



**The Hon Jillian Skinner MP**  
Minister for Health  
Minister for Medical Research

RECEIVED  
- 6 OCT 2013

BY:.....

M13/4877

1 OCT 2013

Mr Mark Fladrich  
Chairman (Acting)  
Medicines Australia  
Level 1, 16 Napier Close  
DEAKIN ACT 2600

Dear Mr Fladrich

Thank you for providing me with the opportunity to comment on the review of the Medicines Australia Code of Conduct and the development of a Transparency Model concerning transfers of value between pharmaceutical companies and healthcare professionals.

Judith Mackson, the Chief Pharmacist of the NSW Ministry of Health attended the Sydney Stakeholder Forum on the consultation for the purpose of providing expert appraisal of the Code of Conduct and the development of the Transparency Model.

Firstly, I would particularly like to comment on the provision of 'starter packs' of medications by representatives of pharmaceutical companies to authorised prescribers.

The NSW Poisons and Therapeutic Goods Regulation 2008, administered by Pharmaceutical Services Unit at the Ministry, provides for the distribution of free samples of medication in a manner approved by the Director General of Health. As the 17<sup>th</sup> edition Code of Conduct provides robust quality and safety standards in the supply of medication starter packs, I would support the continuation of the standards at item 7. 'Product Starter Packs' in the Code as the regulatory benchmark. This will be considered further as part of the imminent review of the NSW Poisons and Therapeutic Goods legislation. I would encourage Medicines Australia to engage in this process through the Ministry.

Following on from this, I would agree that receipt of starter packs should be excluded from the transparency reporting requirements as noted on page 11 of the Transparency Model Consultation and Discussion Paper.

I also understand the Transparency Model is at an early stage of development. While the current plan is to report the respective health practitioner's location and not his/her organisation, it appears unclear if there will be implications to NSW public health organisations once transparency reporting is introduced. You will appreciate the need for this issue to be satisfactorily resolved, particularly in the context of private health practitioners contracted to also provide public health services and the potential implications to the reputation of the public health organisation involved.

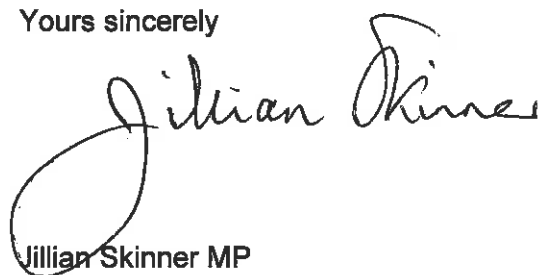
I note an option for the publication of payments and transfers of value is via the Australian Health Practitioner Regulation Agency (AHPRA) website (at page 3 of the Transparency Model Consultation and Discussion Paper). However, I suggest that consideration be given to an alternate means for publication as the action of transferring value is by the pharmaceutical company not the health practitioner and therefore not relevant to the National Registration and Accreditation Scheme implemented by AHPRA on behalf of the national health practitioner registration boards.

For your information, from a NSW public health organisation perspective, the NSW Health Policy Directive PD2012\_018 'Code of Conduct' requires staff to demonstrate honesty and integrity when dealing with situations that may give rise to pecuniary or other conflicts of interest ([www0.health.nsw.gov.au/policies/pd/2012/PD2012\\_018.html](http://www0.health.nsw.gov.au/policies/pd/2012/PD2012_018.html)).

Public health organisations must purchase medications in accordance with NSW Health Policy Directive PD2013\_023 'Goods and Services Procurement Policy' ([www0.health.nsw.gov.au/policies/pd/2013/PD2013\\_023.html](http://www0.health.nsw.gov.au/policies/pd/2013/PD2013_023.html)) which is to be read in conjunction with the NSW Health 'Goods and Services Procurement Policy Manual' ([www.health.nsw.gov.au/policies/manuals/Documents/Goods-Services-Policy-Manual.pdf](http://www.health.nsw.gov.au/policies/manuals/Documents/Goods-Services-Policy-Manual.pdf)).

Thank you again for providing the opportunity to comment on the reviews. Should you require further information, please contact Judith Mackson, Chief Pharmacist of the NSW Ministry of Health, on 9391 9944.

Yours sincerely

A handwritten signature in black ink that reads "Jillian Skinner". The signature is written in a cursive style with a large, looping initial 'J'.

Jillian Skinner MP