



## Press Release

**Date: September 22, 2008**

**Submitted By: Bob Girondi/Amanda Salamone**

**Purpose: PhRMA Code on Interactions with Healthcare Professionals**

---

### **Announcement:**

Attached below is a CMI/Compas corporate position we've developed that represents our "Point of View" relative to the July 2008 revision of the **PhRMA Code on Interactions with Healthcare Professionals**.

While the ultimate decision as to what does and does not satisfy the Code for a particular pharma company is theirs to make, it is important that we are always keenly aware of this type of information and its implications, and that we take a position that can be of value in serving our clients as well as maintaining strong relationships with our supplier-partners.

If you have any questions and/or comments relative to this POV, please direct them to Bob Girondi.

---

### **Contact to clarify above information:**

**Name: Bob Girondi**

**Telephone: 484-322-0880**

**Fax: 484-322-0881**

**Email: [rgirondi@cmimedia.com](mailto:rgirondi@cmimedia.com)**

Communications Media, Inc.  
2200 Renaissance Blvd.  
King of Prussia, PA 19406  
[www.cmimedia.com](http://www.cmimedia.com)

Compas, Inc.  
Fairway Corporate Center  
4300 Haddonfield Rd.  
Pennsauken, NJ 08109  
[www.compasonline.com](http://www.compasonline.com)

**The new PhRMA Code on Interactions with Healthcare Professionals  
(Effective January 1, 2009)**

**[A CMI/Compas *POINT OF VIEW*...]**

The recently released PhRMA Code scheduled to take effect January 1, 2009 is an extension and amplification of the Code that became effective July 1, 2002. The Codes are remarkably similar, and focus on perceived abuses of pharmaceutical industry interactions with healthcare professionals (HCPs).

In both cases, there is a clear distinction between legitimate pharmaceutical promotion and possible inappropriate interactions with HCPs. Traditional product promotion is not addressed in either of the Codes, but gifts from pharmaceutical manufacturers, their representatives, and other manufacturer interactions with HCPs are covered in detail.

Both the 2002 Code and the 2009 Code can be seen as influenced by the anti-kickback statutes issued by the OIG. The new Code is designed to eliminate inappropriate inducements to HCPs to prescribe specific products. In general, outright gifts lacking medical relevancy may be correctly viewed as improper inducements. On the other hand, advertising placed in traditional medical advertising media (medical publications, prescription forms, patient record services, etc.) is designed to persuade through education.

Items that are obviously intended for the personal benefit of HCPs "...such as floral arrangements, artwork, music CDs, or tickets to a sporting event..." are deemed unacceptable in both the 2002 and 2009 Codes. (See Item 7.c in the 2002 Code and Item 10 in the 2009 Code.)

The major difference between the Codes that occurs with regard to promotional items (*i.e.*, gifts) comes in the change from the previous Code where "Items of minimal value may be offered by a company if they are primarily associated with the HCP's practice (pens, notepads, and similar 'reminder' items bearing a corporate or brand logo)." (These items have been routinely referred to as "medically relevant.")

The new Code places a more restrictive boundary in this area, relegating items of "medical relevance" that provide neither professional nor patient education to the level of unacceptability. The new Code requires that brand presentations (via personal and/or non-personal media) have an HCP or patient education component.

Both Codes refer specifically to interactions between pharmaceutical companies and HCPs in terms of what may be "offered" or "given" to HCPs by pharmaceutical representatives. Personal and/or non-personal media must have a HCP or patient education component. Both Codes seek to eliminate any appearance of impropriety in the interaction between pharmaceutical representatives and physicians (and their staffs). Replacing "medically relevant" with "items of an educational nature" is one way to circumscribe the types of materials individual pharmaceutical companies may appropriately provide to physicians. → → →

It is useful to note the first paragraph from Item #10 of the new Code (*emphasis added*): “Providing items for HCPs’ use that do not advance disease or treatment education—even if they are practice-related items of minimal value (such as pens, note pads, mugs and similar “reminder” items with company or product logos)—may foster implications that *company interactions with HCPs* are not based on informing them about medical and scientific issues. Such non-educations items *should not be offered* to HCPs or members of their staff, even if they are accompanied by patient or physician educational materials.”

The 2009 Code expands the definition of inappropriate “gifts to physicians” as it was initially outlined in the 2002 Code.

A distinction may also be made between gifts to physicians and the inclusion of traditional product promotion in services to which they may subscribe. This includes prescription forms, patient record services, and similar services physicians request to receive (and expect to receive) regardless of support from any given company or brand. Medical publications and third-party services provided to physicians are not initiated by any particular company or brand, and constitute usual and customary promotion activity.

September 19, 2008

©2008 Communications Media, Inc. (CMI). All rights reserved.