



RANZCO

The Royal Australian
and New Zealand
College of Ophthalmologists

Ophthalmologists and trainees interactions with the medical industry

Approved by: Board
Version: Current
Department: Advocacy

Next review date: November 2024
Approval date: 23 November 2021
Policy inventory number: 141.2021.11 01

1. Purpose and Scope

This guideline was developed by the Royal Australian and New Zealand College of Ophthalmologists (RANZCO).

The purpose of this Statement is to provide guidance to Ophthalmologists on the appropriate ethical professional code of conduct when interacting with the medical industry.

2. Background

Ophthalmologists have a complex relationship with pharmaceutical companies and instrument manufacturers, the ophthalmic industry. Interactions between medical practitioners and the medical industry should be considered carefully, ethically and should conform to the clinician's code of conduct. This relationship exists as a fine balance between necessity and conflict of patient care, and it is, therefore, a source of ongoing scrutiny by the government, the media and society.

As with all clinicians, ophthalmologists have a duty of care to place their patients' needs above industry requests. However, it should be recognised that interactions between medical practitioners, particularly those in the surgical specialties, and the medical industry can be both mutually beneficial and beneficial for patients. One example of this is the development through collaboration of new or improved devices or technology borne out of innovation and meeting the needs of patients. In addition, medical industry interactions with ophthalmologists have evolved to include the conducting of clinical trials, serving on scientific advisory boards and proctoring the introduction of new technology. The medical industry has also played an important role in supporting and collaborating in educational activities for ophthalmologists and trainees.

The community (society) has entrusted medical practitioners with certain rights and privileges. One of these is to recommend medication and the device or prosthesis that best meets the requirements of their patients.

The principle of cost-benefit or value for money is not immediately clear. With the increasing cost of medication, devices and prostheses, there is increasing attention on the way in which decisions regarding the use of prostheses are made.

The COVID-19 pandemic has brought new demands upon this interaction. Industry has faced supply and demand issues with many elective surgeries not proceeding and with medicines being unable to be sourced. Thus, industry requires the support of the medical profession to survive the economic burden.

Medical industry wants and needs to sell its product. Ophthalmologists receiving financial benefits from industry must realise that they are recipients of a gift, purely and simply because industry believes that it will increase sales. Evidence suggests that industry affects the way that doctors prescribe and there are significant commercial gains to be made by engagement with doctors.

This policy document provides recommendations for an ophthalmic care provider on how to proceed with integrity and professionalism and manage 'actual' and 'perceived' relationships with industry.

3. General Principles

Ophthalmologists' interactions with the medical industry must be governed by three overriding principles:

- The best interests of the patient(s) are paramount
- Transparency- that is able to withstand public and professional scrutiny
- Promote responsible use of health care resources

The decision to recommend medication or a device or prosthesis for use or implantation into a patient is made by the ophthalmologist. The primary consideration in making this recommendation must be “what is best for the patient”.

Whenever a choice is made by an ophthalmologist, on behalf of the patient, the possibility of “self-interest” or even the possibility of perception of “self-interest”, must be considered by the ophthalmologist. The potential of a “conflict of interest” exists whenever an ophthalmologist, or any organisation with which they are associated, receives remuneration from the supplier – no matter the form of remuneration, reason or justification.

Examples of types of industry relationships with ophthalmologists include:

- Industry-sponsored research and meetings
- Contractual arrangements with industry, such as lens implant supplies and cataract packs
- Owning of industry shares
- Employment by industry
- Development of shared medical devices
- Receiving product samples or even meeting with industry representatives.
- Industry funded research

4. Specific Issues

- 4.1. Financial support for a medical or surgical practice activity must not be conditional upon any obligation by the healthcare professional involved to recommend, prescribe, dispense or administer a Company's product(s). Nothing should be offered or provided in a manner or on conditions that would interfere with the independence of a healthcare professional's professional practice.
- 4.2. An ophthalmologist must not approach the medical industry as an individual for payments, or other incentives either direct or indirect, during the marketing phase of a device or technology.
- 4.3. An ophthalmologist must disclose to the patient any possible self-interest and must make such issues available for scrutiny - particularly by patients, but also by colleagues, professional bodies and the general public.
- 4.4. Except where he or she has been involved in the creation or development of a medical product, an ophthalmologist shall not promote or endorse that product other than (whether or not for remuneration) by demonstrating or training others in the use of that product (subject to 4.6).
- 4.5. An ophthalmologist must ensure that any relationship with the medical industry is transparent and publicly acknowledged. This includes the credentialing authorities, academic organisations as well as patients.
- 4.6. An ophthalmologist must distance him or herself from financial grants obtained from medical industry e.g., educational grants should be directed to organising bodies, payment for specific fellowship training should be by way of the specialist organisations.
- 4.7. Ophthalmic organisations must not accept grants from medical industry if there are any conditions stipulating that the funds be directed towards a specific individual or individuals.
- 4.8. An ophthalmologist shall not permit any member of their family to accept benefits from the medical industry.
- 4.9. Potential conflicts of interest, or even the possibility of a perceived conflict of interest that cannot be resolved, should be addressed by consultation with relevant institutional authorities or with RANZCO.

5. Interactions with Medical Industry - Specific Scenarios

5.1 Consulting rooms

Meetings with medical industry representatives are encouraged for the purposes of education and obtaining information. A fee must not be charged for such meetings nor should gifts be accepted.

5.2 Operating theatres

- Although the attendance of medical industry representatives during procedures can be useful, the overall responsibility for the treatment of the patient resides with the clinician and decisions regarding the patient, must be made by the ophthalmologist.

5.3 Education

5.3.1. Education development

- Educational development should, whenever possible, be through RANZCO as it is accountable to the profession. Education should be free of commercial bias for or against any company, device, product or service. If an activity contains reference to commercial products and/or services, objective information based on generally accepted scientific methods must be presented. The educational content, faculty, venue and format should be determined by the convening body and not compromised or necessarily constrained by an industry's brand or product.
- If medical industry has convened an educational meeting, the venue should not be excessive or extravagant i.e., the reason for an ophthalmologist deciding to attend should be the educational content, not the venue.

5.3.2. Training sessions

- Learning new techniques or becoming familiar with new technology may require training.
- Such training may require travel and accommodation. Reimbursement for reasonable expenses is appropriate but compensation for lost income is not appropriate. An ophthalmologist must not accept from medical industry any financial support, direct or indirect, in excess of reasonable travel and accommodation expenses for him or herself only. Additional payment for spouses/ partners is not acceptable. Ophthalmologists and trainees can refer to the RANZCO Travel Policy for a guide to reasonable travel and accommodation expenses.

5.3.3. Attending meetings

- RANZCO subscribes to Medicines Australia Code of Conduct Edition 19 (2020) for industry subsidy of travel and accommodation for ophthalmologists and trainees to attend meetings.
- It is recognised that medical industry wishes to support the calibre of educational meetings and appropriate attendance but an ophthalmologist, or trainee, must not accept any financial support, direct or indirect, from medical industry for attending educational meetings. Any such support from industry must be directed to the organisers of the meeting to defray or disseminate payments as deemed appropriate by the meeting organisers.

Meeting organisers may use funds from industry to:

- support the meeting financially
- support the attendance of a speaker chosen by the organising committee on the basis of educational merit. (see 4.3.4)
- support ophthalmologists or trainees who would not otherwise be able to attend the

meeting with travel and accommodation expenses only (all decisions about which ophthalmologists /trainees will receive support must be made by the meeting organisers independent of the sponsoring company)

5.3.4. Presenting at meetings

- Any payment for presenting at ophthalmic meetings should be made to individuals by the organising committee of the meeting, not directly by industry. If organisers accept a grant from industry for payment of a speaker, this must not be dependent upon a specific speaker. The organising committee must retain autonomy for the arrangements of the meeting.
- Any travel or accommodation expenses met by industry should be declared at the beginning of any presentation, demonstration etc. Any such expenses or reimbursement should be reasonable and not excessive.
- Intermittently, an ophthalmologist is paid by a medical industry company to attend a meeting in order to represent that company. In this situation, an ophthalmologist must disclose that he or she is a paid consultant to, or an employee of, the company during any discussions involving that company or its products, formal or informal. Subsequently, an ophthalmologist must disclose to a patient or their legal guardian that he or she is or has been a paid representative of the company before making any recommendation about the use of that company's products for the patient.

5.3.5. Arranging meetings

- An ophthalmologist must not approach industry directly as an individual for educational support for meetings. Any approach should be clearly understood to be on behalf of the organising committee. An ophthalmologist acting on behalf of, or as a representative of RANZCO, should have the expressed permission to do so.
- Sponsorship of educational meetings and events (preferably directed through RANZCO) should be appropriate, in accordance with professional and community standards and expectations. Venues and hospitality should be appropriate and not excessive or extravagant.

5.4 Funding fellowships

- Industry funded fellowships should be organised through the College rather than directly through individual ophthalmologists. RANZCO will assess and accredit any such fellowship training position. An ophthalmologist must not accept financial support directly from medical industry for the purpose of funding their own personal fellow.

5.5 Publications

- Any industry arrangement or
- involvement pertaining to a submitted paper for consideration for publication should be accompanied by an appropriate declaration of interest. In addition, any reviewer for a journal should declare any potential conflict of interest with respect to a paper to the editor of the journal.
- An ophthalmologist may publish (or present) their experience with a device or technique in a peer reviewed journal (or meeting).

5.6 Demonstrations

- An ophthalmologist undertaking to demonstrate a technique or the use of a prosthesis or other medical device to colleagues must be aware that they are in fact endorsing the technique or product. Any direct or indirect payment indicates that the ophthalmologist is a paid consultant or an employee of the company involved. This must be disclosed prior to the demonstration and subsequently to patients prior to recommending that company's devices and prostheses or other products.

5.7 Direct remuneration

- An ophthalmologist may have direct financial relationships with industry for a number of reasons. These include involvement with the creation or development of a prosthesis, undertaking evaluations and serving on advisory boards. These involvements must not prejudice decisions regarding individual patients and must be transparent to patients, hospitals and colleagues. They must be able to withstand public and professional scrutiny and conform to professional and community standards, ethics and expectations.

5.8. Acknowledgement of receiving funding

- Any funding arrangement, direct or indirect, must be declared on an ongoing basis:
 - to employers/academic institutions
 - in publications
 - to patients, particularly if treatment approaches have received
 - “educationally related” funding.

6. Related Documents

- RANZCO Professional Code of Conduct
- Medicines Australia, Code of Conduct, Edition 19 (2020)
- Medical Board of Australia, AHPRA, Good
- Medical Practice: A Code of
- Conduct for Doctors in Australia (Oct 2020)
- RANZCO Travel Policy

7. Record of amendments to this document

Page	Details of Amendment	Date amended
Entire document	Created	April 2017
Entire document	Reviewed and updated (minor edits throughout)	November 2021