A medical resident’s guide to gifts from industry

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The medical industry and the people working in it are destined to have shared interests. In fact, 94% of physicians have some sort of relationship with the pharmaceutical industry, working together to innovate and improve the art and science of medicine.

Still, as a medical resident, are you entering murky territory by accepting gifts from pharmaceutical and medical device companies? Not necessarily. Maintaining transparency and following ethical standards laid out by your fellow physicians will ensure that you can continue to exude the kind of integrity that earns your patients’ trust.

A concise, resident-focused module from the AMA provides an actionable and broadly adaptable approach to remedy quality of care deficiencies. The 18-minute module, “Accepting Gifts from Industry,” is one of the AMA GME Competency Education Program offerings, which include dozens of courses that residents can access online, on their own schedule. The modules are available to residency programs with whom the AMA has partnered.

Among the program’s experts are several who contributed to the AMA’s Health Systems Science textbook, which draws insights from faculty at medical schools that are part of the Association’s Accelerating Change in Medical Education Consortium.

Modules cover five of the six topics—patient care, practice-based learning and improvement, interpersonal and communication skills, professionalism, and system-based practice—within the Accreditation Council for Graduate Medical Education’s core competency requirements. The sixth requirement, medical knowledge, is one that is typically addressed during clinical education.

A mutually beneficial relationship

Most if not all physicians have some sort of a relationship with industry. Physicians and industry work
together and share information that drives innovation and creates better patient outcomes. Still, in working with for-profit entities a physician’s priorities and obligations—to their patients—can conflict with those of a company.

Gifts from industry can become problematic when there is an implicit or explicit ask attached to them. They can subtly, or not so subtly, encourage the physician to prescribe or recommend the company’s products, and that may not always be in a patient’s best interest.

For that reason, the AMA Code of Medical Ethics states that physicians should:

- Decline cash gifts in any amount from an entity that has a direct interest in physicians' treatment recommendations.
- Decline any gifts for which reciprocity is expected or implied.
- Accept an in-kind gift for the physician’s practice only when the gift will directly benefit patients, including patient education, and is of minimal value.

Shining a little light

The module also covers in detail the federal Physician Payments Sunshine Act, often just called the Sunshine Act, including:

- Who has to report payments to the Centers for Medicare & Medicaid Services.
- What exactly has to be reported.
- What is in the Sunshine reports.

How this affects residents

Donations and gifts to residents don’t have to be reported under the Sunshine Act. If a gift doesn’t have any expected or implied reciprocity, it’s probably OK. If you do accept a gift—the module uses a trip to a seminar as an example—it’s best to record everything about what the gift entails, such as meals, travel, and lodging.