

1 VERMONT MEDICAL SOCIETY
2 RESOLUTION

3 **Grants and Gifts to Physicians**

4 *Adopted on October 25, 2008*
5

6 WHEREAS, Medicine's autonomy and authority to regulate itself depends on its ability to
7 ensure that current and future generations of physicians acquire, maintain, and apply the
8 values, knowledge, skills, and judgment essential for quality patient care; and
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10 WHEREAS, To fulfill this obligation, medicine must ensure that the values and core
11 commitments of the profession protect the integrity of professional education and it must strive
12 to deliver scientifically objective and clinically relevant information to individuals across the
13 learning continuum; and
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15 WHEREAS, To promote continued innovation and improvement in patient care, medicine
16 must sustain ongoing, productive relationships with the pharmaceutical, biotechnology, and
17 medical device companies; however, industry support of professional education has raised
18 concerns that threaten the integrity of medicine's educational function¹; and
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20 WHEREAS, In 2006, drug companies spent \$6.7 billion, or about \$8000 per physician, on
21 detailing pharmaceutical information, according to market research firm IMS Health Inc; and
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23 WHEREAS, AMA Council of Ethical and Judicial Affairs' Opinion 8.061, "Gifts to Physicians
24 from Industry," states: "there has been growing concern about certain gifts from industry to
25 physicians and it further states that some gifts that reflect customary practices of industry may
26 not be consistent with the Principles of Medical Ethics;" and
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28 WHEREAS, AMA policy D-140.981 "Ethical Guidelines on Gifts to Physicians from Industry"
29 recommends to all medical school deans and residency program directors that appropriate
30 policies be developed for medical students, house staff and faculty in their respective
31 institutions regarding the issue of gifts to physicians from industry; and
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33 WHEREAS, The University of Vermont College of Medicine and Fletcher Allen Health Care
34 have adopted similar policies to provide specific guidance with regard to the receipt or offering
35 of gifts, subsidies and other gratuities from vendors or patients that are intended, or might
36 appear to influence decision-making or professional conduct; and
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38 WHEREAS, The Vermont Psychiatric Association has established guidelines for its members
39 regarding interactions with the pharmaceutical industry and recommends full disclosure of
40 member involvement with the industry as well as supporting amendments to strengthen
41 Vermont's existing disclosure legislation; and
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43 WHEREAS, The Vermont Medical Society has supported legislation requiring pharmaceutical
44 companies to disclose information about gifts and other payments associated with marketing
45 pharmaceuticals, as well as legislation banning the practice of prescription data mining for
46 marketing purposes by pharmaceutical companies; now therefore be it

¹ Report 1 of the AMA Council on Ethical and Judicial Affairs (A-08)

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2 **RESOLVED, Any gifts accepted by physicians individually should entail a benefit to**
3 **patients and should not be of substantial value; accordingly, textbooks, and modest**
4 **meals are appropriate if they serve a genuine educational function. Other gifts and cash**
5 **payments should not be accepted²; and be it further**
- 6 **RESOLVED, Subsidies from industry should not be accepted directly or indirectly to**
7 **pay for the costs of travel, lodging, or other personal expenses of physicians attending**
8 **conferences or meetings, nor should subsidies be accepted to compensate for the**
9 **physicians' time³; and be it further**
- 10 **RESOLVED, Industry funding of technical training when new diagnostic or therapeutic**
11 **devices and techniques are introduced is beneficial; however, once expertise in the use of**
12 **previously new devices has developed within the professional community, continued**
13 **industry involvement in educating practitioners is no longer warranted⁴; and be it**
14 **further**
- 15 **RESOLVED, Since the giving of a subsidy directly to a physician by a company's**
16 **representative may create a relationship that could influence the use of the company's**
17 **products, any subsidy should be directed to the conference's sponsor who in turn can use**
18 **the money to reduce the conference's registration fee⁵; and be it further**
- 19 **RESOLVED, It is appropriate for faculty at conferences or consultants who provide**
20 **genuine services to accept reasonable honoraria and to accept reimbursement for**
21 **reasonable travel, lodging, and meal expenses.⁶; and be it further**
- 22 **RESOLVED, That the Vermont Medical Society encourages physicians to disclose to**
23 **patients any relationships with industry that create real or perceived conflicts of interest**
24 **and to resolve these conflicts in the best interest of the patient; and be it further**
- 25 **RESOLVED, That the Vermont Medical Society supports strengthening Vermont's law**
26 **requiring pharmaceutical companies to disclose information about gifts and other**
27 **payments associated with marketing pharmaceuticals by eliminating the "trade secrets"**
28 **exemption.**

² AMA Council of Ethical and Judicial Affairs' Opinion 8.061, "Gifts to Physicians from Industry", Guideline (1)

³ AMA Council of Ethical and Judicial Affairs' Opinion 8.061, "Gifts to Physicians from Industry", Guideline (5)

⁴ Report 1 of the AMA Council on Ethical and Judicial Affairs (A-08)

⁵ AMA Council of Ethical and Judicial Affairs' Opinion 8.061, "Gifts to Physicians from Industry", Guideline (4)

⁶ AMA Council of Ethical and Judicial Affairs' Opinion 8.061, "Gifts to Physicians from Industry", Guideline (5)