State of Vermont
Office of the Secretary of State

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To:	Vermont Dentists
From:	Robert S. Ruhl, DMD, Chair, Vermont Board of Dental Examiners
Date:	May 1, 2020
Re:	Offers of Free Continuing Education

This memorandum, developed with OPR, answers frequently asked questions about the Prescribed Products Gift Ban, as that law relates to dentists' ability to accept free continuing education.

Vermont Laws restrict when and how healthcare professionals, including dental professionals, may accept free or reduced-cost services from manufacturers of prescribed products (including pharmaceuticals, devices, and other appliances or goods used in health care). During the COVID 19 emergency, dentists are being offered a variety of free continuing education courses. Dental providers may participate in, and accept credit for, these free courses, though some general guidelines should be observed.

Vermont Product Gift Ban and Disclosure Law

The Vermont Prescribed Product Gift Ban and Disclosure Law ("Gift Ban Law") bans "manufacturers" of "prescribed products" (as those terms are defined here) from engaging in certain activities with health care professionals, and it requires that these manufacturers report other activities to the Vermont Attorney General.

It is important to note that the manufacturer, not the health care professional, is restricted by this law and obligated to report its activities. Further, if the CE provider is NOT a "manufacturer" of a "prescribed product," the gift law ban does not apply.

Manufacturers of prescribed products subject to the Gift Ban Law are permitted to provide free continuing education courses to health care professionals, including dental professionals, if all of the following conditions are met:

- No payment goes directly to the health care professional;
- The course is for bona fide educational purposes and all program content is objective, free from industry control and does not promote specific products; and
- The course is a significant educational, medical, scientific or policy-making conference or seminar that is
  - Accredited by CODA or a comparable organization or is presented by an approved sponsor of continuing education, provided that the sponsor is not a manufacturer of prescribed products; and
  - Offers continuing education credit, features multiple presenters on scientific research, or is authorized by the sponsor to recommend or make policy.

Examples:

- The manufacturer would be in violation of the Gift Ban Law if the continuing education course is made free for just one specific dentist. It is not a violation to take a free course that is open to all membership of an organization or all dentists, for example.
- A manufacturer may not offer as a continuing education course that is a "sales-pitch" for one of its products.

By these requirements, many of the free CE credits currently being offered to dental professionals are acceptable. Dental professionals must ensure that CE courses are meritorious from a scientific and clinical perspective, not simply product promotions.

Please remember that non-clinical credits earned for courses in practice administration, financial recovery, and other general administrative matters are not allowed toward the biennial CE requirements. Other Rules regarding CE credits required to renew your Vermont dental professional license remain in effect.

If you are having difficulty completing your CE requirements due to the COVID-19 State of Emergency, OPR has issued guidance on CE accommodations, which can be reviewed here.