

Interaction with the Therapeutic Goods Industry

When prescribing a medicine or treatment for a patient, your choice of therapy should be based solely on the medical interests of the patient. You should avoid accepting any inducement that may compromise, or that may be regarded as likely to compromise, your independent professional judgment relating to patients' management.

What is the Therapeutic Goods Industry (Industry)?

Organisations supplying medicines, medical devices and other therapeutic goods are referred to as the Therapeutic Goods Industry (Industry).

What is a conflict of interest?

A conflict of interest is a situation where a conflict arises between a professional duty (eg duty of care to the patient) and a private interest which could influence the performance of professional duties and responsibilities (eg treatment choice).

It is sometimes the perception of a conflict of interest that may be important, whether or not such conflict actually exists, as such perceptions adversely affect relationships within and outside the organisation. For example, when a physician accepts a gift for personal use, no matter how small, it represents a conflict of interest, whether or not the physician's judgment is affected.

All conflicts and potential conflicts relating to financial interests in Industry by you or your close family members (that you are aware of) must be declared in writing to the hospital/health service CEO or their delegate. Interests must also be declared on occasions where they may form a conflict (eg to the patient with whom the product is to be used).

Can I accept funding and payments from Industry?

Any funding or sponsorships from Industry must be provided into a special purpose fund account and only be used for approved corporate purposes (eg support of professional visitors, research fellowships, staff continuing education or other such purposes) and must also be declared.

You may only accept payments for your time and expertise (eg for participation in research or acting as an Industry consultant) at fair market value for the service provided. You are encouraged to pay any honoraria into a special purpose fund account managed by the hospital/health service or affiliated university and not receive these as personal payments.

What do I need to declare?

You must declare all payments and sponsorship from Industry (eg sponsorship for research or education).

Can I accept gifts from Industry?

You must not accept any gifts offered directly to you by Industry as the evidence is clear: gifts, even small ones, change behaviour.

Even small gifts such as pens or calendars are designed to foster familiarity and comfort with the medicines or devices.

Can I accept gifts and payments if I don't let them influence my judgement?

Most health professionals believe that their judgement is not affected by incentives such as gifts and sponsorships, however all incentives are designed to foster preference for a particular product or brand and are likely to influence professional judgement.

Am I able to arrange a meeting or event which is sponsored by Industry?

Industry sponsored events are not encouraged. However, if Industry sponsored events are held on any SA Health premises or in association with any SA Health entity, they must be arranged in consultation with the relevant CEO or Delegate. These events must not provide public opportunities for industry to promote their products.

Can I accept donations of equipment?

Donations may only be made to the hospital/health service and not to individual staff members.

Donations of equipment must be subject to evidence of safety, efficacy and cost-effectiveness and identified clinical need. All negotiations regarding donations must be undertaken by an approved negotiator.

Can I accept Travel Sponsorship from Industry?

You may only accept travel sponsored by Industry if it is related to the need for research and/or educational activities related to your professional speciality.

All travel must be in accordance with relevant SA Health travel policies and Industry Codes including provisions regarding

acceptable standards of travel and accommodation.

Does this policy apply to gifts, payments and sponsorships accepted when I am not at SA Health?

Incentives provided to you outside of SA Health working hours are equally likely to influence professional judgement as incentives provided during working hours. Thus, all SA Health employees, regardless of hours worked, must abide by the requirements of SA Health policy on *Interaction between SA Health and the Therapeutic Goods Industry*.

What do I need to be aware of if I am participating in Industry sponsored research?

All research projects and clinical trials, including those sponsored by industry require Human Research Ethics Committee (HREC) approval and must adhere to HREC guidelines.

Funds must be deposited into a special purpose fund account and may only be used for direct costs associated with this research as specified in a formal contract. Payments to staff members must be within award regulations for the time and expertise of the staff involved.

Am I allowed to act as an Industry consultant?

You must obtain approval prior to engaging in any outside employment in accordance with the *SA Health (Health Care Act) Human Resources Manual* or *Public Sector Act 2009 (SA)*, whichever is applicable. This includes acting as an Industry consultant. Any potential Conflict of Interest must openly be declared as a potential conflict in any relevant forum.



Can I accept Medicines Samples?

The acceptance of samples by prescribers within SA Health is not permitted in accordance with SA Health policy on *Samples (Product Starter Packs)*.

Samples may only be provided to the pharmacy department with the approval of the Director of Pharmacy if the medicine has been approved by the hospital's Drug and Therapeutics Committee.

Samples should not be kept in clinics, patient care areas or elsewhere in the hospital for direct supply to hospital patients.

Can I commence SA Health patients on Product Familiarisation Programs or Expanded Access Programs?

You may only commence SA Health patients on a Product Familiarisation or Expanded Access Program in accordance with the SA Health policy on *Medicines Access Programs*.

Are industry representatives allowed to visit SA public hospitals and health services?

Industry representatives may attend SA public hospitals/health services by appointment only and must register with the hospital/health service before contacting individual staff members.

Industry representatives attending SA public hospitals/health services must wear authorised identification and a 'Visitors' identification badge at all times and must familiarise themselves with and abide by all hospital/health service policies

Industry representatives are not allowed to enter patient care areas

Can I meet with Industry representatives?

You may meet with Industry representatives where the appointment does not interfere with your usual work or patient care.

If you are in your first three postgraduate years you must gain approval from your Head of Unit for any individual appointments with an Industry representative.

What should I do if another staff member breaches SA Health requirements for Interaction with Industry?

If you are aware that a breach has been committed by another member of staff, you are required to submit a complaint to your supervisor or to your CEO or their delegate.

How do I report a breach by an Industry representative?

If you are aware of a breach of policy on *Interaction between SA Health and the Therapeutic Goods Industry* you are required to submit a complaint to your CEO or their delegate. You must outline the details of the breach, the company and the name of the representative.

For more information

**South Australian Medicines Advisory Committee
SA Health**

SAMAC@Health.sa.gov.au

www.health.sa.gov.au/SAMAC

© Department of Health, Government of South Australia. All rights reserved.



Government
of South Australia

SA Health