



Training on the Code

The Code requires that employees understand the Code and its implications for the way a company does business. MTAA offers online and face-to-face training modules aimed at providing a better understanding of responsibilities under the Code. MTAA also audits Code training conducted in-house by companies to ensure that the content of the courses addresses all key issues in the Code.

What if I have a concern?

The Code contains a complaint mechanism which can be accessed by members of the medical technology industry, practitioners, consumers and other organisations.

A Complaints Committee, which includes healthcare professionals, consumers, hospital representatives and industry members will consider any written complaint regarding behaviour described in the Code.

If you are unable to resolve a matter with a company directly and wish to lodge a complaint, please contact MTAA or MTANZ where support and advice will be given to you in the preparation and consideration of your complaint.



Medical Technology Association of Australia

30 YEARS SUPPORTING MEDICAL TECHNOLOGY IN AUSTRALIA

How can I get a copy of the Code?

The Code may be accessed on the MTAA website at www.mtaa.org.au or by contacting MTAA on 02 9900 0650.



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Medical Technology Association of New Zealand
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UNDERSTANDING THE CODE OF PRACTICE

Medical technology for a healthier Australia
www.mtaa.org.au



About the Code of Practice

The purpose of the MTAA/MTANZ Code of Practice is to ensure that high standards of integrity of behaviour apply across the medical technology industry to enable healthcare professionals and consumers to have confidence in dealing with industry and the technologies it provides.

Ethical standards and compliance with applicable laws are critical to the medical technology industry's ability to continue its successful collaboration with healthcare professionals. To enhance this relationship MTAA and MTANZ – the national industry bodies for the medical technology industry in Australia & New Zealand - have jointly developed a Code of Practice to facilitate ethical interactions with healthcare professionals and others engaged in healthcare.

The Code of Practice is a self-regulatory industry Code that regulates industry's relationship with healthcare professionals (broadly defined to include any individual or entity involved in the provision of healthcare services or in a position to make a decision on acquiring medical technology).

What does the Code regulate?

Advertising & endorsements

All advertising must comply with the Therapeutic Goods Advertising Code. As very few products are marketed directly to consumers, most advertising material is directed to healthcare professionals. A company must be able to substantiate any therapeutic or promotional claim that it makes in an advertisement. Any therapeutic claim must be consistent with the intended purpose of the product. A company may not use the name or photograph of a healthcare professional without consent or in a way that is contrary to the ethical guidelines of a professional association.

Product training & education

The Code acknowledges the need for training and education in the appropriate use of products, including discussions about product features and performance.

Any product training and education must be conducted in a clinical, educational or other setting that supports effective learning. Training must not take place in a resort location. A company may pay for reasonable travel and accommodation costs incurred in attending the training.

Third party educational conferences

The Code permits the payment of a grant or sponsorship to the organiser of the conference (usually a professional association or training institution) to enable funding of attendance, provided the conference organiser selects the recipient.

In order to ensure transparency in the relationship between the healthcare professional and a company, the Code does not permit direct payment of the costs of travel and attendance at a conference.

Alternatively a company may make a grant to an institution for medical education purposes and the grant may be applied by that institution in meeting the cost of a healthcare professional or trainee to attend an educational conference.

Hospitality

The Code permits companies to provide hospitality to healthcare professionals in limited circumstances – by sponsorship of hospitality at a third party conference or as incidental to the bona-fide presentation of educational material or commercial information. The hospitality must be modest in value, not include any entertainment (including sporting activities), and take place in a setting conducive to the educational or business discussions.

Consultancy arrangements

For patient safety and innovation there is a very close and ongoing working relationship between medical technology companies and healthcare professionals. Where a legitimate need for the service is identified a company may retain a healthcare professional on contract as a consultant to provide advice, research or consulting services, or to serve on an advisory board.

The Code requires that any compensation is consistent with fair market value for the services provided, selection is based on the qualifications and expertise of the consultant and not on volume or value of business generated, and the arrangements are well-documented. There should be a written research protocol where a consultant is retained to conduct clinical research.

The calculation of royalties payable to a healthcare professional in exchange for intellectual property arising from a consulting arrangement should preserve the objectivity of medical decision-making.

Fellowships & grants

Under the Code companies can fund fellowships to enable specialist education of healthcare professionals provided that the recipient of the grant is accredited by a relevant professional association to deliver specialty education.

Research grants should only be provided to support independent medical research with scientific merit; educational grants should only be made for the advancement of medical education with an academic affiliation or the advancement of public education for consumers; and charitable donations should only be made to genuine charitable organisations.

Gifts & competitions

A company may occasionally provide a gift to healthcare professionals for the benefit of patients or which serves a genuine educational function, provided the gift is of minimal value. All non educational gifts of any type - including all branded promotional items - regardless of value are prohibited.

Competitions should be educational and based on medical or specialist knowledge. The prize should be modest in value and entry must not depend on ordering or using a particular product.

