

Ethics: The glue that binds HCPs, medtech suppliers and quality health services

Earn 1 CPD ethics point by reading the article and completing the [quiz](#) with 70% pass mark

*As a healthcare professional (HCP), you regularly come into contact with suppliers of medical technologies (medtech) including in vitro diagnostics (IVDs). These interactions help you to keep up with medtech innovation and best practices and to source and use the necessary medtech for patient care and treatment. That makes them a necessary and valuable component of your healthcare practice, whether you are part of a bigger healthcare facility or a one-person practice. **What if a medtech company representative were to approach you directly and offer to pay for the expenses for you to attend a medical congress (third-party organised educational event)? You might wonder “what’s the catch?”**. And you’d be right to ask. Because when it comes to protecting your independent clinical decision-making – and safeguarding your professional reputation, it’s true – there really is no such thing as a free lunch.*

The real and not-in-the-least hypothetical question about medtech companies directly supporting HCPs to attend third-party-organised educational events is one of many important matters addressed by The South African Medical Technology Industry Association’s (SAMED) recently updated and republished Medical Technology Code of Ethical Marketing and Business Practices (the Code).

The Code is a medtech industry self-regulating mechanism administered by SAMED and is central to SAMED achieving its mission; to enable a sustainable, ethical, and transformed industry that ensures patient access to medtech.

When medtech companies approach HCPs and offer direct support towards their attendance at educational events, there is a risk of conflicts of interest. Healthcare professionals might feel pressured to procure or use a device due to these financial ties. HCPs attending such events should prioritise the clinical needs of their patients, as is stated by HPCSA which regards as unacceptable any conflicts of interest and inducements, as such compromise patients’ clinical needs.

The Code is particularly relevant to healthcare professionals in regard to the prohibition of direct support by medtech companies for HCPs to attend third-party organised educational events and contains the information you need to navigate indirect sponsorship opportunities.

- The Code allows for the medtech industry to indirectly channel support in the form of educational grants into professional societies/HCOs and conference organisers. These entities then become responsible for administering the grants impartially and at arms-length. The related provisions of the Code have been carefully crafted with a view to reducing the risk of perverse incentives and practices while enabling constructive and ethical partnerships between HCPs and medtech companies.
- This symbiotic relationship is similarly provided for in the Health Professions Council of South Africa (HPCSA) Booklet 11: “Guidelines on over-servicing, perverse incentives and related matters”, specifically 3.13 Continuing Professional Development. The guidelines outline processes for ensuring that equitable criteria are applied when selecting candidates to receive support to attend third-party-organised events and for avoiding using purely commercial and often perverse reasons as the basis for such choices.

It is often asked why SAMED members may not provide direct support for HCPs’ attendance at third-party organised educational conferences, yet they may provide support for healthcare professionals attendance at third-party organised procedure training and member company events.

The answer is: Healthcare professionals’ first and highest duty is to act in the best interests of patients. Medtech companies help HCPs meet this duty and have an ethical and legal duty to instruct, educate and train healthcare professionals on the safe and effective use of their products. This is why it is acceptable for SAMED members to pay for reasonable travel and accommodation for healthcare professionals to attend company-arranged educational events including international site visits where the knowledge transfer about the product would not be possible locally or the medical device is so new that it has not yet been brought to the South African market.



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Medtech industry support for professional development

Our industry's support for HCP training and education is critical for the continued development of advanced medtech, and their safe and effective use for the benefit of patients. Such support is essential due to the rapid innovation of medtech, and their typically complex electronic, mechanical, and physiological properties. We also maintain a deep commitment to supporting the highest ethical standards when collaborating and interacting with HCPs and healthcare organisations (HCOs).

The Code promotes and encourages ethical principles and practices. It sets out to ensure that SAMED members – whose condition of membership is to sign and abide by the Code – and other non-member medtech companies that commit as signatories, do not offer perverse incentives to customers to sell, lease, recommend or arrange for the sale or lease of their products. All medtech suppliers are invited to become a signatory to the Code – these companies do not need to be a member of SAMED and HCPs are requested to encourage their medtech suppliers they engage with to do so. As a signatory of the Code, they will accrue a number of benefits to help them establish ethical business practices, and access SAMED resources such as participation in SAMED Code forums and use of the Code digital badge. Signatories are obliged to comply with the Code, which among other requirements includes the appointment and certification of a Compliance Officer.

Informational and empowering approach – with backup to deal with transgressions

The Code was recently updated, strengthened, and aligned with best practice and international codes namely those of MedTech Europe, Advamed and MECOMED. The intention of the Code is to protect the patient's right to the best possible care and to protect the credibility and reputation of the medtech industry as well as its chief constituency – the healthcare professionals.

- The Code takes the approach of empowering medtech companies and HCPs with information and practical tools (eg nine downloadable templates, 90+ Q&A scenarios) to enable medtech suppliers and their customers to recognise, pre-empt and avoid unethical practices or even criminal offences.
- The Code is underpinned by a robust system for lodging and managing complaints of alleged transgressions. Any person including medtech industry representatives, Code signatories, HCPs, administrative personnel, regulatory bodies, patients, and health service users, may report a transgression either via a formal written complaint or through the whistleblowing hotline. Such complaints may be lodged anonymously.

[CLICK TO ACCESS THE CODE](#)

Together towards a corruption-free medtech

Despite its depth and breadth, the digital Code is nevertheless easy to navigate and contains valuable information about the laws, activities and procedures that govern that way medtech companies do business in South Africa, and how they interact with HCPs.

EARN 2 CPD POINTS

We invite HCPs to support ethical medtech
HCPs can contact Alwi Spearpoint at alwi@samed.org.za to obtain a voucher code that will allow you to take the online assessment at no cost.

[TAKE THE CERTIFICATION CODE TEST](#)