



Management

New Policies Stomp Out Freebies, Industry Gift

By Abigail Jeffries

There's concern that manufacturers will find ways around new codes of conduct

High-profile legal battles centered around physicians and their lucrative consulting relationships with medical device makers have spurred medical centers to revisit their professional conflict-of-interest policies.

Barbara Barnes, M.D., vice president for contracts, grants and continuing medical education at the University of Pittsburgh Medical Center, says she wanted to prevent UPMC from falling prey to the sorts of conflicts of interest that have landed other prestigious institutions in hot water.

"We were aware that these things could happen in the absence of guidelines, so we chose to be proactive," says Barnes, who co-chaired a task force that developed the new UPMC and Schools of Health Sciences industry relations policy, which went into effect in February.

Under the policy, which applies to all pharmaceutical and medical device manufacturers, as well as biotechnology and equipment supply companies, UPMC personnel may not accept gifts, including food, from industry representatives, regardless of dollar value. Paid consulting arrangements must be reviewed and approved in advance and must include specific professional duties.

"We chose to prohibit gifts entirely. This was based on the literature that indicates that gifts even of minimal value can create relationships between clinicians and industry that could influence clinical decision-making," Barnes says.

Industry representatives can get access to UPMC or SOHS facilities only if their company has registered with UPMC supply chain management. They must also complete a Web-based application and then be invited by a specific business unit.

It's critical to involve physicians and nurses when revising conflict-of-interest policies, says Robert Restuccia, executive director of the Prescription Project, an outreach and education project funded by the Pew Charitable Trusts. Launched in February 2007, the project developed a set of recommendations for maintaining tighter controls over physician-industry relations.

There isn't a one-size-fits-all approach, Restuccia says. Opinions vary on whether a conflict exists when physicians provide free drug samples to patients. Some hospitals compromise by dispensing samples through their pharmacies.

"If the prescription is for a generic drug, the pharmacy decides which brand to dispense," he says. "Thus the physician's connection with a brand name is broken and a barrier is added between the industry representative and the physician. This system also enables better tracking of drug samples."

Industry groups such as the Advanced Medical Technologies Association and the Pharmaceutical Research and Manufacturers of America are also working on guidelines.

Bert Kelly, spokesperson for global medical technology company Medtronic Inc., says his company's code of conduct is in sync with those enacted by health care institutions and any violation "is not tolerated." Employees who violate the policy can be fired, he says. The policy extends to independent agents under contract to sell the

company's wares.

Despite these industry initiatives, Restuccia worries that cracks in the system may already be developing. "For example, pharmaceutical companies are proposing to finance a physician's electronic medical record system, which gives them access to patient information. Then they place pop-up ads in a patient's record to advertise brand-name medications based on that patient's diagnosis. This is already happening," he says.