



REPUBLIC OF LEBANON
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The Lebanese Code of Ethics: A New Milestone

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Competition in the Pharmaceutical Industries and among drug manufacturers is inevitable; therefore, Drug Promotion is an essential activity that is adapted for marketing and advertising in the midst of all present competing factors. Yet, are all persuasive activities performed by the manufacturers and distributors of medical drugs considered ethical? To what effect can these actions significantly alter the way medicines are prescribed, dispensed, and used? Is there any kind of protection that serves as a barrier against over-prescribing or poor quality prescribing of drugs arising from a conflict of interest? Endless questions may arise from the concerned parties including patients, physicians, pharmacists, drug manufacturing industries, and syndicates, but the multiple answers remain linked to a single concept “Ethics”.

Ethics is defined as what is right or wrong, good or bad; it varies from one person to another, and even between countries with culture playing an important role in the acceptance of ethical standards. Ethical Drug Promotion entitles health care professionals to have access to accurate information related to new updates and drugs, allows patients to access the needed medicines, ensures the rational and appropriate prescription of medicines, and preserves independence of health professionals when exercising medical judgment. Therefore, as a way to achieve the diverse provisions ensured by Ethics, a Code of Ethics governing the promotion of pharmaceutical products is established as the ethical criteria included within this code lay the foundation for proper behavior when promoting medicines in addition to setting adequate standards for ethical marketing and promotion of prescription products targeting both the pharmaceutical industry as well as healthcare professionals.

The development of the Code of Ethics can be traced back to the release of the Ethical Criteria for medical products promotion by the WHO in 1998. Due to the tremendous success brought about by the latter, several other codes and guidelines were released such as Code of Practice by the International Federation of Pharmaceutical Manufactures Associations in 2006, and 2012, the Drug Promotion Guidelines initiated by Jordan in 2009, and the Gulf Code of Pharmaceutical Practices established in 2011, along with other codes released by 42 countries.

Fortunately, this year (2016), the Lebanese Ministry of Public Health undertook the initiative to stipulate a Code of Ethics in partnership with the concerned parties (Pharmaceutical Importers and Wholesalers Association, Group of international Lebanese pharmaceutical companies, Syndicate of pharmaceutical Lebanese industries, the Two Orders of Physicians/Dentists in Lebanon, LPIA, Order of Pharmacists in Lebanon, Syndicate of Private Hospitals Owners, and all parties involved in the marketing and promotion of medicinal products in Lebanon) in order to set regulatory frameworks that ensure respect of legal, ethical, and scientific principles in the medicinal market as well as enhancing the rational use of drugs to prevent practices that do not comply with ethics by acting as a reliable reference to marketing practices; it was established in accordance to the Lebanese cultural context. The Code was launched under Patronage of Prime Minister H.E Mr. Tamam Salam in the Grand Serai on May 31, 2016.

The Lebanese Code of Ethics is applied on Physicians, Dentists, Pharmacists, International pharmaceutical companies and scientific offices in Lebanon, Members of pharmaceutical importers and wholesalers association, Syndicates, and all other involved parties. It is divided into three main components which are: Marketing and Promotion Practices, Implementation Procedures, and the Pledge and signature.

Starting with the first component, many subdivisions are included within Marketing and Promotion Practices. The first category entitled “Promotion” refers to the awareness activities addressing healthcare providers, the public, and patients concerning the prescription and the usage of medicinal products in an accurate, informative, and reliable way; however, promotion objectives should not be limited to commercial goals but rather should focus on the patient’s interest as direct-to-consumer advertisement is prohibited by law. The second subdivision “Promotional Items and Gifts” states that Promotional items with modest or symbolic value can be given to the doctors if they apply the following conditions: the gift should not be more than 10% of the monthly minimum wage, is useful to the professional’s practice, is related to the promoted drug, and will add greater value for the patient care; on the other hand, any direct or indirect cash payments with the aim of increasing the consumption of medicinal products are considered a bribe and a breach of the Code of Ethics. The third classification within Marketing and Promotion Practices falls under “Medical Samples” which allows for the provision of only small quantities of free samples in accordance to the conditions of the Pharmacy Law. The fourth group entitled “Congresses and Symposia” defines two types of congresses: the first aims at providing scientific and educational benefits to professionals and involves all educational and scientific activities undertaken by health institutions inside or outside Lebanon; it prohibits the use of Brand names but sponsors can use banners outside the congress halls, while the second type falls within the scope of advertising and promotion for particular medicinal products with the information used having been approved by the international agencies. Moreover, for both types of congresses certain rules should be abided by such as not allowing coffee breaks, lunches, and dinners to exceed 25% of the total given time, banning the sponsoring of recreational activities and the payment of expenses for persons who are not directly related to the event, as well as presenting the concerned professional orders with the programs of events and informing about the names of doctors and/or pharmacists who participated in the event, with both activities being done by the sponsors. Other subdivisions include “Scientific Research which should not be used at any of its stages to promote any medicine, should be subject to current laws, and should subject the unmasked post-marketing studies to the approval of IRB of concerned health center based on a written proposal; “Contracting with Health Care Professionals” which is permitted to carry out scientific activities but does permit exclusivity with the contracts being signed before initiating activities and the fees being applicable to local standards; “Grants and Donations” which are only provided to institutions and cannot be used as a mean to increase the purchases of pharmaceutical products of donor companies; “Patient Associations” can receive support from pharmaceutical industry but should be officially registered as non-profit patient associations and the support should be publicized in transparency and documented in written agreement reflecting nature and purpose; “Medical representatives”

focusing on the responsibility of companies to provide medical representatives with appropriate training for them to acquire sufficient knowledge concerning medicines which in turn they provide to the doctors in an accurate and ethical manner, and finally the “Information Disclosure” which requires medical representatives to provide complete information on contra-indications and side-effects of drugs and bans pharmacists working in hospitals and in community pharmacies to disclose any information related to physician’s prescribing patterns.

The second component of the Lebanese Code of Ethics is “Implementation”. The latter involves two main activities: “Monitoring” and “Review Procedures and Deterring Violations”. With the establishment of a professional supervision committee consisting of the Order of Physicians in Beirut & North, the Order of Dentists, and the Order of Pharmacists, the following group fulfill several duties such as the revision of documents related to congresses and sponsored by companies, revision of complaints of violation of code, following up implementation, and coordinating with the pharmacy Inspection Department at the Ministry of Public Health. As for the “Review Procedures and Deterring Violations”, three levels are found; the first level deals with complaints sent to the violating party by the supervision committee which will give 20 days for the offending member to respond and inform the concerned professional orders to take appropriate measures; the second level is reached when the response was not satisfactory or no solution was attained, which in turn drives the committee to file a written complaint to the responsible sectors including the Review Board that issues a recommendation period of 40 days; in case the response is unsatisfactory, the third level is considered where the committee submits the recommendation to the Minister of Public Health to take appropriate action.

Moving on to the final component of the Lebanese Code of Ethics, the “Pledge and Signature” involves the voluntary compliance of all relevant parties to the code and all its clauses by adopting transparency, discipline, and self-control through its application.

As patients, we look for protection and trust when seeking the help of a doctor; however when a conflict of interest is involved, we are left victims of poor drug prescription, over-prescription of drugs, or even the intake of inappropriate drugs. Luckily, our wish has been granted; a Code of Ethics for the Promotion of Medicinal Products has been established in Lebanon to ensure transparency between doctors and patients on one side, and pharmaceutical companies and doctors on the other side. Awareness is a main factor contributing to Health and Safety, Self-Regulation and Self-Discipline are key players in the process of Implementation, and Support is the basis for the success of this code. For a better health, for mutual trust, for patient satisfaction, and for a safe country, we should take the initiative to abide by all the requirements of this crucial code regardless of the party we belong to. Together, we can make a change!