

Pharma Gift Amendments

07/17/19

On May 6, 2019, the Attorney General adopted the proposed amendments to rules relating to prescriber acceptance of compensation from pharmaceutical manufactures. Generally, the rules limit prescribers, i.e., physicians, podiatrists, physician assistants, advanced practice nurses, dentists, or optometrists, from accepting gifts from pharmaceutical manufacturers and place \$15/\$30 limits on meals for promotional events. The new amendments do not significantly modify the rules, however, the rules provide additional clarity as follows:

Limitation of Scope: Exclusion of Medical Device Interactions

The Attorney general specified that the rules do not apply to prescribers' interactions with pharmaceutical manufacturers to the extent that such pharmaceutical manufacturers also manufacture medical devices and such interactions are directed solely to medical devices.

Redefining Educational Events

The Attorney General modified the definition of "education event" to: (i) those that are appropriate and conducive to informational communication and training about healthcare information including information about disease states and treatment approaches; and (ii) specify that notwithstanding the FDA's classification of a program as promotional, a program that meets New Jersey's definition of "education event" is deemed an "education event".

Attorney

- Jason J. Krisza