



Medical Council of New Zealand

Responsibilities in any relationships between doctors and health related commercial organisations

Research on the interaction between the medical profession and the pharmaceutical industry provides sufficient evidence to conclude that a patient's care may be influenced by the doctor's interactions with a pharmaceutical company. At all times a doctor is expected to perform his or her duties in a professional and ethical manner and financial incentives or other inducements must not impact on a doctor's decisions, treatment or care.

Background

- 1 The medical profession interacts with representatives of other industries like pharmaceutical companies, dietary supplement companies and medical equipment manufacturers. Interaction between doctors and these industries may be through several forums such as industry-sponsored conferences or continuous professional development (CPD), employment or contractual work with a company, as well as accepting visits or gifts (including promotional material) from industry representatives.
- 2 Pharmaceutical, dietary supplement and medical equipment industries, especially pharmaceutical companies, contribute to the financing of medical CPD, conferences and medical research. The value of this contribution must be acknowledged because it advances individual standards as well as medical practices. It is also important to acknowledge that the purpose and role of these industries differs from that of doctors. Commercial interests of industries like pharmaceutical companies are concerned with developing new drugs or products for the general population. The role of the doctor is to provide appropriate care for each individual patient.
- 3 Several researchers have concluded that a doctor who accepts gifts or inducements from a pharmaceutical company is often subconsciously influenced and this influence may impact on the doctor's choice of prescription or treatment for a patient. Research also indicates that a doctor who is employed or sponsored by a pharmaceutical company often reflects a positive bias to that company's products. (*Refer to appendices for references to these statements*).
- 4 Doctors need to remember about the influential interaction between the medical profession and related industries and recognise that each doctor is susceptible to influence, even if it is subconscious.

Methods of influence

- 5 The following have been identified in the literature as methods that medical related industries use to influence the medical profession. Please refer to Appendix 1 for a list of references used by Council when compiling this list.
- Sponsorship of medical conferences – by advertising, controlling the content or speakers
 - Sponsorship of CPD
 - Providing gifts or inducements to doctors – everything from a pen or a meal to hospitality
 - Visiting sales representatives
 - Journal advertising
 - Product endorsement by high profile or influential members of the profession
 - Publishing research performed by company sponsored researchers.

Good medical practice

- 6 All treatment should be based on an adequate assessment of the patient's condition, and then making arrangements for further investigations, or treatment as appropriate. Prescribing any medicine or treatment should be based upon a rational analysis of the benefit to the patient, the patient's safety and cost. A doctor must act in the patients' best interests when making referrals and providing or arranging further treatment or care.
- 7 A doctor should not ask for, or accept any inducement, gift or hospitality that may affect or be seen to affect his or her judgement.
- 8 A doctor should not ask for, or accept fees for agreeing to meet sales representatives.
- 9 It is important that research is independent. A doctor should not participate in research where the sponsoring company controls the release of the results. The Council does not support the practice of some pharmaceutical companies that release biased results, or refuse to publish findings when the research results do not meet the sponsoring companies requirements or expectations.

Financial interests

- 10 If a doctor has financial or commercial interests in organisations providing health care or in pharmaceutical or other biomedical companies, these must not affect the doctor's clinical decisions on prescribing for, treating or referring patients.
- 11 If a doctor is an editor, author or speaker at a conference and the matter relates to a company, product or service in which the doctor has financial interests, the financial interests must be declared as a possible conflict of interest.

Notes:

The New Zealand Medical Association's Code of Ethics

- (a) Clause 37 of the New Zealand Code of Ethics published by the New Zealand Medical Association (NZMA) that states:

Before initiating or participating in any clinical research, doctors must assure themselves that the particular investigation is justified in the light of previous research and knowledge. Any proposed study should reasonably be expected to provide the answers to the questions raised. All studies involving patients should be subject to the scrutiny of an Ethics Committee before initiation. It is often appropriate to establish a

committee independent of the primary investigators, initiators and funders of a trial to oversee ongoing ethical issues, including the evaluation of emerging results according to stated clinical, ethical and scientific criteria.

- (b) The NZMA's Code of Ethics has several other clauses relevant to the relationship between a doctor and the pharmaceutical industry. It is available on the NZMA's website, www.nzma.org.nz

The Royal Australasian College of Physicians

- (c) The Royal Australasian College of Physicians has developed an extensive booklet that addresses the ethical obligations of physicians in their interaction with the pharmaceutical industry. First published in 1994 and then revised in 2000 it discusses the following issues:

- Clinical trials, including commissioned research projects
- Pharmaceutical industry sponsored travel and attendance at meetings
- Support for meetings and other educational activities
- Gifts and entertainment provided to physicians
- Drug samples
- Remuneration for services
- Duality of Interest

- (d) The College acknowledges that the pharmaceutical industry is a major contributor to patient care, CPD and medical research and states that the relationship between its Fellows and the industry "must be maintained at the highest professional standard".

Cole's Medical practice in New Zealand

The 2003 edition of the Council's publication *Cole's Medical practice in New Zealand* will include a chapter with further discussion of the influence of pharmaceutical industry on the medical profession.

World Medical Association

The World Medical Association has developed a draft policy concerning the relationship between doctors and commercial enterprises. These are available from the New Zealand Medical Association www.nzma.org.nz

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References

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