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AMA submission to the Australian Competition and Consumer Commission – Medicines Australia application for reauthorisation of Code of Conduct Edition 18 – A91436-A91440

adjudication@acc.gov.au

The AMA generally supports the ACCC's conditions of authorisation imposed on Medicines Australia's new Code of Conduct Edition 18, as described in its letter of 6 February 2015, with the exception of formatting individual data using Microsoft Excel. Our comments on each proposed condition are detailed below.

Reporting of all transfers of value and timeframe

The AMA accepts the ACCC's proposed additional condition to require Medicines Australia member companies not to enter into reportable financial relationships with health practitioners unless consent to publish the information is obtained. We are pleased that the ACCC has also accepted our proposal to defer this additional condition so that it does not take effect until 1 October 2016. This will allow health practitioners to plan for their ongoing relationships with pharmaceutical companies and to gain confidence in the operation of the new Code.

Format for reporting all individual transparency data

The AMA supports the proposed requirement that Medicines Australia member companies report individual transparency data in a standard template and in an identical accessible format. This will make it easier for patients to use. However we oppose formatting using Microsoft Excel or any other format that would allow searching of the data beyond the purpose of assisting patients to make informed healthcare decisions, the predominant purpose for transparency reporting.

Users of individual transparency data should only be able to search the data for the purpose of seeking information about specific practitioners. Information should only be available by entering one practitioner's name at a time, consistent with patients looking up information about their current or potential health care practitioner. Therefore the only search criteria should be the practitioner's name, refined by suburb and postcode of place of practice. Public access to the information in any other way is not consistent with the purpose of assisting patients to make informed healthcare decisions.

The format or system used for reporting individual transparency data should not facilitate the 'trawling' of data which can be used out of context.

Implementation of centralised database

The AMA supports the ACCC's proposed condition that Medicines Australia use reasonable endeavours to implement a centralised database and to report periodically on progress.

Public disclosure and retention of individual data for three years

The AMA supports this proposal.

Non-material amendments to conditions

The AMA supports this proposal.

The AMA would be pleased to discuss or clarify any aspect of our submission with the ACCC.

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