

FEES FOR SCIENTIFIC SERVICES: GUIDELINES (D.D. 18.06.2013)

The following guidelines have been designed to guide Healthcare Sector professionals and companies to apply and interpret the dispositions of the Law on medicinal products and of the Mdeon Code of Ethics in relation to fees for scientific services.

PRINCIPE ?

Healthcare professionals may be remunerated by the pharmaceutical or medical devices companies as payment for legitimate scientific acts on behalf of those companies (article 10, §2, 3° of the Law of 25 March 1964 on medicinal products*).

WRITTEN AGREEMENT ?

A written agreement has to be established in advance of the commencement of the services which clearly specifies in detail the nature and the content of the services to be provided, as well as the basis for payment of those services.

TRANSPARENCY ?

In the interests of transparency, it is recommended to include in the agreement a provision regarding the obligation of the consultant to declare that he/she is a consultant to the company whenever he/she writes or speaks in public about a matter that is the subject of the agreement or any other issue relating to that company. This is a declaration of interests.

SCIENTIFIC SERVICES ?

By scientific services is meant the involvement of Healthcare professionals in clinical trials, the giving of scientific papers during teaching lectures, seminars, symposiums or congresses, the participation at advisory board meetings or experts meetings.

The following services are not scientific and may consequently not be remunerated: commercial survey, 'registries', etc.

LEGITIMATE SERVICES ?

A service is *legitimate* if

- ❖ it corresponds to a real need of the company
- ❖ it is provided for the purpose of supporting healthcare or research
- ❖ it is not an inducement to influence the prescription-, supply-, administration-, recommendation-, or using's behavior of the consultant
- ❖ it is performed by a qualified consultant who has the required expertise
- ❖ and it is effectively performed.

REASONABLE FEES ?

The compensation for the services has to be *reasonable* and reflects the *fair market value* of the services provided. The market of reference is the *Belgian* market.

The compensation is calculated on the basis of multiple criteria as the duration of the services, their degree of complexity, the required level of experience and expertise, the degree of urgency of the services, etc. The past or future volume of prescription of the consultant is not a relevant criteria.

The compensation is *proportional* to the performed services. It is important to be able to explain how this was determined.

The compensation should be *consistent*. To identical services and situations, identical compensation.

HOSPITALITY ?

If hospitality is offered to the consultant in addition to the fees (meals, overnight stays or transport), this has to be *reasonable*.

Such hospitality will have to be subject to a *preliminary visa delivered by Mdeon* if it is offered in the framework of a scientific event taking place over several consecutive calendar days.

A QUESTION ?

Companies or Healthcare professionals who so wish may ask the Mdeon Visa Office for *written advice* concerning whether or not a proposed fee is in accordance with the Mdeon Code of Ethics.

* It must not be forgotten that §1 of this article forbids in general the offering of all premiums and benefits by companies to Healthcare professionals as well as requests of the same by the said professionals.