

NFTHD #67: We have a fee-for-service arrangement with a Patient Organisation – is this reportable?

The Code recognises the positive relationships between industry and patient organisations. In this Note from the Help Desk, we explore if reporting is required when pharmaceutical funding shifts from traditional support to a fee-for-service arrangement.

Traditionally our involvement with patient organisations has been one of support; where a company sponsors or funds a patient organisation or any of its programs, for the purpose of enhancing the quality use of medicines and supporting better health outcomes for the Australian community – and all of these are transparently reportable. When that ‘support’ shifts to ‘engagement’ and the relationship looks more like a fee-for-service arrangement rather than a traditional supporting role, is transparency reporting still necessary?

When presented with a curly question, it's usually time to revisit the original principle. The intent behind reporting patient organisation support is to provide transparency about relationships between a pharmaceutical company and a patient organisation. Fee-for-service arrangements are often part of an ongoing established and documented relationship between a company and a patient organisation, and therefore it is appropriate to report such payments.

Here are a few examples;

- An honorarium made to the patient organisation for consulting services by its key personnel
- Key patient organisation personnel providing speaker services and/or content into a company-generated disease awareness resource
- Patient organisation providing testing of new devices provided by the pharma company.

Whichever way, the payment captures provision of services from the patient organisation to the pharma company, rather than the more ‘traditional’ avenue of pharmaceutical support going to patient organisation activities.

A previously raised question was whether a member company is engaging the patient organisation itself or the services of an individual within the organisation. From a funding level, if payment is made to the organisation and not the individual, then it's an open-shut case of patient organisation support and reportable as such. If payment is made to the individual though, this presents an ethical dilemma; not really reportable under patient organisation transparency because of the obvious fact that an individual is not an organisation.

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However, one has to consider whether the arrangement with an individual person from a patient organisation is being transparent? This is a clear principle described in the "Working Together Guide". Is the patient organisation aware of the engagement and are they supportive? Companies should ensure they are not compromising the working relationship between the patient organisation and the company.

And our last tip of the day - when faced with the dilemma of- "is it reportable" – consider using the mantra – when in doubt, report it. Remember Overarching Principle 2: "Companies are committed to transparency in their interactions with healthcare professionals and other stakeholders, to maintain trust and confidence in the industry." Ultimately, where there is a relationship, an arrangement, a contract or payment, for whatever reason, between a Medicines Australia member company and a patient organisation, it is appropriate to report.

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