

# Guidance for pharmacists and pharmacy technicians Manufacturers' coupons

## Preamble

The Alberta College of Pharmacy (ACP) recognizes that manufacturers sponsor or provide coupons, often brokered through third parties, to facilitate payment for drugs. Initially, these practices were introduced as an alternative to “drug sampling.” This may be a better alternative to sampling because it is cheaper, supports the integrity of the drug supply chain, causes less waste, and facilitates maintenance of complete dispensing records. The pharmaceutical industry has expanded the use of coupons to support patient choice and preference for their products when third-party providers will not provide coverage, and to provide access to drugs for catastrophic reasons.

Compliance with the following guidance will assist pharmacists and pharmacy technicians in making decisions that comply with ACP's Code of Ethics (COE) and Standards of Practice for Pharmacists and Pharmacy Technicians (SPPPT).

## Guidance

### Regulated members

1. may accept manufacturer's coupons, subject to consideration of the following principles; and
2. must not provide manufacturer's coupons to persons to obtain drug products and services, unless the exceptional circumstances contemplated by the compassionate exception apply.

## Principles supporting the acceptance of coupons

### *Be person and family-centred, rather than drug-focused*

Pharmacy care is person and family-centred:

- Pharmacists and pharmacy technicians' primary consideration is the well-being of every individual they serve. Personal benefit cannot conflict with this ethical responsibility.
- Pharmacist and pharmacy technician services respond to the health needs of individuals, taking into consideration their personal abilities, limitations, values, and preferences.
- Pharmacists and pharmacy technicians assess the needs of the individual at every encounter, taking into consideration their health goals, health status, risks, and treatment alternatives.

### *Act in the best interest of individuals, freed from bias and conflict of interest*

Pharmacists and pharmacy technicians make evidence-informed decisions, that are determined to be in the best interest of the individuals in their care and do not place their personal benefit or interest before that.

- Patient care decisions are evidence-informed, objective, and free of bias:
  - Pharmacists and pharmacy technicians do not enter relationships with suppliers of drugs, medical devices, or other products that provide direct or indirect personal financial benefit and that may impact the objectivity of decisions or care that they provide for patients.

## ***Ensure privacy of personal health information***

Pharmacists and pharmacy technicians ensure the privacy of the personal health information of individuals in their care.

- Individuals are informed by their pharmacist or pharmacy technician about the information that is collected, what it will be used for, and if it is to be disclosed, to who, and for what reason.
  - When accepting (or in exceptional circumstances providing) a manufacturer's coupon, pharmacists and pharmacy technicians advise individuals about what personal health information will be disclosed to the manufacturer or broker from whom reimbursement for the coupon will be received.
  - Pharmacists and pharmacy technicians receive consent from individuals prior to disclosing any personal health information to a manufacturer, their coupon broker, or any affiliate thereof.
  - When agreeing with a manufacturer, their broker, or any affiliate thereof, to accept coupons for their products and/or services associated with them, pharmacists and pharmacy technicians seek written confirmation of the manufacturer's, their broker's, or their affiliates' privacy policies and privacy impact assessments. This is to mitigate the risk associated with the disclosure, transmission, and use of individual's personal health information.

## ***Make evidence-informed drug use decisions***

Pharmacists and pharmacy technicians make informed decisions to ensure each individual's right to appropriate healthcare:

- Treatment alternatives may include lifestyle changes and/or drug or non-drug alternatives.
- Treatment recommendations and/or decisions are evidence-informed, based on approved indications or evidence that has been published in peer-reviewed journals.

## **Principles supporting the limited provision of coupons**

### ***Provide access to drug therapy and care***

Pharmacists consider alternatives to support an individual's access to and continuity of drug therapy and care. The relative costs of treatment are a complementary consideration to evidence-informed clinical decisions. Where cost or the ability to pay is an impediment to access, pharmacists work with individuals and other members of their health team to assess the cost and benefits of alternative drug treatment and care.

### ***Providing manufacturer's coupons for compassionate reasons***

The provision of a manufacturer's coupon by a pharmacist or a pharmacy technician to an individual to acquire a drug product at their pharmacy is an inducement. A pharmacist or pharmacy technician **must not** provide a manufacturer's coupon to an individual, except in extraordinary circumstances for compassionate reasons.

[Compassionate reasons](#) are based on the circumstances of the individual and will support the healthcare of the person.

# Appendix 1

## Related legislation

### ***ACP Code of Ethics – Principle 1 – “Hold the well being of each patient to be my primary consideration” (Guidelines 10-13)***

10. Avoid conflict of interest and declare any personal or professional interests to any patient who may be affected.
11. Resolve any conflict of interest that may arise in the interest and for the wellbeing of the patient affected.
12. Do not allow my professional judgment to be impaired by personal or commercial benefits such as monetary or financial gain or incentive targets. I do not ask for or accept gifts, inducements, hospitality or referrals that may affect or be perceived to affect my professional judgment.
13. Do not enter into any arrangement with a patient where I provide an inducement to the patient that is conditional on the patient obtaining a drug or professional service from me.

### ***ACP Code of Ethics – Principle 4 - “Respect each patient’s right to confidentiality” (Guidelines 1-3)***

1. Inform each patient about the use that will be made of the patient’s personal information, unless otherwise authorized by law.
2. Disclose a patient’s personal information only pursuant to the patient’s consent or for the purpose of providing care to the patient, unless otherwise authorized by law.
3. Inform the patient to whom and for what purpose the patient’s personal information will be disclosed, unless otherwise authorized by law

### ***ACP Code of Ethics – Principle 5 – “Respect each patient’s right to healthcare” (Guideline 5)***

5. Do not abandon the professional relationship with my patient in situations where the patient is unable to pay. (However, there is no obligation to provide drugs and services for free.)

### ***ACP Code of Ethics – Principle 10 – “Act with Honesty and Integrity” (Guideline 4)***

4. Am accurate and transparent in the fees that are charged, consider the ability of the patient to pay and, where appropriate, discuss options with the patient.

### ***ACP Standards of Practice for Pharmacists and Pharmacy Technicians – (s1.13-1.16 and 1.18-1.20)***

#### **Preservation of professional independence**

- 1.13 A pharmacist must not practice under conditions that compromise the pharmacist’s professional independence, judgment or integrity.
- 1.14 A pharmacy technician must not practice under conditions that compromise the pharmacy technician’s professional independence, judgment or integrity.
- 1.15 No pharmacist or pharmacy technician may impose conditions on another pharmacist, pharmacy technician or other regulated health professional that compromises the other professional’s independence, judgment or integrity.

- 1.16 Neither a pharmacist nor a pharmacy technician may:
- a) accept gifts or other benefits from, or
  - b) enter into any association with, a patient, regulated health professional or any other person that could have the effect of compromising his or her professional independence, judgment or integrity.
- 1.18 In Standard 1.19 and 1.20:
- a) "inducement" means
    - i. a reward,
    - ii. a gift, including a gift of cash,
    - iii. a prize,
    - iv. a coupon,
    - v. points or other mechanisms in incentive or loyalty programs that can be redeemed for rewards, gifts, cash, prizes or other goods or services; and
  - b) "drug product" means
    - i. a Schedule 1 drug,
    - ii. a Schedule 2 drug,
    - iii. a blood product, or
    - iv. a Schedule 3 drug that is provided under a prescription.
- 1.19 A regulated member must not offer or provide or be party to the offering or provision of an inducement to a patient where the inducement is offered or provided on the condition that the patient obtains:
- a) a drug product, or
  - b) a professional service  
from the regulated member or licensed pharmacy.
- 1.20 The following are not prohibited under Standard 1.19:
- a) the provision of a drug product, professional service or health care product, aid or device to a patient by a regulated member or licensed pharmacy where, in the professional opinion of the regulated member, it
    - i. is required for compassionate reasons based on the circumstances of the patient, and
    - ii. will support the health care of the patient; and
  - b) the provision of a drug product, professional service or health care product, aid or device to augment drug therapy or augment a professional service provided by a regulated member.