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With marketing code, pharma sector gets clear goal post

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New ethical code UCPMP-2024 defines pharma-doctor interactions, bans gifts, and aims for greater accountability in the industry

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An updated ethical code defining the fine line between doctors and drugmakers is finding broad acceptance, in both communities.

The Uniform Code for Pharmaceutical Marketing Practices (UCPMP- 2024), issued by the Department of Pharmaceuticals, outlines a frame-work within which

pharma companies can engage with doctors, without interactions becoming an endorsement or inducement to push drug prescriptions.

It may be early days yet, to assess if the updated Code will effectively outlaw freebies that masquerade as educational material, say industry-watchers, of the updated code that comes about 10 years since the last one, in January 2015. Nevertheless, it aims to bring in greater accountability from the pharma companies; includes medical devices and defines the scope of engagement with doctors in Continuing Medical Education (CME) conferences, among other things, they point out.

Varsha Rajesh, Pharmaceutical and Life Sciences Lawyer with Nishith Desai Associates, points to how “executive heads of companies are required to submit a self-declaration regarding compliance with the UCPMP to their respective industry associations.” On other key takeaways, she said, the Code makes it mandatory for CME conferences to be conducted in India, not at company premises and hotels overseas (as was a common industry practice). The Code further outlines that CMEs be allowed through transparent and verifiable guidelines published on the company website.

Gifts are out-lawed to doctors, their families etc, from pharma companies, distributors, wholesalers, retailers etc. Penalties and remedial action have been outlined, with a chain of command and timelines to escalate the complaint.

Goal-post

There is a clear goal post now, and that helps better implementation for companies, Viranchi Shah, President with the Indian Drug Manufacturers’ Association told businessline, adding that the Code is binding.

From an ethical standpoint, the Code is an “acceptable document,” said the Indian Medical Association President Dr RV Asokan, expressing concern on the “tone” of the letter regarding “strict compliance”. An ethical code should be eligible across the board for anyone handling patients, he added.

Dr Vikram Venkateswaran, Partner, Deloitte India, said the Code would in the long run transform the pharma industry, by bringing in practices backed by science. The Code has qualified use of words like “new” and “safe” , for example. It has a

“whistle-blower” tone to it, in that anyone can complain and the executive management has to look into it , he said.

The latest development is a consolidation of tax-related measures in 2022, that tightened marketing spends on doctors and freebies, he said. The Code addresses the mid-market of the industry that is active and focuses aggressively on growth; streamlines the engagement with doctors with scientific guard-rails and brings in penalties etc, that will in the long term transform industry practices, he pointed out.

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