

NOTE FOR GUIDANCE ON VIRTUAL INTERACTIONS WITH HEALTHCARE PROFESSIONALS

INTRODUCTION

In the context of the recent transition to virtual engagement, the purpose of this document is to provide additional guidance related to the application of Innovative Medicines Canada (“IMC”)’s Code of Ethical Practices (the “Code”) to Members’ virtual interactions with Healthcare Professionals (“HCPs”). This includes, without limitation, virtual learning programs, promotional interactions, advisory boards and other scientific or business meetings taking place in a virtual environment.

This Note for Guidance must be read in the spirit of the Code and together with applicable laws and regulations. Conducting activities in a virtual environment presents unique challenges that may be distinct from traditionally live interactions and Member companies are strongly encouraged to consider the recommendations outlined in this document when assessing the appropriateness of virtual interactions.

POINTS FOR CONSIDERATION

Access and Attendance at Virtual Interactions

In order to prevent the dissemination of confidential or otherwise inappropriate medical or scientific information, Members should ensure that access to virtual meetings is limited to invited HCPs. Members should request that HCPs attend from an appropriate setting conducive to learning or conducting a business discussion in order to ensure discretion and that privacy and confidentiality requirements are maintained.

All Member employees attending a virtual interaction must have a legitimate reason to attend. The number of Member employees who attend virtual interactions should be proportionate and limited to only those necessary to fulfill the purpose of the interaction.

Compensation for Services in Virtual Interactions

Compensation or honoraria to HCPs for services provided must be reasonable and reflect the fair market value (FMV) of the services, taking into account reasonable differences that may arise from performing services in a virtual environment (for example, the absence of travel). Compensation should be calculated on time spent for services rendered and must exclude any ancillary fees or expenses (ie. Internet fees, Zoom)

Providing Meals at Virtual Interactions

The provision of reasonable and modest meals and refreshments to HCPs is acceptable as long as the primary objective of the interaction is to facilitate a business discussion or learning activity. It has historically been considered appropriate to offer meals and refreshments to HCPs during in-person meetings where interactions were generally of a longer duration and took place during regular meal



hours. Likewise, in the context of traditional face-to-face interactions such as advisory boards, consultant meetings, and learning programs, Members may invite HCPs to gather in a particular venue, at a particular time (typically those taking place over regular meal hours) and provide meals as ancillary to the activity associated with it. In providing a meal in a virtual setting, Members should consider whether the nature of the interaction remains consistent with the rationale for doing so in a live context and be governed by the original spirit and intent of providing a reasonable meal to an HCP.

IMC does not recommend providing meals to HCPs during virtual interactions. However, if a Member decides to provide a meal to an HCP in the course of a virtual interaction, they should follow the following criteria:

- The meal is incidental to the business discussion;
- The interaction takes place in an organized group interaction such as learning programs or advisory boards;
- The meal provided is limited to only those invited and confirmed HCPs for the event/activity;
- HCPs are in an appropriate business location or clinical setting and not a personal residence; and
- The meeting occurs during regular meal hours.

The provision of meals during promotional/detailing activities between a Member company representative and HCPs is not considered appropriate neither is the provision of alcoholic beverages during any virtual interactions.

Meal vouchers (or other cash equivalents) may not be provided and HCPs may not be reimbursed for meals purchased independently. Meals must be reasonable and Members should continually assess internal meal expenditure limits, including determining whether existing meal limits are appropriate for a virtual setting, taking into account delivery charges.

Recording Virtual Interactions

In the spirit of transparency, if a Member elects to record all or a portion of a virtual meeting, the Member should seek express consent from all parties present, including consent to any subsequent use of the recorded materials. Members must include disclaimers informing all attendees if a session will be recorded.

The dissemination and use of any recorded materials (for example, the subsequent dissemination of a recorded OLA or CHE Event) must adhere to the Code and all applicable laws, regulations, and policies. Members should consider the potential risks of dissemination beyond the attendees of a specific interaction, including, without limitation, off-label promotion, DTC and data privacy issues.

Members should exercise caution when virtual chat features are enabled. Questions posted to an online chat forum should be moderated for actionable or objectionable content (for example, off-label product discussions or reporting of adverse events). Members should take care to avoid recording chat dialogue and ensure chat transcripts are not subsequently disseminated.



Considerations for Virtual Consultant Meetings

Virtual consultant meetings should adhere to the same general principles as the face-to-face meetings and continue to respect the following requirements:

- The number of meetings and consultants should be limited to what is required to meet the business requirement (i.e., number of meetings limited with no more than 20 consultants per meeting).
- No social activity is permitted during or in conjunction with consultant meetings.
- At least one person from the Canadian Member's head office must be present and involvement of sales representatives and their direct supervisors in the meeting is prohibited.

Due to the virtual nature of these interactions, the following should be considered:

- The provision of refreshments or reasonable meals must be consistent with the guidelines noted above.
- The virtual platform used must include the restrictions on access noted above.
- Consultants/Advisors should be encouraged to have their cameras on to facilitate consistent engagement.
- The number of consultants attending should be limited and reasonable to allow sufficient opportunity for active participation in a virtual environment.

Promotional Materials

Promotional activities and related materials must continue to respect the principles set forth in section 5.1 of the Code. The general principles in section 11 – Displays - should continue to apply to promotional activities linked with a virtual booth held at a congress. For Canadian Congresses (section 10.1) and for International Congresses held in Canada (section 10.3), in addition to the requirements set forth in the Code, members should consider ensuring the following:

- For a Canadian virtual Congress, access should be gated to ensure materials are only accessible by the appropriate audience.
- For an International Congress attended virtually by Canadian HCPs, a disclaimer must be provided to clearly state the countries in which the medicinal product is registered and an explanatory statement indicating that registration conditions differ internationally.
- Links between conference items (e.g., lobby banners, product booths, corporate booths, learning sessions); external items; and links within a digital booth (downloadable swag, resources) should be reviewed to ensure compliance with non-promotional guidance. Linkages that are not acceptable in print material are also not acceptable in digital conferences.
- All textual and visual content (including downloadable swag/resources) may be considered reviewable claims by PAAB.



HCP Sponsorships to International Congresses

The requirements for sponsoring HCPs to attend a virtual International Congress should be consistent with the requirements set forth in the Code (section 10.2) for in-person International Congresses. The number of HCPs that can be sponsored to attend an international congress, regardless of whether HCPs attend in-person or virtually, should continue to be limited to 10 attendees per virtual international congress. As part of the sponsorship, Members may provide funding only for reasonable registration fees.

Global Stand-alone Meetings

The requirements for sponsoring HCPs to a virtual Global Stand-alone meeting should be consistent with the requirements set forth in the Code (section 10.4) for an in-person Global Stand-alone meeting. The number of HCPs that can be sponsored to a virtual Global Stand-alone meeting should continue to be limited to 10 attendees per Global Stand-alone meeting. No transfer of value is permitted in this context.

This guidance reflects current understanding and will be monitored, assessed, and updated on an ongoing basis. Members will be advised with respect to any subsequent modifications.

Additional Resources

- [Joint Guidance on Virtual International Medical Congresses Impacted by COVID-19](#), IFPMA, EFPIA, PhRMA
- [PAAB- Guiding Principles for Digital Conferences](#)