

Merck Starts Revealing Payments to Doctors Who Help Market Merck's Drugs

Written On October 21, 2009 By Bob Kraft

Drug maker Merck & Co. has revealed this week that the company paid doctors and nurses about \$3.7 million to give presentations to medical groups this summer alone. I'll give Merck credit for finally starting to come clean on the highly-charged issue of paying doctors to tout Merck's products. I think this type of marketing is wrong, but if they're going to do it, they're at least admitting it to the public now. The <u>Associated Press</u> has written about Merck's disclosures, and here are excerpts from the AP article:

Amid growing criticism of industry influence over which treatments doctors choose for their patients, the company posted a database on its Web site listing speaking fees paid to 1,078 doctors, researchers, nurses and other health professionals. It covers July through September, and Merck — the second major drugmaker to disclose payments to doctors — plans to update it regularly.

The 1,078 speakers gave a total of 2,493 talks and were paid \$1,548 on average. The top earner got \$22,693, and dozens of doctors received more than \$10,000.

Some media and members of Congress have denounced what they see as excessive influence by drug and device makers over doctors, who in the past were openly wined and dined by companies trying to curry favor.

Industry guidelines since January have barred providing expensive meals, trips and gifts. They state that company-funded presentations to doctors should include only a modest meal and limit speakers' payments to "reasonable" compensation for their time and travel expenses. Major universities and

Kraft & Associates 2777 Stemmons Freeway Suite 1300 Dallas, Texas 75207 Toll Free: (800) 989-9999 FAX: (214) 637-2118 E-mail: info@kraftlaw.com hospitals now are reviewing their own rules for what industry payments staff doctors can accept and must disclose.

Meanwhile, the Physician Payments Sunshine Act, sponsored by Sens. Charles Grassley and Herbert Kohl, would require drug and device makers each year to report details of all payments to doctors on a public, government Web site. The bill, which sets fines up to \$1 million for knowingly not reporting payments, was folded into the health reform bill approved last week by the Senate Finance Committee.

Merck's disclosure comes after Eli Lilly & Co. on July 31 posted a "faculty registry" of payments to doctors and others for doing medical lectures or advising the company. Pfizer Inc. and Glaxo Smith Kline PLC have promised to make similar disclosures.

Dr. Steven Nissen, head of cardiology at the Cleveland Clinic and an industry critic, said disclosures aren't enough.

"They don't pay this kind of money unless they're getting marketing out of it," he said, adding that paid speakers "become an employee and an agent of the pharmaceutical industry."

Merck's top speaker in the last quarter, Dr. James Kemp, a former president of the American Academy of Asthma, Allergy and Immunology, sees it differently.

"I'm not a salesman," said the retired San Diego pediatric asthma specialist. "I feel clean and I feel Merck is clean."

Kemp, who presented 11 talks for Merck and gives speeches for other drugmakers, said the presentations help doctors and the compensation is not excessive, given that he's away from home for a couple days for each talk. Kemp said sometimes he doesn't even mention Merck's drug, although the slides he uses — provided by Merck — usually mention its drug and its risks.

"Of course, doctors feel more favorable to a sponsor's drug," he said.

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