

Consultancy agreements between physicians of public hospitals in Switzerland and privately held medical devices companies - necessary evil or evil necessity?

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ABSTRACT

Consultancy contracts between the medical technology industry, as clients, and the doctors in public hospitals in Switzerland, as consultants, can be a useful instrument for enhancing medical progress and economic growth. In the vast majority of cases, they are unduly vilified or questioned by the media. The criticism is mainly explained by a lack of transparency and therefore more than understandable — because there is actually none. Abuse is rare or at least barely known. The anti-corruption laws in Switzerland and corresponding guidelines are extensive and the penalties for individuals and possibly the companies are high and seemingly fulfill their deterrent effect.

In terms of transparency, more needs to happen. This research has shown that companies are as transparent as they need to be by law, and the voluntary publication of pharma's payments to doctors shows that the majority of physicians do not want transparency at all.

The MedTech industry, along with its sister industry, the big pharma industry, should be committed to greater transparency. A voluntary transparency model using the example of the USA would be advisable. Should this not be achieved on a voluntary basis, the legislators should act. The author of this investigation raises the thesis that more transparency does not mean negative economic consequences for companies, but economic growth.

Compliance with the law in consultancy agreements is the responsibility of all involved parties. Physicians in public hospitals of Switzerland mandated with advisory tasks must be as familiar with ethical business practices as their clients, the MedTech companies. In so doing, the HCOs can and must support their doctors through training and involvement in the formation of consulting contracts. Conflicts of interest must be excluded. This works best when everyone does their own job and has the necessary medical, technical and legal knowledge.