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WHY SHOULD I READ THIS BOOK?

This book will help you do your job, and it will help you keep your job. It is:

- A practical and straightforward guide to the ABPI Code of Practice as it relates to all aspects of your work as a medical representative.
- Written in clearly defined sections, with key points highlighted in each section.

Detailed explanations are also given, to help you understand the reasons why you must not do something or must do something in a particular way. **Knowing the rules of the Code allows you to work effectively within them**, rather than being limited by them.

It will help you keep your job, because breaking the Code is likely to be a disciplinary offence, which can result in dismissal. This reflects the importance both of you and of the Code.

You are important as you are, in most cases, the only direct contact between your company and health professionals.

The Code is important to your company, and to the Pharmaceutical Industry in general, because, as a self-regulatory system, it needs to be, and be seen to be, effective in order to be allowed to continue.

You should read this book if you are:

A new representative - you would benefit from reading through the book from beginning to end, to make sure you are aware of all areas affected by the Code. It is useful preparation for the ABPI Representatives' Examination.

A more experienced representative - the book can be used as a reference or reminder for specific information, particularly if your job changes significantly e.g. from a GP-based job to a job dealing with NHS management.

You should use this book in conjunction with (not as a substitute for):

the ABPI Code of Practice

the training you receive from your company

your company policy as regards Code issues

experienced advice – slight differences in situations can mean major differences as far as the Code is concerned. If you are not sure, **ASK**.

CAN I GIVE SAMPLES?

Samples are clearly defined in the Code

A sample is a small supply of a medicine provided for identification purposes or to allow health professionals to familiarise themselves with its use. Samples should not be provided only to encourage prescriptions.

It must be no larger than the smallest presentation on the market.

It must be marked 'Free medical sample – not for resale' or similar.

Anything else is not a sample.

You should only use samples which have been provided to you by your company for this purpose.

You can give samples only to health professionals who are able to prescribe the product

You cannot give samples to administrative staff or to members of the general public.

You can give samples only in response to a written request

You can offer samples, but you can provide them only after a request has been signed and dated by the health professional – a pre-printed form can be used.

The number of samples you can give is limited

For a medicine launched before 2012, you can give a health professional no more than 10 samples per year, until the end of 2013.

For a medicine not launched before 2012, you can give a health professional no more than 4 samples per year and only for two years – the year in which the request is made and the following year. (This applies only to a newly licensed medicine or a newly licensed indication with new strengths and/or dosage forms.)

You must deliver the sample correctly

You must hand the sample directly to the health professional who requested it, or to someone he has authorised to receive it on his behalf.

You should not use samples as an inducement to gain an interview. (See p35).

If you distribute samples in hospitals, you must comply with that hospital's requirements.

Note that it is your responsibility to find out what those requirements are.

You must give a copy of the SPC with the sample.

You must store samples securely

You must take all reasonable steps to prevent inappropriate or inadvertent use of samples. Do not store samples in your car.

Samples must be recorded

Your company must have a system of control to ensure that all the above requirements are met and must retain all sample requests for at least one year.

CHAPTER VI – THE MEETING

OVERVIEW

Meetings organised by pharmaceutical companies make a significant contribution to scientific research, clinical development and medical education. There is a body of opinion however which considers company-sponsored meetings as no more than an attempt to ‘wine and dine’ doctors so that they are positively influenced to prescribe products.

The key requirement of the Code is therefore that the main purpose of any meeting should be education, and that any hospitality associated with the meeting should be secondary and in fact no more than the subsistence required by the arrangements for the meeting.

In establishing whether or not a meeting is acceptable, all aspects are important, including the arrangements (the timing, the venue, the hospitality etc), the content (presentations, by internal and external speakers), all the associated materials (invitations, programmes, handouts, stand materials etc) and also the costs.

All of these contribute to what every meeting will ultimately be judged on – the impression.

You should always follow your company’s policy on meetings.

WHAT SORT OF MEETING CAN I HOLD?

Any meeting you hold must have a clear educational content.

The use of the term 'educational' does not mean that the content must be solely non-promotional. A promotional presentation can also be considered to satisfy the requirement for educational content.

The 'educational content' must be the primary purpose of the meeting. Hospitality therefore must be secondary.

To get the right balance, you need to consider the following in relation to both education and hospitality:

Time

how many hours of education and how many hours of hospitality.

e.g. a three hour dinner may be acceptable after an all day meeting, but would not be acceptable after a fifteen minute presentation

Quality

How does the quality of the hospitality compare with the quality of the education

e.g. a good quality hotel may be appropriate for a meeting featuring international expert speakers, but an evening meeting with a local GP speaker would more appropriately be held in the Postgraduate Centre.

CPD approval is good evidence of the quality of educational content, but does not in itself mean that the meeting is wholly acceptable under the Code. It is the overall balance between education and hospitality which is important.

Arrangements

Arrangements should be made to best suit the education

e.g. 'discussion over dinner' suggests that the evening has been arranged to suit the hospitality needs, rather than the educational needs.

Attractiveness

A very attractive, exclusive or 'destination' venue is likely to be considered the main attraction of the event, regardless of the quality of the educational programme.

Emphasis

Material associated with the meeting e.g. invitation, programme, poster etc should not seem to 'sell' the meeting on the venue or hospitality, rather than on the educational value.

Don't use phrases like:

'Gala Dinner'

'Champagne reception'

'elegant spa hotel situated in beautiful grounds'

'a great night out'

The 'educational content' must appear to be the primary purpose of the meeting. Impression is paramount.

Key questions to ask yourself are:

'Why would someone choose to attend this meeting?'

- if the answer is anything other than the content of the meeting, you should re-think the arrangements.

'How would this look to an outside observer?'