



GUIDELINES ON ETHICAL PHYSICIAN-PHARMA RELATIONSHIP

A document of Pakistan Islamic Medical Association (PIMA)

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Contents

Preface	02
Background:	
■ Objectives	03
■ Definitions	03
■ General principles	04
Guidelines:	
■ Gifts, inducements or promotional aids	05
■ Physicians Samples	05
■ CME Meetings, Conferences, and Hospitality	06
■ Sponsorship of CME events organized by Institutions, organizations	08
■ Endorsement	09
■ Medical Research	09
■ Miscellaneous	10
■ References	11



Preface

In health care delivery, the tripartite relationship between doctors, patients and pharmaceutical industry is inevitable. Doctors treat patients; both need medicines produced after research by pharmaceutical companies; who are in turn dependant for their sales and success on convincing doctors and patients.

The relationship between doctors and pharmaceuticals has experienced lots of undesired and often embarrassing situations over the years. Doctors have been proven to be heavily influenced and accepted financial gains by the companies against irrational and exuberant prescribing. The companies' expenditure to retain their clients' interest often translates into raise in medicine prices, in addition to unethical marketing, favor of expensive medicines over equal and cheaper alternatives and above all, losing credibility among masses. As Muslim doctors we believe that the worst consequence of all this would be gaining displeasure of Allah (swt).

Several guidelines have been issued in the last decade or so by associations across the world on this relationship. PIMA has also realized the need to educate its members in particular and health care professionals in general, on this sensitive topic. We believe that while there are some undesirable elements in our community tainting the name of the profession, many may not have thought about it seriously or be unclear in some areas. After discussing in most of its conferences, PIMA now brings its guidelines on ethical physician-pharma relationship. This has come after review by a dedicated group, of several guidelines and consultation with senior members of the profession and religious scholars. We understand that this is a stepping stone in the thought process and likely to have differing opinions; however is the best possible draft that can be offered. We pray to Allah swt to guide us to the best path that is favorable to Him for the benefit of humanity. Ameen.

Central executive council of PIMA is indebted to the efforts of the core group; we want to thank members of CEC who gave their valuable suggestions. We are also grateful for review and suggestions from Prof Najeebul Haq, Dean Peshawar Medical College; Prof Dr Ismatullah, PhD Islamic jurisprudence, Prof of Shariah and law Islamic International University, Islamabad; and Prof Hafiz Habib ur Rehman, Prof of Fiqah and Islamic ideology, Islamic International University, Islamabad



Objectives:

To assist members of PIMA & medical community, to understand and abide by the guidelines for Ethical Physician – Pharma Relationship

Scope of the Guidelines:

Ethical relationship between Doctors and Pharma industry.

Outcome:

To present unequivocal guidelines (clear “Do’s and Don’ts” and not discussion points which are ambiguous) especially for the issues in the grey areas



Definitions:

Ethics: is the science of morality; a branch of philosophy that is concerned with human character and conduct. It is a moral system with rules of behavior.

Medical Ethics: comprise a set of moral rules and principles which guide govern a member of the medical profession in discharging his professional responsibilities in general.

Industry: any company/organization which provides medicines, medical equipments, supplies, tools to be used in the delivery of health care

Physician: a doctor, from any field of medicine, involved in patient’s care and/or related decision making

CME (Continuing medical education): the term includes any activity undertaken to update or improve knowledge and/or skill of health care professionals. Terms used in this document as synonymous include lectures, seminars, symposia, workshops, conferences, discussion, on-line meetings, etc.



General principles:

- Patients' rights are of prime importance; there should be no relationship or activity that leads to patients being overburdened or provided wrong information. (ref 9)
- Avoid unnecessary burden or personal favors that may lead to indulgence in unethical activities. (ref 3)
- Clear violation of Islamic principles is understandably wrong; one should try to avoid even those activities that may lead to such acts. (ref 7)
- Keep faith in Allah swt that it is only Him that gives rizq (food, money) and fame.
- Support of Pharma companies for doctors should not be
 1. Personalized (self serving)
 2. Conditional (deal based)
- Doctors should not enter into a written or verbal deal or agreement, conditional & reciprocal support of any kind with Pharma industry against their service or support for personal gains or for the benefit to organization, hospital, institute or the patient.
- It is difficult to determine a price of a gift which may not oblige the receiver; hence it is better to avoid gifts altogether. If receiving them, a useful criterion may be 'those item(s) which are purely for promotional use, and for general distribution rather than for a selected few.

The "Ethics Check" Questions

Is it legal?

- Will I be violating either civil law or company policy?
- For a Muslim: Is it in accordance with the teachings of Quran and Sunnah, or against?

Is it balanced?

- Is it fair to all concerned in the short term as well as the long term?
Does it promote win-win relationships?

How will it make me feel about myself?

- Will it make me proud?
- Would I feel good if my decision was published in the newspaper?
- Would I feel good if my family knew about it?

GUIDELINES



Gifts, inducements or promotional aids

- It is common practice that pharmaceutical companies give promotional items or gifts to doctors either as product reminders or to oblige them. Such items may be cheap like pen, writing pads, paper weight, or expensive like air conditioner, mobile phones etc.
- Doctor may accept insignificant promotional items for general use e.g. mug, pen, table clock etc. if they bear a company or product name, whose value is nominal, and he doesn't feel influenced by it.
- Doctor should not accept items for personalized use of expensive value eg mobile phone, computers, air conditioner etc, even if it bears a product's name as reminder.
- Doctor should not accept a gift as an inducement in order to prescribe, supply, administer, recommend, buy or sell any medicine / product.
- Doctor may accept promotional aid items that primarily benefit patients, eg weighing scale, BP apparatus etc, so long as the items are not of substantial value and are only occasionally offered.
- Doctor may accept text or reference-books, medical journals, CDs or similar material if they serve a genuine educational function.



Physicians Samples

- Samples of a product/ drug may be accepted by the doctor for patient use only and ideally used for poor patients
- Although there is no legal/ moral restriction for using drug samples for doctor's personal use, it is best avoided, being against the spirit.
- Drug samples should also not be accepted as a deal to prescribe them more.
- Similarly such samples are clearly not for sale purpose.



CME Meetings, Conferences, and Hospitality

Objective of a CME

- The primary purpose of an educational meeting must be enhancement of knowledge, share views or acquire a skill. Doctors should be encouraged to participate in CMEs for this purpose with the objective of gaining current, accurate and balanced medical education.
- One should be clear that attending such meeting a) outweighs the acquisition of same knowledge through conventional means like journals, audio visual aids and internet, and b) the opportunity is taken for knowledge sake rather than simply an outing.
- Such CMEs should be held in an ethical and professional manner and focus on education. Lavish expenditure on meals, unnecessary hospitality and grand social events should not be the spirit of such events

Participation in a CME

- During participation in a CME, almost all of the time should be spent on its educational component. Participation in social and promotional activities should be discouraged, or if opted, be minimal (less than 20 per cent of the time) and not during prime educational time.
- Such meetings, wherever possible, should be held in the same city to avoid out of station traveling
- Doctor should avoid participation in a scientific event in other city or country when equally effective activity(ies) are held in his home town
- Doctors may accept hospitality and meals during/ for the meetings, but it should always be secondary to the main purpose of the meeting.
- When attending academic conferences, doctors should not indulge in:
 - Lucky draws, dart board game or similar recreational activities during the period of scientific sessions.
 - Social events like musical concert etc. of lavish and expensive nature

Sponsorships offered by pharmaceutical companies

- Wherever possible, particularly when such expenses are in doctor's reach, travel, accommodation and registration of scientific meetings should be borne by the doctor himself. Resources may be generated from doctor's personal funds, their institutions, or through grants offered by some conference organizers to presenters of scientific papers/ lectures.

- Doctor can accept hospitality of a journey from companies to another city or to a foreign country if:
 - it is purely for an academic activity, and
 - he is presenting a scientific paper/lecture, and
 - the presenters/speakers are from the local city or country, where the trip is being organized.
- Air travel for attending an educational meeting, if needed to be provided by the sponsors, must be by economy class only.
- Any doctor other than presenter, who wishes to participate in an educational meeting through sponsorship, should route it through his institution/organization i.e. a committee of peers rather than individually.

Non academic activities

- Doctor should not attend company sponsored pleasure trips, not associated with or part of academic activities, including passes or tickets to attend expensive outings or music concerts etc. just for the sake of entertainment.
- Doctor should not accept invitations/coupons to company sponsored meals, Iftar dinners or similar invitations which are not associated with any academic activity.

Others:

- Medical students, residents and others in training may accept scholarships or sponsorships to attend CMEs if the selection of the attendee is made by the academic/ training institution; such selection should be based on participant's contribution in academics/ research.
- Doctor should not demand or accept, from pharmaceutical companies, hospitality of a trip for his accompanying spouse or other family member or friend to another city or to a foreign country.



Sponsorship of CME events organized by institutions/ organizations

- Continuing medical education (CME) meetings eg conferences contribute to the improvement of patient care through enhancement of knowledge of participants. Institutions/ organizations should be satisfied that such meetings are not just for the sake of an activity, and serves a genuine educational need.
- Such CME meetings should budget expenses to the minimum and ideally be held in educational institutions. Hotels, holiday resorts or recreational places should be avoided where non academic focus overrides the educational objectives and lavish meals add on to unnecessary spending.
- Keeping above in perspective, and to meet the expenses of such events, financial support from companies is permissible. However, meetings for organization's administrative needs eg half yearly review meetings, should be held on their own expenses. Similarly companies should not sponsor non academic activities eg recreational outings, musical evenings, which are not part of CME.
- Stalls, banners, advertisements or other promotional display items of participating companies may be allowed against their sponsorship, outside the main conference halls.
- There should be no written or verbal agreement by organizers or on a personal level, of conditional & reciprocal support with participating companies against such service.
- A prior agreement may be done with sponsors on the fate of leftover amount whether it should be returned to the sponsors or can be utilized by the organization/ institution for their development or welfare.



Endorsement

- Doctors should not promote a product/company during their scientific presentations by:
 - Placing the name of the brand, or logo, in the slides. (Only generic names to be displayed)
 - Placing the name of the company or logo in the slides.
- When briefing the audience about a drug or product, doctors should be fair in explaining its benefits and adverse effects both, as well as objective comparison with alternatives.
- Any study conducted on the efficacy or safety of a product should be presented to and/ or through appropriate scientific bodies after approval from an Institutional Review Board (IRB)/ Ethical Review Board (ERB).
- Doctor may participate in health awareness programs to improve knowledge amongst public on preventive and therapeutic aspects of a disease. Product names should be in generics, in display material or presentation. Presenters should be fair in explaining all aspects of a drug, and not just highlight its benefits only. Doctors participation in advertisement of a product is however to be avoided.



Medical Research

- Doctor, while participating in a drug trial, must meet the current scientific, ethical and legal requirements/regulations and must conform to the internationally recognized principles of Good Clinical Practice.
- Funding for medical research or study can only be received through IRBs by modalities laid down by law and guidelines adopted by such approved institutions, in a transparent manner. It shall always be fully disclosed.
- Investigators taking part in a trial should not take part in marketing promotions for the product or procedure investigated.
- Doctor can accept an honorarium against the time of their involvement in a clinical trial/research study, in Industry initiated trials, or Investigator/ doctor initiated trials/ studies. It should be disclosed to the IRB, and should be without any conflict of interest.



Miscellaneous

- Doctors should not request fee from the industry representative for the grant of a meeting for product briefing.
- Such meetings should not be held in hospital/clinic prime (active) timings at the cost of patient dealing or official work
- In the conferences and presentations, drugs are, in principle, to be referred to by their internationally recognized generic name.
- Doctor can accept an honorarium against the time of their involvement, in a presentation on invitation, ensuring complete disclosure and without any conflict of interest.
- Doctors can purchase a product from company at low price, as compared to market price, to benefit the patient by selling him at the cost price without any profit.
- Doctors should avoid purchasing pharmaceutical company shares to avoid conflict of interest in prescribing.

Dua at the end:

اللَّهُمَّ اِرْنَا الْحَقَّ حَقًّا وَاِرْزُقْنَا اتِّبَاعَةَ وَاِرْنَا الْبَاطِلَ بَطْلًا وَاِرْزُقْنَا الْجِتْنَا بَةَ
اے اللہ! ہم کو حق، حق دکھا دے (واضح کر دے) اور ہمیں اس کی اتباع کرنے کی توفیق عطا فرما، اور ہمیں
باطل باطل دکھا دے (واضح کر دے) اور ہمیں اس سے بچنے کی توفیق عطا فرما (آمین)



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Some references, guidance from Quran and Hadith:

- (۱) وَلَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ نَالِبًا طِيلًا وَتَذَلُّوا بِهَا إِلَى الْحُكْمِ لِتَأْكُلُوا فَرِيقًا مِّنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ وَأَنْتُمْ تَعْلَمُونَ (البقرہ - 188)
ترجمہ: اور آپس میں ایک دوسرے کا مال ناحق طریقوں سے ناکھاؤ، نہ ان کا مقدمہ حاکموں کے پاس اس غرض سے لے جاؤ کہ لوگوں کے مال کا کوئی حصہ جانتے بوجھے بڑپ کرنے کا گناہ ہو۔
- (۲) مَن أُجِلَ ذَٰلِكَ كَتَبْنَا عَلَىٰ بَنِي إِسْرَائِيلَ أَنَّهُ مَن قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا (المائدہ: 32)
مفہوم: جس نے کسی کو ناحق قتل کیا، یا ایسا ہے کہ جیسے اس نے تمام انسانوں کو قتل کر دیا۔ اور جو شخص کسی کی بچالے، تو ایسا ہے جیسے اس نے تمام انسانوں کو بچالیا۔
- (۳) لَا يَكْفُرُ اللَّهُ نَفْسًا إِلَّا أَوْ سَعْيًا (البقرہ - 286)
ترجمہ: اللہ کسی شخص پر اس کی طاقت سے پڑھ کر ذمہ داری کا بوجھ نہیں ڈالتا۔
- (۴) لَا يَوْمَنُ أَحَدٌ مِّنْ أَحَدِكُمْ حَتَّىٰ يَحِبَّ لِأَخِيهِ مَا يَحِبُّ لِنَفْسِهِ (الحديث)
ترجمہ: تم میں سے کوئی بھی کامل مومن نہیں ہو سکتا جب تک اپنے بھائی کے لئے وہ چیز پسند نہ کرے جو اپنے لئے کرتا ہے۔
- (۵) إِنَّمَا الْأَعْمَالُ بِالنِّيَّةِ (بخاری)
ترجمہ: بے شک اللہ تعالیٰ کے ہاں اعمال کا ثواب صحیح اور درست نیت ہی پر ملے گا۔
- (۶) وَاسْتَقْتِ قَلْبِكَ، وَاسْتَقْتِ نَفْسَكَ، الْبِرَّ مَا طَمَأَ نَالِيهِ الْقَلْبُ، وَاطْمَأْنَتَ إِلَيْهِ النَّفْسُ وَالْإِثْمُ مَا حَاكَ فِي الْقَلْبِ نَفْسٌ وَتَرَدَّدَ فِيهَا لَصْدَرٌ وَإِنْ افْتَاكَ النَّاسُ وَافْتَوَكَ (مسند ابن ابی شیبہ و مسند احمد)
ترجمہ: تم اپنے دل سے پوچھ لیا کرو، اپنے نفس سے پوچھ لیا کرو۔ نیکی کا کام وہ ہے جس پر دل اور نفس مطمئن ہو جائے۔ اور گناہ کا کام وہ ہے جو دل میں کھٹکے اور سینے میں تردد ہو۔ اگرچہ لوگ تمہیں فتویٰ دیں یا فتویٰ دے دیا ہو۔
- (۷) حدیث: (بخاری و مسلم)
حلال واضح ہے اور حرام بھی واضح ہے اور ان دونوں کے درمیان کچھ چیزیں مشتبہ ہیں جن کے بارے میں بہت سے لوگوں کو معلوم نہیں کہ آیا یہ حلال ہیں یا حرام۔ تو جو شخص اپنے دین اور آبرو کو بچانے کے لئے ان سے اعتراف کرے گا وہ سلامتی میں رہے گا، لیکن جو شخص ان میں سے کسی چیز میں مبتلا ہوگا تو اس کا حرام میں مبتلا ہونا لایعید نہیں جس طرح کوئی شخص اپنے جانور ممنوعہ چراگاہ کے ارد گرد چراتا ہے تو ان کے اندر داخل ہونے کے امکان ہوتا ہے۔ سنو! ہو بادشاہ کی ایک ممنوعہ چراگاہ ہوتی ہے اور سنو! اللہ کی ممنوعہ چراگاہ اس کی حرام کردہ چیزیں ہیں۔
- (۸) لَعَنَ رَسُولُ اللَّهِ الرَّاشِيَّ وَالْمُرْتَشِيَّ وَالرَّائِيَّ (مسند احمد)
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- (۹) لَا ضَرَرَ وَلَا ضِرَارَ (امام مالک، دارقطنی، حاکم، اور بیہقی، نے عبد اللہ بن عباس رضی اللہ عنہم سے یہ حدیث نقل کی ہے)
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PAKISTAN ISLAMIC MEDICAL ASSOCIATION (PIMA)

Mission Statement

To seek the pleasure of Almighty Allah through character building and service to mankind.

نصب العین: اللہ اور اسکے رسول ﷺ کے بتائے ہوئے طریقوں کے مطابق انسانی زندگی کی تعمیر، اور خدمت خلق کے ذریعے رضائے الہی کا حصول۔

Aims and Objectives

To motivate doctors to trail the tenets of Islam, adopt Islamic way of life and organize doctors, agreed to the goal of PIMA, at an effective platform.

To provide opportunities for ideological, ethical and professional training of doctors at large scale particularly for its members and associates.

To strive for provision of medical assistance to those in dire need, in disasters or in less privileged areas within the country and abroad.

To use the doctor-patient relationships in the best concern of the society for dissemination of Islam ideology.

To strive for holistic National Health Policy and Medical Education in line with the Islamic teachings.

Solving problems of health care professionals and professional organizations on ethical lines.

