

Q&A

Q: Why is this policy needed and what advantage there will be to the FoMD to have such a policy when most of the country will not have additional policy outside of existing CMA guidelines.

A: In 2008, the AAMC adopted a recommendation that all medical schools develop such a policy (referenced at the bottom of policy). Later that year the Canadian Deans agreed with the AAMC recommendation and all committed to develop such a policy. Therefore all Canadian medical schools have developed or are in the process of developing such a policy. At least 12 of 16 medical schools now have an interaction with industry type policy. This likely will be something the medical school accreditors will also be looking for.

1. Gifts

Q: I do have concerns that the scope is too broad, however, I wish to continue our private office's practice of a modest meal with pharmaceutical representatives while receiving information regarding new medications and ongoing use. Does this policy apply to private offices in private buildings (non-hospital, non-AHS owned, etc.)?

A: This FoMD policy on gifts simply reiterates the CPSA standards. 38:12, "A physician must not accept any personal gift of any monetary or other value from Industry." In addition standard 38:14 may apply, "A physician must not accept a fee or other consideration from industry in exchange for seeing an industry representative in a promotional or similar capacity." The CPSA Standards of Practice represent the minimum standard of professional behavior and good practice expected of Alberta physicians and applies to all licensed physicians in Alberta whether in private practice or not. Our policy at minimum, must meet those standards.

Q: What about information handouts for patients supplied by Industry, are they a gift?

A: They would not be considered a gift to the member but are considered to be as similar to samples provided for the patient.

Q: Is the document suggesting all money flow thru the University or can it stay at a local level?

A: The money can flow through an organization which is defined in the definitions at the end. For example, the department of surgery at a distributed hospital organizes a conference with an educational grant – this money does not need to go through the University.

Q: This is not relevant for non-physician members, and is therefore excessive in its scope.

A: Normally non-physicians wouldn't get offered gifts directly from industry and usually it wouldn't be applicable. It would be applicable even if a non-physician gift were to come directly from Industry. It is impractical to have one faculty standard for one faculty member and a different one for another.

Q: My neighbor is a pharmaceutical representative, does that mean I can't accept a coffee from my neighbor?

A: It all depends on the context. If you are relating as neighbors and friends, then this policy wouldn't apply. If you are relating in your professional roles, then you wouldn't accept a gift from a pharmaceutical rep as per CPSA standard 38:12 and this policy.

Q: Resident Journal Clubs: Are we allowed to hold these events as is (ie. we meet as a group monthly in a restaurant, with Pharma providing us money to offset the cost of the meal, while we conduct the academic event as dictated by ourselves)?

Having funding come directly to the organizer of (restaurant), this would be regarded as a gift from Industry. However, if the Division/program committee receives educational grants from industry, then the Division/program/program committee could choose to allocate these funds. Individual companies or representatives cannot be linked to these Journal Clubs. The educational topics must be selected by the Division/program committee.

Q: Resident Books and tangible material gifted from Pharma: Are these acceptable donations to our Residency Training Program?

The policy states "Gifts or grants are given to the FOMD or organizational unit". Therefore it is acceptable provided they are given to the division/program committee and the division/program committee decides who to give the material to. It is personal/individual gifts that aren't accepted.

2. Site access by industry representatives

Q: Does it mean we cannot meet with drug reps in our office when patients are absent because it is a space that the patients use, nor in the public areas outside our offices?

A: With respect to where we can meet pharmaceutical representatives, yes we can still meet them in our offices when there are no patients present or in a public area where there is a level of privacy suitable for a business discussion to take place. This is meant to protect patient confidentiality and work schedules as much as possible.

3. Meetings between industry and students and trainees

These occur only for educational, not marketing, purposes and under supervision of a faculty member.

Q: When are interactions between industry and learners appropriate?

A: If the answer to the question "Is this likely a form of marketing?" is yes, then the interaction should not take place. Below are some illustrative examples.

Example 1: Faculty and a resident are being taught the use of new purchased equipment with the intra-operative attendance of an industry rep. AHS policy has been followed to have the industry rep present. Appropriate – this is likely educational not marketing

Example 2: A surgical supply company gives a seminar on wound care to students and residents, no faculty is in the room.

Inappropriate: This is likely marketing.

Example 3a: A pharmaceutical rep is bringing samples of Oral contraceptives to a physician's clinic and made an appointment to see a faculty member. They speak with the faculty who happens to have a learner present.

Appropriate: Particularly if the members take the opportunity afterwards to discuss the interaction and the potential to be influenced by industry. We want learners to understand how to interact with industry so as to mitigate industry's influence, while gaining any potential benefit for their patients

3b: The industry representative then provides an hour teaching session on oral contraceptives for the staff and residents in the clinic.

Inappropriate: This is likely marketing

Example 4: A representative for a simulation mannequin company comes to teach the residents how to use their new mannequin.

Appropriate: If a faculty member is present: this is likely teaching since the mannequin has already been purchased, but a faculty member should be present to ensure it doesn't become marketing.

Example 5a: An airway device company comes to demonstrate (market) its new fiberoptic intubating devices at a faculty staff meeting.

While present, they arrange a separate teaching session for the residents and students.

Inappropriate: Likely marketing and no staff member

5b: AHS has purchased the new fiberoptic devices and the company offers to hold a teaching session for residents and students.

Ideally, a faculty member would teach the session and if they feel the need, to have the company representative present as a resource. Alternatively, if faculty believe the educational experience would be better because they don't have the expertise with the device, the company would teach in the presence of a faculty member similar to examples 1, 4.

4. Continuing Medical Education (CME)

Q: From my interpretation of the draft, this would mean that physicians are not allowed to attend dinner talks sponsored by drug companies until the talks are CME accredited.

A: The policy doesn't require CME accreditation but affirms the criteria set out in the CMA guidelines. RCPSC Section 1 accreditation signifies the talk has met the criteria. To the credit of most drug companies, nowadays many presentations are accredited and we can get credit for participating. The issue is not the sponsorship, it is who decides on the speaker, venue, topic etc. Many conferences receive sponsorship from Industry but Industry is not involved in content planning and therefore there is no marketing. A dinner talk organized by industry and paid for by Industry is considered a gift from Industry. If it is a dinner talk organized by the faculty/AHS organizational unit, supported by an industry educational grant, then that is acceptable.

Q: Divisional Sponsorship of CME: Are we allowed to accept sponsorship for educational events (eg. the residents or faculty holding a Divisional Update to offer CME to other learners)?"

Absolutely. Pharma sponsorship is an important source of funding for educational events as long as the guidelines for CME events (#4 in the policy) are in adherence. The funding should go to the organizing unit, with all topics and speakers chosen by the CME committee.

Q: Resident Travel/Sponsorship to attend Meetings: Is Pharma allowed to pay for any aspect of a resident traveling to present investigator-initiated research or presentations at a distant meeting?

This should be covered by the following. A member attending a continuing professional development event (or in this case a presentation of research at a meeting) does not accept payment or reimbursement for expenses from industry unless they are in the employ of the industry or are directly involved in the presentation of the professional development activity. (CPSA standard 38:10), If Pharma has provided an educational grant to the division/program committee, and they decide how that is spent or who receives the support, then it is allowable.

5. Participation in industry-sponsored programs

Q: I presume this does not mean to imply that our role as speakers, chairs, organizers etc is affected by this but only that it applies to those being paid only to attend.

A: Correct, there is no issue with being paid a reasonable amount by industry to provide CME keeping in mind CPSA 38.7 below. Being paid or having expenses paid to simply attend a CME would break c) below and/or would be considered a gift.

CPSA Standard 38:7. A physician involved in organizing or presenting at a continuing professional development event must:

(a) disclose to participants any financial relationship with industry for products mentioned at the event or with manufacturers of competing products.

(b) not conduct a seminar or similar event directly or indirectly for industry that promotes a product for the purpose of enhancing the sale of that product, and

(c) not accept reimbursement for expenses or honoraria at a rate that could reasonably be perceived as having undue influence.

Q. Item 33 of the CMA guideline specifically addresses reimbursement for travel/accommodation to individuals for their attendance at a CME event WHERE THEY ARE PRESENTING. The Faculty document does not provide this context, or any specific constraint. Currently, it is common practice for members to be reimbursed by industry for travel expenses related to their attendance at CME events WHERE THEY ARE NOT PRESENTING - but after which, they provide a synopsis of relevant data from the meeting, as a local/formal "CME event" for their colleagues - all this as a quid-pro-quo for the expense reimbursement. This latter practice deserves specific comment in the Faculty guideline: is it acceptable, or not?

A. This would be covered by the following. A member attending a continuing professional development event does not accept payment or reimbursement for expenses from industry unless they are in the employ of the industry or are directly involved in the presentation of the professional development activity. (CPSA standard 38:10),

In this case, the member should be employed by industry with a contractual arrangement keeping in mind the principle of 38.7c "not accept reimbursement for expenses or honoraria at a rate that could reasonably be perceived as having undue influence". Receiving travel costs, hotel expenses, meals, registration and an honorarium to attend a conference and later give a 1 hour CME event to their colleagues could be perceived as a rate having undue influence, especially if it is a conference that one would normally attend regardless.

11. Content violation of educational events

Q: Section 11 states: If members attend an educational event that they believe should, but does not meet FOMD ethical standards...I assume that this refers to an educational event sponsored by FoMD? If an industry organized event, would the expectation be to still report it?

A: No, we have no control over what an outside body offers. By definition an industry organized event does not meet expectations our CPD Standards #4.