
Chapter: **PROVIDER NETWORK MANAGEMENT**
Title: **PHARMACEUTICAL COMPANY SALES REPRESENTATIVES AT MCCMH
PROVIDER SITES**

Prior Approval Date: 06/06/06
Current Approval Date: 04/11/25

Proposed by: Traci Smith 04/11/2025
Chief Executive Officer Date

Approved by: Al Lorenzo 04/11/2025
County Executive Office Date

I. ABSTRACT

This policy establishes the standards of Macomb County Community Mental Health (MCCMH), an official agency of the County of Macomb, for the interaction between pharmaceutical company sales representatives and the Macomb County Community Mental Health (MCCMH) provider network.

II. APPLICATION

This policy shall apply to all directly-operated and contract network providers of MCCMH.

III. POLICY

It is the policy of MCCMH that pharmaceutical company activities at MCCMH provider sites shall only be conducted pursuant to the guidelines contained in MCCMH policy.

IV. DEFINITIONS

None.

V. STANDARDS

- A. The rationale and ethical considerations for providing guidelines for pharmaceutical company sales representatives' activities at MCCMH provider sites include HIPAA privacy/security concerns, the prevention of direct marketing activities aimed toward vulnerable populations, undue marketing influence on physicians and staff, and provision of appropriate educational opportunities for staff.
- B. Pharmaceutical company sales representatives who wish to meet with MCCMH provider licensed prescribers for marketing purposes shall sign Confidentiality Statements with MCCMH (See Exhibit A).

- C. The activities of pharmaceutical company sales representatives at MCCMH provider sites shall be guided by the following:
1. A sign in/sign out log shall be maintained at each site in which any pharmaceutical sales representative admitted to an MCCMH provider site shall sign his/her name.
 2. Only authorized pharmaceutical company sales representatives who have signed a confidentiality agreement with MCCMH are allowed into provider site premises / offices. Each site must retain a copy of the confidentiality agreement for each sales representative that visits.
 3. A room shall be set aside at each MCCMH provider site for pharmaceutical company sales representatives to meet with licensed prescribers during particular time periods of the day. The room shall be outside the office area which includes staff offices, persons served files, and appointments between staff and persons served. The room shall be available only during specific scheduled hours (e.g., two hours in the morning and two hours in the afternoon or evening). Representatives may talk with a provider's licensed prescribers only in this room during the specified hours. Hours may be decided depending on the needs of the organization.
 4. Pharmaceutical company sales representatives are not allowed to attend treatment/care conferences where person served-specific material/information is discussed or presented.
 5. Pharmaceutical company sales representatives are not to provide perquisites (perks) to MCCMH provider staff, licensed prescribers, or programs for the purpose of influence on medication prescription. When incidental to a scheduled meeting or legitimate educational interchange, sales representatives may provide foods of nominal value only, e.g., soft drinks, coffee, donuts, other light refreshments are permissible; meals are not permitted.
 6. Pharmaceutical company sales representatives are not to approach or provide materials and/or questionnaires directly to persons served.
- D. MCCMH provider staff, licensed prescribers, and programs shall implement the following guidelines:
1. Advertisements for specific medications shall not be posted or displayed on desks, office walls, or in waiting rooms. Materials currently posted or displayed shall be removed. Pharmaceutical company sales representatives shall not set up displays of their products in waiting rooms in the presence of persons served.
 2. MCCMH provider staff and licensed prescribers shall not distribute information to persons served that require or ask them to disclose personal information to pharmaceutical company sales representatives in exchange for health assessments or disease management programs.
- E. MCCMH Program Supervisors and Clinical Supervisors shall be responsible for the dissemination, implementation, and compliance monitoring of the provisions of this policy

at MCCMH provider sites. Non-compliance with the policy may result in sanctions, including disciplinary action, contract suspension or, for sales representatives, temporary or permanent revocation of admission to one or more MCCMH sites. Final decisions on sanctions rest with the MCCMH Chief Executive Officer, Chief Operations Officer, and Chief Medical Officer.

VI. PROCEDURES

Procedures shall be contained in provider manuals.

VII. REFERENCES / LEGAL AUTHORITY

- A. Health Insurance Portability and Accountability Act of 1996 (HIPAA), P.L. 104-191.
- B. Compliance Program Guidance for Pharmaceutical Manufacturers, Office of the Inspector General, 2003.
- C. VHA Directive 2003-060.
- D. Macomb County Code of Ethics Policy, as revised and adopted by the Macomb County Board of Commissioners, 2006.
- E. Macomb County Code of Ethics, Enrolled Ordinance No., 2019.
- F. MCCMH Policy 1-001 “Compliance Program/Code of Ethics”

VIII. EXHIBITS

- A. Confidentiality Statement (Sample)