [consultancy] services which would be paid by the Member Company to the consultant, each dealing at arm's length in an open and unrestricted market, when neither party is under any compulsion to buy or sell, and both parties have reasonable knowledge of the relevant facts.

As per the [MedTech Europe communication](#) (15 July 2020), the aspect of appropriate pricing for virtual satellite symposia, and their fair-market-value (FMV), are fundamental questions of commercial nature and need to be negotiated between congress organisers and potential sponsors/companies. Eventually, FMV for virtual satellite symposia and more broadly for online/remote systems for the provision of Continuous Medical Education will establish itself over time, but it is a progressive change based on the assumption that it is an equitable transaction for all parties involved. The determination of the value of supporting such new setups is left to the discretion and interpretation of individual companies on the basis of an internal methodology to determine such FMV.

Provision of meals during Virtual Events

On 8 September 2020 the Code Committee clarified that while there may be nuances depending on the setting from which the HCP is attending the Event (for example, if the HCP is attending from his/her place of work and other HCPs are also doing so), no home delivery will be permitted, for example through catering or food delivery services to the HCPs' home.

Employer notification (during the COVID 19 pandemic) ([link](#))

The Code Committee also clarified in guidance published on 27 March 2020 that, for the duration of the COVID-19 crisis and until the current situation passes, invitations to HCPs to participate in Company Organised Virtual Educational Events do not require Employer Notification [to prevent additional strain on the internal administration of hospitals].

Additional materials

- [AdvaMed Code of Ethics Compliance Guidance Related to the COVID-19 Response](#) (May 2020)
- [IFPMA, EFPIA, & PhRMA Joint Guidance on Virtual International Medical Congresses Impacted by COVID-19](#) (July 2020)
- [IPCAA guidance](#) (April 2020)