

Code Authority Guidance letter to Members: Provision of ‘modest Hospitality’ to Healthcare Professionals during webinars and virtual events

The MTAA Code Authority has produced this guidance document for MTAA member Companies regarding the provision of “modest hospitality” when Health Care Professionals (HCPs) are attending webinars or similar education events and training sessions online.

Providing meals has given rise to some concerns specifically related to the COVID-19 response. In order to properly consider and manage the provision of meals to HCPs during Company-conducted training and education programs that are held virtually, the Code Authority provides guidance as follows:

- A. All current Code of Practice E11 2020 (the **Code**) requirements for meals and other hospitality remain unchanged. This means that the rules regarding hospitality being occasional and modest, incidental to the main purpose of the event, and not permitted for guests, relatives or other individuals with no business reason to attend, all remain unchanged.
- B. The MTAA is supportive of Hospitality being provided to HCPs during virtual interactions/events. However, such meals may only be provided at or delivered to an office, hospital or other educational setting. Home deliveries are not permitted nor is the provision of restaurant pre-paid cards.
- C. Companies should have in place a process to track event attendance and document details of hospitality provided to HCPs. This might include obtaining itemized invoices and itemised meal costs (for comparison with an attendee list) and confirmation of delivery address. Delivery costs should be considered when determining what is ‘modest’ hospitality. Hospitality in these circumstances must not be provided or offered as an inappropriate inducement.

The Code Authority has taken into account the following factors in taking the above approach:

- **Location from which the HCP is participating in the virtual event** - it is reasonable to provide modest hospitality (whether via Uber Eats or similar provider) to an HCP participating in a virtual event where the HCP is situated at a hospital, group practice or similar location. In these circumstances, the member Company can be reasonably confident that the HCP is the recipient of the hospitality provided. However, if the HCP is participating in the event at home, there is less control over who benefits from the hospitality.
- **Privacy Issues** – although not strictly a Code issue, the data privacy issues inherent in the ordering of meals from providers for consumption by HCPs in their own homes significantly increase the risk of these arrangements breaching privacy laws.
- **Provision of meal vouchers** for attendees at virtual educational events is not acceptable, given lack of control over how and in what circumstances the vouchers are used, and the potential for use by an individual other than the HCP. A voucher provided in these circumstances might more accurately be regarded as a gift rather than hospitality and therefore prohibited under the Code.

Kind regards,
Code Authority