Connecticut State Medical Society

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Connecticut State Medical Society Testimony on
Senate Bill 270 An Act Concerning the Establishment of a Regional Policy on the Prohibition of Certain Gifts from Pharmaceutical and Medical Device Manufacturing Companies to Healthcare Providers
Public Health Committee
March 1, 2010

Senator Harris, Representative Ritter and Members of the Public Health Committee, my name is Ken Ferrucci and I am Vice President of Public Policy and Government Affairs for the Connecticut State Medical Society (CSMS). On behalf of our more than 7,000 members thank you for the opportunity to provide this testimony to you today on Senate Bill 270 An Act Concerning the Establishment of a Regional Policy on the Prohibition of Certain Gifts from Pharmaceutical and Medical Device Manufacturing Companies to Healthcare Providers.

Although we fully believe misperceptions exist regarding the magnitude of gifts from pharmaceutical companies to physicians as well as the impact activities of the industry have on the care and prescribing patterns of physicians, CSMS does not oppose the legislation before you today. Over the past decade, mostly through the outcry of the public and physician community, the pharmaceutical industry has implemented standards and ethical guidelines regarding gifts and interactions with physicians. The legislation before you today closely mirrors those standards and could codify a significant number of the guidelines by which the industry currently abides. Therefore, we wish to take this opportunity to identify areas of the legislation we believe should be clarified to ensure that appropriate and legitimate interactions between physicians and the industry are not eliminated or negatively impacted.

Section 2 (c) allows pharmaceutical companies to continue to use prescriber data unrelated to the identity of a patient to facilitate communications with healthcare providers. This information can tremendously benefit public health and be used by prescribers to increase the quality of care provided. The CSMS publication *Therapeutic Insights* allows physician members 4 times a year the opportunity to review their prescribing tied to certain diagnoses and learn from the information.

Section 2 (c) does appropriately include a requirement that companies comply with requests from providers that their data not be made available to company sales representatives. Such an ability for physicians to opt out of having information shared with ALL companies through one action currently exists through t the Prescriber Data Restriction Program (PDRP) administered by the AMA and supported by CSMS. Through a phone call or a few clicks of the mouse physicians can ensure that none of their data is available. CSMS offers its members this opportunity through our website, journal and newsletter publications. Therefore, we believe that language should clearly state that compliance with PDRP is compliance with the language of the bill. We so no reason for the State to expend resources to recreate a system that is operational and effective.

Section 5 (b) lists certain legitimate and appropriate areas for which funding from pharmaceutical companies may be used and accepted. Section 5 (b) 4 includes the "purchase of advertising in peer reviewed academic, scientific or clinical journal." Many professional organizations such as CSMS also provide education and information to members through newsletters, pamphlets and brochures that are not peer reviewed. Although these documents may not go through an extensive peer review process, content is developed and controlled by the organization without outside influence. They provide valuable information to physicians and are often funded through advertisement or support of pharmaceutical companies. As non-profit organizations struggle with limited member dollars such appropriate funding allows further education and information to be provided to members. Indirect funding where there is not ability to influence prescribing patterns should not be prohibited. We therefore ask that language be clarified to include this exception.

Thank you for the opportunity to provide these comments to you today. We look forward to working with you to ensure that the final product accomplishes its goal without any negative consequences.