

Institutions taking dim view of pharma freebies

Centers set rules to discourage taking gifts

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Kaiser's strict ban on accepting handouts is "going amazingly smoothly," says Levine.

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Some of Northern California's top academic medical centers and health systems, including **Stanford University Medical Center**, **Kaiser Permanente**, the University of California system and **UC Davis Medical Center**, are among the leaders in a growing national campaign to strictly limit or eliminate gifts and other freebies provided to physicians by pharmaceutical companies and their sales representatives.

Kaiser instituted its ban 2 1/2 years ago, putting it in the forefront on this issue; Stanford's medical center, including Stanford Hospital & Clinics and **Lucile Packard Children's Hospital**, jumped on board last September. Medical centers at UC Davis and UCLA have implemented similar policies. The University of California system is reviewing and fine-tuning a similar systemwide policy for all of its campuses, medical centers and affiliated entities.

UC Davis Health System adopted a policy similar to the UC system's draft policy late last year, said Dr. Rory Jaffe, executive director of medical services for UC's office of the president. UC's policy should be ready for prime time by year-end, he said, after it gains final approval from the Academic Senate and other internal constituencies.

"We're not talking about people doing bad things," Jaffe stressed. The impact of gift giving "is a subtle social effect." The system's goal is to ensure that pharmaceutical sales reps and their counterparts for other medical products and services use "facts and information" to make their case.

Large gifts and cash pay-offs are already covered by state, federal and university conflict-of-interest regulations.

Going 'smoothly' at Kaiser

At Kaiser a strict ban on freebies is "going amazingly smoothly, better than we imagined," said Dr. Sharon Levine, associate executive director of the **Permanente Medical Group**, which represents 6,000 physicians in Kaiser's Northern California system.

She said the policy -- which affects all vendors, not just drug makers -- is intended to ensure that any relationship between Kaiser doctors and outside vendors "is between the vendor and the organization, not between individuals."

Recent research shows that gift giving in business settings, even involving small gifts, like the pens, drug samples, donuts, notepads, textbooks and other goodies sales reps often provide to doctors or their staffs "create a feeling of reciprocity" that Kaiser and others are trying to eliminate, Levine said.

UC Davis' policy prohibits gift giving "of any cost" to doctors, students or employees, said Dr. Allan Siefkin, the health system's chief medical officer and chief compliance officer. The policy, instituted July 1 and implemented gradually in recent months, evolved out of earlier versions and is designed to prevent "conflicts of interest or perceptions of conflict."

Despite speculation that pharmaceutical companies might retaliate against medical centers that adopt this sort of ban, Stanford and others haven't found that to be the case. "Pharma continues to do clinical trials here and to support research here," said Harry Greenberg, M.D., senior associate dean for research, who chaired the School of Medicine task force that developed the policy.

The Pharmaceutical Research and Manufacturers of America trade association, known as PhRMA, did not respond to requests for comment. But in recent Congressional testimony, Marjorie Powell, its senior assistant general counsel, said marketing to doctors helps foster "appropriate uses" of medicines to help lower health-care costs and "undoubtedly benefits patients."

However, Claire Pomeroy, M.D., vice chancellor for human health sciences at UC Davis and dean of its School of Medicine, said pharmaceutical companies and other vendors increasingly recognize this is the right path. "We have not heard a hue and cry from vendors," she said. "All of those I've talked to say 'this is wonderful. Now my products can compete on their own merits.'"

Even at the lower end of the spectrum, that works out to an average of \$13,000 per doctor, according to the anti-gift group. It says Big Pharma fields one drug sales rep

for every five doctors nationwide, and pays for nearly 60 percent of continuing medical education courses. The goal is to "promote professionalism over marketplace values," said David Rothman, associate director of the Prescription Project and professor of social medicine at Columbia's College of Physicians and Surgeons.

Kaiser's Levine agreed the medical profession needs a clear, no-nonsense standard. "Our policy states explicitly," she said, "that we must avoid anything that might appear to be a conflict of interest. I think that's the standard we need to meet."