

1 August 2014

Ms Tess Macrae
Senior Project Officer – Adjudication Branch
Australian Competition and Consumer Commission
Level 35, 360 Elizabeth Street
Melbourne 3000

Dear Ms Macrae

Response from Australian Primary Healthcare Nurses Association (APNA) to the ACCC consultation process on the reauthorisation of the Medicines Australia Code of Conduct

APNA's response to the ACCC is based on the following:

- APNA supports the movement towards transparency in relationships between the pharmaceutical industry and healthcare professionals.
- APNA believes that the positive reputation of healthcare professionals needs to be preserved if patients are to have confidence in the independence of healthcare professionals and that transparency has a role in this.
- Healthcare professionals report concern where colleagues are believed to depart from the norm in terms of the level of support they solicit and receive from the pharmaceutical industry.

APNA supports in principle the move towards transparency in relationships between the pharmaceutical industry (and other vested interests) and healthcare professionals. APNA believes that the positive reputation of healthcare professionals needs to be preserved if patients are to have confidence in the independence of healthcare professionals.

APNA acknowledges research demonstrating that healthcare professionals are not immune to influence and that clinical practice can be influenced by ongoing promotional contact. To this end, transparency plays an important role in maintaining confidence in the healthcare profession.

While supporting the principle of transparency, APNA finds that the manner in which disclosure is managed can be problematic and, if not well managed, can unfairly diminish the standing of healthcare professionals.

It is important that any report of a healthcare professional's interaction with a pharmaceutical company does not automatically infer bias or lead to an assumption of impeded clinical judgement on the part of the healthcare professional.

APNA is concerned that reporting at the level of the individual healthcare professional, while well-intentioned, can risk inferring that they have not acted in the best interests of patients

and potentially that undue influence has taken place. Implying this does a disservice to the healthcare profession when in many instances the healthcare professional may have received a transfer of value for the provision of legitimate expertise or because they have attended an educational event.

Many healthcare professionals are concerned by colleagues who depart from the norm in terms of the level of support they solicit and receive from the pharmaceutical industry. APNA would be supportive of a system of aggregate reporting of transfers of value to healthcare professionals with individual reporting of healthcare professionals who depart from the mean or median for the profession. APNA recognises that this type of system would rely on the resolution of a number of privacy issues.

At this time, APNA believes that the 18th Edition of the MA Code strikes an appropriate balance in that it:

- Advances transparency provisions beyond the previous Edition of the MA Code; and
- Increases the accountability of both healthcare professionals and pharmaceutical companies in managing real or perceived conflicts of interest.

APNA is supportive of Medicines Australia's journey towards appropriate levels of transparency in pharmaceutical industry and healthcare professional interactions and looks forward to this issue evolving further in future editions of The Code.

Please contact APNA should you wish to discuss any element of this submission.

Yours sincerely

A handwritten signature in black ink that reads 'Karen Booth'. The signature is fluid and cursive, with the first letters of 'Karen' and 'Booth' being capitalized and prominent.

Karen Booth
President, APNA