



Secretary
Code of Conduct Committee
Medicines Australia
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September 2013

Dear Code of Conduct Committee

RE: Review of the Medicines Australia Code of Conduct

Thank-you for the opportunity to contribute to the Review of the Medicines Australia Code of Conduct.

The South Australian Medicines Advisory Committee (SAMAC) is the peak expert committee to SA Health in the area of medicines governance and includes multidisciplinary representation from across South Australian Local Health Networks and the Department for Health and Ageing.

SAMAC would like to note that SA Health has recently implemented a series of policies governing interactions with the Medicines Industry (www.sahealth.sa.gov.au/medicinesanddrugs > go to '[Interactions with pharmaceutical, medical device and other therapeutic goods companies](#)'). SAMAC would like to thank Medicines Australia for your support in assisting member companies to comply with these policies and requests consideration that the principles included in these policies be adopted in the Medicines Australia Code of Conduct.

SAMAC has considered the Transparency Model – Consultation and Discussion Paper and supports the development of a transparency model for interactions between healthcare professionals and the pharmaceutical industry. Specific comments in relation to the Transparency Model are provided in Attachment 1.

SAMAC commends Medicines Australia in undertaking the development of a Transparency Model and would support the expansion of this model to all companies involved in the manufacture, marketing and/or supply of therapeutic goods in Australia.

If you would like to further discuss the issues raised in this submission please contact Eliana Della Flora, Executive Officer, SAMAC on (08) 8204 1941 or SAMAC@health.sa.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L Sansom'.

**Emeritus Professor Lloyd Sansom AO
CHAIR
SOUTH AUSTRALIAN MEDICINES ADVISORY COMMITTEE**

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SAMAC Response to the Review of the Medicines Australia Code of Conduct

Transparency Model

SAMAC supports the development of a transparency model for interactions between healthcare professionals and the pharmaceutical industry, which would help to ensure that payments and sponsorships received by healthcare professionals are appropriate and not in conflict to their professional duties.

Glossary

Definitions are clear and reasonable. Consideration should be given toward defining the following:

- 'large-scale conferences', including the nature of the funding (eg sponsorship or funding for individuals to attend).
- product research or development agreements

General Requirements & Limitations: Scope of the transparency model

1. General requirement: Payments or other transfers of value.

SAMAC believes that AHPRA should be the receiver of the reports to facilitate expansion of the scheme beyond Medicines Australia. It is preferable that all companies interacting with health professionals, health organisations and/or the public regarding medicines should be included in this scheme. Otherwise Medicines Australia members may be disadvantaged.

2. Limitations

Companies that manufacture and/or distribute medicines should be required to report any payments or other transfers of value to healthcare professionals, not just those related to prescription medicines. The "company" needs to be the unit of interest, not just one selected branch of the company. Limiting reporting to transfers related to prescription medicines would significantly reduce the intent and benefit of transparency reporting.

3.7 Category of payment or transfer of value

The categories proposed are well defined and appear to sufficiently cover the types of payment and transfers of value.

3.8 Payments to third parties, including registered charities.

This section provides a reasonable balance between appropriate transparency and avoiding inappropriate attribution of a payment. In regard to exemptions for donations to charities refer to section 5.9.

4. Requirements for payments or other transfers of value related to continuing professional development programs.

Consideration should be given to recording payments used for funding travel and/or accommodation related to participation in CPD activities, unless the company has been de-identified (eg funding from multiple companies is pooled into a CPD fund).

5. Exclusions from reporting

5.1 & 5.2 – reporting threshold

Clause (ii) of 5.1 & 5.2 excludes payments provided at large-scale conferences. Consideration should be given toward defining ‘large-scale conferences’ and providing an upper limit on the level of funding at large-scale conferences that would be exempt from reporting (eg payments over \$100 per head).

Reports should state the nature of the funding (eg sponsorship or funding for individuals to attend) and the “status” of the conference (eg convened by a professional organisation with single or multiple sponsors, or convened by a pharmaceutical company). Where conferences as convened by a Company (with a pharmaceutical branch), the total cost of the meeting should be disclosed.

5.3 – payments made under a product research or development agreement

The term ‘product research or development agreement’ should be clearly defined and made more specific to ensure transparency of this section.

5.4 - Starter packs

SA Health does not encourage the use of starter packs (samples). As provided in the SA Health Policy Directive, ‘[Samples \(Product Starter Packs\)](#)’, SA Health does not permit the acceptance of starter packs/samples by prescribers within SA Health.

SAMAC recommends that Medicines Australia give consideration to prohibiting the provision of starter packs directly to healthcare professionals in the revised Code of Conduct. If starter packs are still to be provided to health professionals, they must be appropriately managed by those health professionals. They must be dispensed to patients with the same requirements as any other prescription medicine (ie labelled and recorded). There may be a role for AHPRA to track the volume of starter packs provided to practices by a company and to audit storage, supply and labelling of those packs.

If starter packs are provided directly to healthcare professionals, then the value transfer should not be excluded from the transparency reporting requirements.

5.8 - in-kind items used for the provision of charity care

‘Donation of medicines’ should be more clearly defined. Is this the supply of drug to a prescriber for a patient or the supply of goods for donation under the WHO code for donations? If this refers to the former, it should not be exempt from reporting requirements, as per starter packs (5.4).

5.9 – payments or other transfers of value made to a registered charity

If the healthcare professional has an affiliation with a charity, directly or indirectly through a discipline area, then any donation given to the charity, requested or otherwise should not be exempted.

Other

The document does not consider whether reporting should include/exclude GST. The values reported should be GST inclusive where transactions are GST taxable.