

NFTHD #15: Mandatories in sponsored content?

In this This Notes from the Help Desk applies broadly to any sponsored third-party educational material, though it explores a question specifically focused on content in Research Review. A company sought guidance on mandatory inclusions and whether expert comments that appear promotional automatically classify the content as a promotional item.

Our advice is... well, it depends!

The level of involvement the company has in the development of the content will dictate their responsibility for compliance with the Code. This can vary from simple financial sponsorship at one of the responsibility scale, to full content control at the other. Where a company only provides financial sponsorship - and that's it - the content is the responsibility of the publication. If the company is involved in the expert/KOL selection, identification of studies and other materials, or even goes as far as having editorial control - the greater responsibility the company has over ensuring it is compliant.

Does the inclusion of expert statements that may be considered 'promotional' automatically trigger the need for mandatories?

Again, context is key. The involvement of the company in the development and approval will determine the need for mandatories. For example, if a company only provided financial sponsorship with no more involvement, the content will be the responsibility of the publication which has no obligations under the Medicines Australia Code of Conduct. However if a company did have more involvement, the company is likely to be responsible for ensuring that material is compliant, including that prescribing information is made available to healthcare professionals.

The Code supports companies in sponsoring independent education for healthcare professionals, recognising that the greater the involvement, the more responsibility is placed on the company.

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