

CONFLICT OF INTEREST: RELATIONSHIP WITH THE PHARMACEUTICAL INDUSTRY

PRINCIPLES

Physicians must exercise independent professional judgement in prescribing for patients. Therefore, physicians must have regard to whether circumstances surrounding physician interaction with the pharmaceutical industry may compromise or may appear to compromise that judgement.

Where an allegation of conflict of interest is made, the onus is on the physician to justify his/her actions.

SCOPE

This guideline applies to all interactions between individual physicians and the pharmaceutical industry. Although the comments are directed to the pharmaceutical industry, the College is of the view that the same principles apply to physicians and other health care product and health care service suppliers in general.

GOAL

The College has developed the following guideline to assist practitioners in considering relationships with the pharmaceutical industry and other health care product and service providers.

RECOMMENDATIONS

Gifts to Physicians

1. A physician should not accept any gift unless it primarily entails a benefit to patients and is not of substantial value. Examples of acceptable gifts are:
 - textbooks
 - drug samples,
 - individual items of a modest value and directly related to the physician's work, such as pens and notepads.
2. A physician should always be aware that the more substantial the gift, the greater the appearance of a conflict of interest, and that where a perception of conflict may exist, the onus is always on the physician to demonstrate independent judgement in prescribing practice.
3. No gifts should be accepted if there are conditions attached. Examples of unacceptable gifts include gifts given:
 - in relation to prescribing practices
 - in relation to the inclusion of drugs on formularies
 - in relation to the use of a test, procedure, or other health care product or service
 - for participating in any political or lobbying activity that may advance a pharmaceutical company's interests.

4. Payment from pharmaceutical companies for any services provided by a physician should be consistent with the services offered and with usual and customary payments for such services.

Continuing Medical Education Events

5. When pharmaceutical companies sponsor all or part of conferences, meetings or dinners, physicians must consider whether the gathering is primarily dedicated to promoting educational activities, as opposed to a marketing scheme. The method of selection of the subject and speakers should be made clear to all persons attending these meetings.
6. A physician should avoid functions where there is concern that:
 - attempts will be made to inappropriately influence the attendees
 - dissenting opinions re a particular health care option will not be given a chance to be heard
 - the corporate sponsor attempts to unduly influence the selection of speakers, the agenda, or the topics selected.
7. Preference should be given to attending educational functions organised through an "arms-length" body responsible for the conduct and content of the function, not directly controlled by the sponsors.
8. A physician should be conscious of the "track record" of the sponsors of educational functions, and avoid functions whose sponsors have attempted to intimidate, manipulate, or coerce members of the health care community in the past. Even though individual physicians may feel well able to resist such tactics themselves, they should be aware that their attendance at a function where such abuses occur might serve to legitimise them.
9. Direct subsidies from industry to compensate for the physician's time or to cover the costs of travel, lodging or other personal expenses of physicians attending conferences are unacceptable. An exception exists for a physician who is making a presentation or in some other way serving as faculty at that conference or meeting, or providing genuine consulting services in relation to it. Token consulting or advisory arrangements, or participation in "market research" cannot be used to justify the compensation of physicians for their time and/or expenses.
10. Subsidies for meals and other modest hospitality or social events held as part of a conference or meeting are acceptable.

Research

11. A physician should not participate in any industry-sponsored research activities without first confirming that the appropriate ethics committee has provided formal approval.
12. Before participating in any industry-sponsored research activities, a physician should make appropriate inquiries to be assured that any research or clinical trial proposed has a valid scientific and ethical framework, with a clear objective, and is not just a marketing technique.

13. A physician who accepts honoraria, research grants, or placement on industry speakers' bureaus should disclose all such connections whenever he/she speaks at symposia or scientific meetings

or makes any public statements on subjects related to the companies' products.

14. It is not acceptable under any circumstances for a physician to publish under his/her own name anything that has been written in whole or in part by the employees, agents or researchers of a pharmaceutical or health technology company. Under no circumstances should a physician allow his/her professional reputations to be rented or leased to extend an aura of respectability to research he/she did not do or to articles he/she did not write.
15. It is not acceptable under any circumstances for a physician to participate in industry-sponsored research activity where the terms restrict in any way the public presentation of the actual results of the research.

Medical Trainees

16. Meetings between pharmaceutical company representatives and medical trainees should be arranged in advance with senior staff.

Any physician wishing to obtain detailed examples of the application of the above principles are invited to contact the CMA.

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A guideline is practice generally recommended.