

# The Miami Herald

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## Research group probes drug reps' compliance

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In light of a federal proposal to shine light on hidden payments to doctors, a Boston-based research group says South Florida medical sales reps are doing a "crummy" job of complying with a county regulation regarding their relationship with Jackson Memorial Hospital.

The sales reps -- and anyone else attempting to sell to the Jackson system -- are required to register as lobbyists and detail how much they spend on Jackson employees.

"We obtained all the records from the county, and it looks like compliance is crummy," said Allan Coukell, director of the Pew Prescription Project.

"Very few reps have registered; many major companies are missing; the few that registered filed little or nothing in the way of expenses -- even though you've got to know they were bringing lunch etc. to doctors," wrote Coukell in an e-mail.

Three Jackson officials told The Miami Herald that the hospital has a rigid system that prohibits pharmaceutical sales reps from unduly influencing purchases, but the head of the Miami-Dade County Ethics Commission, Robert Meyers, said there are holes in the present regulation that need to be fixed.

The Jackson registration requirement is a rarity in the nation. Pew researchers are looking at it carefully to see if it offers any insights on how to best craft a national law requiring companies to publicly disclose their financial relationships with doctors.

A bipartisan bill is now before the U.S. Senate. Five states and the District of Columbia already gather such information, Coukell said.

For several years, Pew and others have been reporting about how some doctors recommend certain drugs after receiving benefits from large medical suppliers -- everything from research grants and speaking fees to lunches for office staffs.

Pew's research found that 57 medical supply reps had registered with Miami-Dade. Eli Lilly registered 14. But other major drug makers -- including Pfizer, Merck and GlaxoSmithKline -- hadn't reported a single sales rep calling on the Jackson system, which has an annual budget of more than \$1.7 billion.

### FEW FILINGS

"We found we can't learn much because there haven't been very many filings," said Coukell in a phone interview. "It is striking that a number of major companies are not represented."

Pfizer, Merck and GlaxoSmithKline did not immediately respond to requests for comment.

Of the 57 who did report, the vast majority said they had no expenses for their Jackson visits. Pew found that odd, too, noting that various studies indicate the pharmaceutical industry spends somewhere between \$20 billion and \$57 billion a year on marketing.

## **ENTERTAINMENT**

An exception was Paul Montone, a South Florida rep for Stryker Medical, which manufactures artificial knees, surgical tables and such.

Montone reported almost \$60,000 in expenses -- including \$38,960 for entertainment, \$11,000 for travel and \$3,700 for food and beverage.

Montone said he had been contacted by the company about The Herald's request for comment. "I explained everything to them," he said. "They told me not to speak to anybody."

Ana Lopez-Samblas, Jackson's director of pharmacy, said the system chooses drugs based on evidence-based formularies, established by committees after extensive reviews, so that drug reps would not be able to charm their way into selling drugs.

Tom Blaine, Jackson's director of procurement management, said the hospital has a system in which vendors must register and get ID badges to get through security. They must make appointments and can't simply wander the halls. If they're sales reps, the hospital checks to see if they're registered as lobbyists, Blaine said.

The Herald asked if any reps from Pfizer, Merck or AstraZeneca had been given badges.

Jackson didn't respond by deadline.

Venessa Price, an assistant director in the pharmacy department, said it was "wonderful news" that most sales reps who had registered were not reporting any expenses at Jackson. "That reassures us the policy is being followed."

Meyers at the ethics commission said the "tricky part" of the lobbyist regulation is that sometimes Jackson pays for a product, like a medical device, but it's ordered by a doctor employed by the University of Miami, which provides many of the physician services for Jackson.

## **DEFIBRILLATORS**

Meyers cited a case in which UM cardiologist Alberto Interian Jr. kept ordering defibrillators from St. Jude, where his girlfriend was the sales rep. The ethics commission decided it couldn't pursue the case because Interian was a contractor with Jackson, not an employee.

A proposal for new regulation, scheduled to go before the County Commission later this month, would make doctors like Interian subject to the same ethics rules that county employees face.

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