Australian regulator insists on greater transparency of industry payments to doctors

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The Australian Competition and Consumer Commission has called for stricter transparency provisions in Medicines Australia’s new code of conduct that would prevent drug companies from making payments to doctors without prior consent to disclose them in full. Medicines Australia represents the country’s drug industry.

The commission granted conditional approval for the new code, which will govern Australia’s self regulating drug sector for the next five years, on 17 October. But it ruled that Medicines Australia had not gone far enough in its reporting framework for sponsorship, speaking, or other fees paid to doctors.

Medicines Australia had proposed disclosure of payments only when the doctor in question consented to the information being made public. If such consent was withheld the new code stipulated that “transfers of value” needed to be reported only in aggregate—an “opt-in” position that the Royal Australian College of General Practitioners condemned as undermining the “purpose and value of the whole document.”

In its draft determination,1 which is open for public comment until 7 November, the commission proposed that the code be amended so that no payment could be made without first ensuring that the doctor in question consented to its disclosure. “This will mean that all relevant transfers of value by member companies to healthcare professionals will be reported, and that reporting will no longer be contingent on healthcare professionals subsequently providing consent to the transfer being disclosed,” the draft said.

Commissioner Sarah Court said that without the amendment the new transparency provisions, which have also replaced hospitality reporting requirements with a $A120 (£65; €80; $105) cap per meal on food and beverages, would amount to little. “If a patient does not know what payments made to doctors by drug companies have and have not been reported it will be difficult to use or rely upon the reporting. This will result in incomplete information and may fundamentally undermine the potential benefits of individual disclosure,” she said.

Martin Cross, chairman of Medicines Australia, said that the industry body would “consider the draft determination in detail, in consultation with the board and our member companies” before making their response to the commission.

The amendment was welcomed by the Consumers’ Health Forum of Australia. Adam Stankevicius, chief executive of the health forum, said it was a “significant step forward in bringing this currently hidden information to the notice of the consumer. “If a doctor is accepting payments or perks from drug companies for participating in ‘educational’ events, patients should be able to ascertain this,” he said. “Doctors and companies have been coy about these ‘transfers of value,’ but patients should not be left in the dark as to whether the drug they are prescribed is from a manufacturer who has given money or other benefits to their doctor.”

The Australian Medical Association, the nation’s professional group representing doctors, also voiced its support. “In the interests of transparency, whether it be research or education, the association sees that both the profession and consumers or patients have to be aware of significant links,” said spokesman for the association Brian Morton. “For trust there has to be that transparency.”

Drug company links to doctors are a politicised topic in Australia at present. A campaign inviting doctors to pledge not to see drug company representatives was launched at the annual conference of the Royal Australian College of General Practitioners this month.

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