

The CMSS Code for Interactions with Companies

COUNCIL OF MEDICAL SPECIALTY SOCIETIES

JUNE 25, 2010



Professionalism - The Social Contract

- Professionalism:
 - Altruism
 - Making sure the needs of patients come first
 - Ensuring the fiduciary obligations of professionals
 - Voluntary self-regulation
 - ACCME-SCS, AAMC, ACME, AANC, ACPE, ACGME, AMA, CMSS, PhRMA, AdvaMed ...
 - Transparency
 - Peers – disclosure
 - Patients
 - Public



Watchdogs over the Profession

1. Legislative Branch of Government - Senate Finance and Aging Committees
2. Executive Branch of Government – current rules are for companies (FDA, OIG), soon will write rules for physicians (PPSA)
3. The Public Media – New York Times, Wall Street Journal, Washington Post, Blogs, etc.
4. The Professional Media – JAMA April 1, 2009, etc.
5. The Institute of Medicine – April 28, 2009 Report on Conflict of Interest in Medical Research, Education and Practice



Senate Finance Committee

Multiple inquiries since December 2007

WASHINGTON --- Senator Chuck Grassley asked 23 medical schools and 33 medical societies for information about their policies for conflicts of interest and requirements for disclosure of financial relationships between faculty members and the drug industry.

"There's a lot of skepticism about financial relationships between doctors and drug companies," Grassley said. "Disclosure of those ties would help to build confidence that there's nothing to hide. Requiring disclosure is a common sense reform based on the public dollars and public trust at stake in medical training, medical research and the practice of medicine."



PPSA

Physician Payments Sunshine Act (3-23-10)

- Requires drug and device manufacturers to disclose on their websites payments to physicians
- In response to investigation and publication of names, relationships and amounts of money paid by industry to, but not disclosed by, physicians
- Implied violations of **Professionalism**
 - **Altruism** – did these physicians put their interests before the interests of their patients?
 - **Voluntary self-regulation** – did the profession regulate its members to prevent abuses?
 - **Transparency** – these physicians did not fully disclose their relationships and the payments they received



Codes, Standards and Laws in the Arena of Conflict of Interest

- AMA – Council on Ethical and Judicial Affairs – Ethical Opinion 8.061, Gifts to Physicians from Industry – *guides physicians*
- AAMC – Report of the Task Force on Industry Funding of Medical Education – *guides Academic Medical Centers*
- ACCME – Standards for Commercial Support: Standards to Ensure the Independence of CME – *governs CME Providers (also nursing and pharmacy)*
- ACGME – Principles to Guide the Relationships Between Graduate Medical Education and industry – *guides residency programs*
- AdvaMed – Code of Ethics on Interactions with Health Professionals – *guides representatives of device manufacturers*
- PhRMA – Code on Interactions with Health Professionals – *guides representatives of pharmaceutical companies*
- PPSA – Physician Payments Sunshine Act (also some state laws) – *requires companies to disclose payments to physicians*
- FDA – *oversees drug and device manufacturers*
- OIG – *oversees drug and device manufacturers*
- CMSS – Code for Interactions with Companies – *guides specialty societies*



CMSS

Council of Medical Specialty Societies
Code for Interactions With Companies (4-17-10)

- Guides the behaviors of specialty societies in relationships with industry
- Sixteen signers to date
- Commitment of the specialty society to adopt policies and procedures consistent with the CMSS Code



CMSS Code

- Principles for Society Interactions
 - Common Definitions
 - Independence = Free of Company Influence
 - Transparency = to Physicians and the Public
 - Disclosure of Corporate Support
 - Key Leaders Without Relationships



CMSS Code

- Accepting Charitable Donations
 - No company influence
- Awarding of Company-supported Research Grants
 - No company influence
- Accepting Sponsorships from Companies
 - No company names on visibility items
- Licensing
 - No product endorsements



CMSS Code

- Clinical Practice Guidelines
 - Best evidence
 - No company support or influence
 - Majority of panel without relationships
 - Chair without relationships



CMSS Code

- Society Journals
 - Editor without relationships
 - Adherence to ICMJE Standards
- Advertising
 - No adjacency
 - Adherence to ACCME Standards for Commercial Support



CMSC Code

- Society Meetings
 - Educational Grants and Society CME
 - Adherence to ACCME Standards for Commercial Support
 - No company Input or Influence
 - No bias in CME
 - Balanced portfolio of support, including physicians pay for CME
 - Satellite Symposia
 - Adherence to ACCME Standards for Commercial Support
 - Evidence-based, peer reviewed presentations
 - Modification of content of conflicted presenters
 - Trained monitors
 - No key leader participation
 - Exhibits
 - Giveaways of modest, educational value only
 - No obligate pathway
 - No key leader participation

