

1 Gifts from the Pharmaceutical Industry to Physicians

Do They Influence Your Prescribing?

Brenda is in a good mood. She has been trying to get an invitation to sponsor breakfast at the internal medicine grand rounds for several weeks and just got a phone call from the grand rounds coordinator, Gloria, confirming an opening for the following week. Brenda is very keen to meet the residents, especially the new PGY 1 class. Experience has taught her that targeting younger physicians who are not set in their prescribing ways pays off. Furthermore, once they start prescribing her medication they tend to stay loyal to the brand. She wants to talk to them about Lowpress, her new medication for the treatment of hypertension. She also enjoys working with residents, as she finds it easy to socialize and chat with them: many of them are similar to her in age and share common interests with her. Hosting breakfast at grand rounds will give her good exposure to the residents. She already knows the caterer she will use; she has overheard the residents raving about the pastries there. Experience has also taught her that well-satisfied stomachs make for better listeners!

In 2000, pharmaceutical companies spent \$15.7 billion promoting their products, with 84% directed toward medical promotions via

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detailing, drug samples and journal ads [1]. Promotional dollars spent on “gifts” for physicians are ubiquitous in medical environments, with one study showing that 97% of residents carried at least one item with a pharmaceutical company logo on it [2]. Across cultures and over time, it has been observed that gift exchange stimulates social advancement by creating networks. Giving a gift creates a social contract and imposes a reciprocal obligation, even if the gift is unwanted and the giver is distrusted or disliked [3]. Reciprocation is so highly valued a social norm that those who do not reciprocate are often regarded with disgust and assigned negative labels [4]. In addition, the gift givers, in this case pharmaceutical company representatives (PCRs), are usually bright, young and personable. This makes it hard not to like them, and industry’s public relations experts know the importance of these personal contacts [5].

Types of Gifts

Small gifts such as pens, message pads, and office clocks are accepted by nearly all physicians [4]. Individual physicians may receive these items, which bear the company or product name, and also more expensive items such as medical books and medical equipment [6]. Gifts such as pens and notepads are called “reminder items”; they play an important role in opening doors and promoting friendlier, more cooperative relationships between the pharmaceutical company representative and physician [4].

The pharmaceutical industry (PI) often provides free meals and refreshments at medical conferences, schools and hospitals. Conference organizers often solicit subsidies in order to increase attendance at events. Food, flattery and friendship are all powerful tools of persuasion, particularly when combined. The act of dining helps to foster cozier working relationships that might help break down professional barriers between physicians and sales representatives [4].

Industry-supplied free medication samples for medical clinics as well as for the personal use of physicians and their family members are another example of gifts. (See Chapter 9.)

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The PI may support hospital conferences by paying honoraria and travel expenses for speakers. These subsidies enable schools or hospitals to invite nationally prominent speakers [6]. Gifts such as textbooks that support educational advancement of physicians can be seen as beneficial to patient care. Reduced availability of government funds for education has led to substantial increases in commercial support for educational activities, and the resultant conflict between product promotion and “education” has been highlighted in the literature by leading academics [7, 8].

There are many arguments supporting gift giving from industry to physicians. The act promotes goodwill between physicians and the pharmaceutical industry, and the relationship between physicians and industry can result in impressive medical advances [9]. On an educational front, it has been hypothesized that without free meals many potential attendees would not be present at continuing medical education events and would remain ignorant of new advances [10]. Industry spokesmen have argued that sales representatives can be viewed as performing a valuable function that promotes better patient care, at a time when doctors are bombarded daily with new information and are finding it difficult to keep up to date [11]. In the past, it was felt that “arguments presented against the moral permissibility of these relationships (between pharmaceutical industry representatives and physicians) were wanting and poorly formulated” [12]. Furthermore, there is no evidence that physicians knowingly or intentionally compromise their patients’ care as a result of gifts from the industry; the vast majority of physicians are able to resist this temptation and make decisions solely based on the best medical interest of their patients [10, 11]. According to PhRMA (Pharmaceutical Research and Manufacturers of America), the exchange of gifts is balanced because they are compensation for the time physicians spend becoming educated about products.

Arguments against gift giving are that these relations create opportunities for bias and can result in unfavorable public perceptions, overconsumption and misuse of public money. Also, “the profession (medical) needs to be suspicious of pure merchandising

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since we not only enjoy patients' confidence but the confidence of the entire society" [10]. Furthermore, the physician's role is seen as fiduciary; that is, "a physician holds the trust and confidence of the patient and is empowered to act in the patient's best interest." If physicians' prescribing practices are influenced by pharmaceutical company incentives rather than by objective medical evidence, then the physician is not solely acting in the patient's best interest [13]. In 2000 Wazana conducted a landmark analysis of more than 20 studies, which concluded that free gifts affect physicians' prescribing behavior typically in a negative way: for example, erroneous knowledge regarding the medication, rapid prescription of a new drug, formulary requests for newer medications that rarely hold an advantage over existing ones, and nonrational prescribing [14]. There remains an additional argument that even if there is no actual effect on a physician's prescribing behavior, there might be a public impression of impropriety of this activity [10]. In counterpoint to the argument that gifts are given in exchange for physicians' time, this exchange can also be seen as a negative one because the practice is inherently profit motivated, and profit potential significantly exceeds the value of the gift [4].

Jack is feeling stressed. He has just finished a night on call. It was his first night as senior resident leading the medical team. The night had been hectic with a steady stream of admissions from the ER. Jack feels slightly anxious about rounds. He is keen to impress the attending, who is an eminent cardiologist with a reputation for impeccably high expectations for the trainees who work for him. Jack's intern, although trying hard, was slow and Jack had to stay up with him so they could get through the work. To add to Jack's stress, his wife had been paging him intermittently to give him updates on the well-being of their two-year-old son who is sick with an ear infection. As he heads to grand rounds, he hopes a drug rep will be hosting breakfast. He needs a pickup to get him through the rest of the morning and did not fancy an additional trip to the drab hospital

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cafeteria. He is glad to find his favorite pastries being served and also happy to see Brenda. She is always cheerful and pleasant and often asks about his wife and children. She is handing out literature on a new hypertensive medication. Jack picks up a selection of delicious pastries and a cup of coffee and heads over to talk with Brenda about the new medicine...maybe he will be able to impress the team on rounds with this up-to-date information.

Summary

- Gift giving from the pharmaceutical industry to physicians is a frequent occurrence in medical environments.
- The exchanges of such gifts occur frequently in medical settings.
- Values of the gifts vary from small items (e.g., pens) to larger gifts (e.g., subsidizing medical conferences).
- There is empirical data proving that such gifts influence physician prescribing in negative ways.

References

1. Rosenthal MB, Berndt ER, Donohue JM, Frank RG, Epstein AM. Promotion of prescription drugs to consumers. *N Engl J Med* 2002; 346(7): 498–505
2. Sigworth SK, Nettleman MD, Cohen GM. Pharmaceutical branding of resident physicians. *JAMA* 2001; 286(9):1024–5
3. Katz D, Mansfield P, Goodman R, Tiefer L, Merz J. Psychological aspects of gifts from drug companies. *JAMA* 2003; 290(18):2404–5
4. Katz D, Caplan AL, Merz JF. All gifts large and small. *Am J Bioethics* 2003; 3(3):39–46
5. Rhodes R, Capozzi JD. The invisible influence of industry inducements. *Am J Bioethics* 2003; 3(3):65–7
6. Lo B. *Resolving Ethical Dilemmas: A Guide for Clinicians*. Williams & Wilkins, Baltimore, 1995

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7. Relman AS. Separating continuing medical education from pharmaceutical marketing. *JAMA* 2001; 285(15):2009–12
8. Stahl S. It takes two to entangle: Separating medical education from pharmaceutical promotion. *Psychopharmacology Educational Update*. 2005 (March):1, 6
9. Goodwin FK. Safe and effective drugs have improved the lives of millions. *Psychol Today* 1999; 32(5):40–2
10. Desmet C. Pharmaceuticals firms' generosity and physicians: Legal aspects in Belgium. *Med Law* 2003; 22(3):473–87
11. Spilker B. The benefits and risks of a packet of M&M's. *Health Aff* 2002; 21(2):243–4
12. Peppin JF. Pharmaceutical sales representatives and physicians: Ethical considerations of a relationship. *J Med Philos* 1996; 21(1):83–99
13. Williams SC. Food for thought. Why physicians should reconsider gifts from pharmaceutical companies. *Curr Surg* 2003; 60(2):152–3
14. Wazana A. Physicians and the pharmaceutical industry: Is a gift ever just a gift? *JAMA* 2000; 283(3):373–80

2 Ethical Considerations of Receiving Gifts from the Pharmaceutical Industry

Brenda had had a busy afternoon. Her company had provided funds for two internal medicine residents to attend a national cardiology conference in New York. Even though nominations of the residents and payment for the event were coordinated through the department, Brenda was keen to spend some time with the chosen residents at the conference. She had successfully contacted one of them, Jack, and invited him and his colleague to dinner the evening before the conference. Brenda knew from her chats with Gloria, the residency coordinator, that Jack was a highly valued resident with aspirations to be a cardiologist. She was keen to talk to him more about the new antihypertensive medication Lowpress. The dinner would be an ideal opportunity to do this, so Brenda set about booking a table at one of the finest restaurants in New York.

Prescribing medication is not a simple technical action; it is a complex social interaction with many levels of meaning. Ethical medication giving requires an awareness of the importance and the inevitability of these many layers of meaning and their effects [1]. Physicians who receive free gifts from the pharmaceutical industry need to be aware

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of the ethical issues that are raised and their possible effects on the action of prescribing.

Conflict of Interest

Physicians have an ethical duty to serve the interests of their patients and to avoid potential conflicts that might divert them from that commitment [2]. For the sake of argument, even if gifts did not influence physicians, public trust in the medical profession might be compromised [3]. This is echoed in the results of a patient survey showing that a substantial majority believed that gifts influence physician prescribing at least sometimes [4]. This issue has been addressed in the ethical policy of the American Medical Association concerning gifts to physicians from industry, which emphasizes that any gifts accepted by individual physicians should primarily entail a benefit to patients. This emphasizes physicians' professional obligation to place patients' interests above their own [5].

Impairment of Objectivity

Social science research shows that even when individuals try to be objective, their judgments are subject to an unconscious and unintentional self-serving bias. Furthermore, individuals are generally unaware of the bias, so they do not make efforts to correct for it or to avoid conflicts of interest in the first place [6]. Patients surveyed tended to find gifts less appropriate and more influential than did their physicians [7]. The best predictor of a patient feeling gifts were inappropriate was the belief that those gifts might influence prescribing. Seventy percent of patients in another study believed gifts sometimes or frequently influence prescribing [4]. Furthermore, many physicians do not appreciate how commercial information significantly influences their patient care decisions [3]. Despite much data to show the influence of industry on physician belief and behaviors,

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the majority of physicians believe that they are not influenced by drug companies. In addition, there is evidence we can see the resultant bias in our colleagues but not ourselves [8].

Jack had just arrived at his hotel in New York. He was really looking forward to the conference as well as a chance to have a mini break. He had been very pleased that his program director had nominated him and his close buddy Raj for the trip. He never could have afforded to attend if Brown Pharmaceuticals had not covered the expenses, and he was truly grateful for the opportunity. There was a voice mail from Brenda on his hotel phone giving him the details of the restaurant where they would be meeting for dinner. An hour later Jack, Raj and Brenda were having cocktails in an elegant New York restaurant. This feels really good, Jack thought to himself. He could not remember the last time he had been in a place like this. Busy nights on call and a hectic home life with twin boy toddlers did not often accommodate such evenings out. He expressed his gratitude, again, to Brenda. Over dessert and coffee Brenda talked about Lowpress, the company's latest antihypertensive medication. Jack was impressed with her presentation of studies showing that the medication had less troublesome side effects than some of the other medications on the market. He was not exactly sure how this translated clinically but nonetheless was keen to give it a try.

Cost of Health Care

A third of patients surveyed and 64% of respondents in another study believed that gifts to physicians from the pharmaceutical industry (PI) increase the cost of medications [3, 4, 7]. Consumer advocates believe that the public needs to know about gifts from the drug companies to physicians. A suggested rule of thumb is, "What would your patients or the public think if they knew you had accepted such

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gifts?”[3]. What is the purpose of the industry offer? What would I think if my own doctor or colleagues accepted this offer?[9].

Summary

- Physicians who receive free gifts from the pharmaceutical industry must consider the ethical dilemmas posed by this practice.
- These dilemmas are conflict of interest, impairment of objectivity and the impact of these free gifts on the cost of health care.
- Physicians do not always see the resultant bias in their prescribing even though social science research and other empirical data have proven it does exist.
- Patients frequently feel that gifts from the pharmaceutical industry influence physician prescribing and contribute to rising health care costs.

References

1. Jonsen AR. Ethics of drug giving and drug taking. *Drug Issues* 1988; 18(2):195–200
2. Brody H. The company we keep: Why physicians should refuse to see pharmaceutical representatives. *Ann Fam Med* 2005; 3(1):82–5
3. Lo B. *Resolving Ethical Dilemmas: A Guide for Clinicians*. Williams & Wilkins, Baltimore, 1995
4. Blake RL, Early EK. Patients’ attitudes about gifts to physicians from pharmaceutical companies. *J Am Board Fam Pract* 1995; 8(6):457–64
5. Goldrich MS. Psychological aspects of gifts from drug companies. *JAMA* 2003; 290(18):2405
6. Dana J, Loewenstein G. A social science perspective on gifts to physicians from industry. *JAMA*; 290(2):252–5
7. Gibbons RV, Landry FJ, Blouch DL, Jones DL, Williams FK, Lucey CR, Kroenke K. A comparison of physicians’ and patients’ attitudes toward pharmaceutical industry gifts. *J Gen Intern Med* 1998; 13(3): 151–4