

Freedom of Information Request May 5, 2014

"Dear [UofL]

I wish to follow up on this weekend's story about the University of Louisville School of Medicine's Continuing Medical Education (CME) unit being placed on probation by the Accreditation Council for Continuing Medical Education ACCME.

I wish to enter a Freedom of Information Request for the following:

1. Letter from ACCME notifying UofL of its probationary status.
2. The advertising brochures, program, or other promotional materials used for the CME event in Phoenix that led to the CME unit being placed on probation.
3. All correspondence between the Accreditation Council for Continuing Medical Education and the University, both before and after, relating to the probationary status and any potential appeal processes.
4. All internal UofL emails relating to the notification and acceptance of the probationary status.
5. All internal and external correspondence, written or electronic, relating to the planning and organization of the specific event at issue, including that with the other organizers of the event. This would include information sent by UofL to other organizers and potential faculty members about required disclosure of conflicts of interest and other requirements or guidelines necessary in order for UofL to designate the CME event as qualifying for approved CME Credit. This would include any materials returned to UofL in response to the request for disclosure.
6. Invoices and receipts of monies received by the University, including any and all of its agents and affiliated units, for its role in sponsorship of the CME event.
7. Correspondence between UofL and the ACCME regarding any earlier issues compromising UofL accreditation to sponsor CME events.
8. List of other external (i.e. outside of Louisville) CME events sponsored by the UofL CME program

Electronic records in fulfillment of this request are perfectly acceptable.

Best Regards,,
Peter Hasselbacher
May 5, 2014"

- For Item #4, I received only a required progress report prepared for the ACCME that outlined future but not policy and procedures existing at the time of non-compliance.
- For #5, I received only the conflict of interest forms submitted by some of the faculty but no other materials. Since this was the area where UofL fell down, withholding of the relevant other documents is disappointing but perhaps true to form. The COI forms that were provided are discussed in the article.
- There was no information to be had for item #7. This was apparently the first instance of probation or adverse action such as requiring a progress report.
- I agreed that request #8 was overbroad and I substituted a request for the 10 most recent outside events. I suspect the submitted list of 23 Live Courses from the year 2013 was curated from a longer list. The majority of these CME programs involved dermatology or rheumatology. I will try to clarify this count.

Response from UofL to FOI Request received June 16, 2014.

“Responding to your request for records regarding the School of Medicine ACCME, I have attached an invoice for the copies. ...

There are emails and attachments identified for request #4 and #5 that are withheld from release as they are preliminary conversations containing recommendations/ opinions and discussing matters not intending to constitute final action. KRS 61.878(1)(i) and (j) authorizes the nondisclosure of "Preliminary drafts, notes, correspondence with private individuals, other than correspondence which is intended to give notice of final action of a public agency" and "Preliminary recommendations, and preliminary memoranda in which opinions are expressed or policies formulated or recommended."

Also, regarding request #7 I have not identified any responsive records."