

Recommendations for the health sector

Anti-corruption measures must be tailored to fit the particular context of a country's health system. As with any sector, health system corruption is less likely in societies where there is broad adherence to the rule of law, transparency and trust, where the public sector is ruled by effective civil service codes and strong accountability mechanisms, and where there is an independent media and strong civil society. Preventative measures – including procurement guidelines, codes of conduct for operators in the health sector, both institutional and individual, transparency and monitoring procedures – are all pressure points for honest behaviour which are not part of the law but which can be effective mechanisms to combat corruption.

Transparency

- It is essential that governments and health authorities publish regularly updated information on the Internet on health budgets and performance at the national, local and health delivery centre levels. Government departments, hospitals, health insurance entities and other agencies handling health service funds must be subject to independent audits.
- Governments and health authorities have responsibility to ensure that information about tender processes, including offers to tender, terms and conditions, the evaluation process and final decisions, is publicly available on the Internet.
- Effective nationwide systems for reporting adverse drug effects must be implemented wholeheartedly by governments, in order to provide a mandate and an incentive for physicians to report such information.

- A public database listing the protocols and results of all clinical drug trials needs to be developed. Reporting by the drug industry on clinical drug trials should be mandatory, as well as the disclosure of all financial contributions made to medical research units from pharmaceutical companies.
- Donors must be open and explicit about what they are giving, when and to whom, and should evaluate their programmes in terms of health outcomes and not level or speed of disbursement. Donors also have the duty to coordinate their support to the health sector, using the same accounting and auditing mechanisms to reduce transaction costs, improve efficiency and reduce risks of corruption.

Codes of conduct

- The introduction and promotion of codes of conduct, through continued training across the health system, is a must for regulators, medical practitioners, pharmacists and health administrators. These codes ought to make explicit reference to preventing corruption and conflicts of interest that can lead to corruption, detail sanctions for breaches and be enforced by an independent body.
- It is imperative for pharmaceutical, biotech and medical devices companies to adopt the Business Principles for Countering Bribery, through which a company commits to refraining from bribery in its operations and implementing a comprehensive anti-corruption programme.¹

Civil society participation and oversight

¹ For more on the Business Principles for Countering Bribery and its supporting guidance document and suite of implementation and monitoring tools, see www.transparency.org/building_coalitions/private_sector/business_principles.html

- Health authorities must introduce avenues for public oversight, which improve accountability and transparency. These should oversee procurement and drugs selection at facility level and health delivery at community and local health board level.
- It is essential for public policies, practices and expenditures to be open to public and legislative scrutiny, while all stages of budget formulation, execution and reporting should be fully accessible to civil society.

Whistleblower protection

- Governments need to introduce whistleblower protection for individuals working in procurement bodies, health authorities, health service providers and suppliers of medicines and equipment.
- Pharmaceutical companies must also introduce whistleblower mechanisms and protection.

Reducing incentives for corruption

- In order to ensure that treatment is dictated by patient need and not by opportunities for profit, governments must continuously monitor payment mechanisms (whether fee-for-service, salary, capitation, global budgeting or other).
- Doctors, nurses and other health professionals have to be paid a decent wage, commensurate with their education, skills and training.

Conflict of interest rules

- Regulators have the responsibility to adopt conflict of interest rules that disqualify individuals or groups with an interest in the manufacturer from participating in clinical drug trials.
- Governments must push for transparency in drug regulation processes, reduction in the excessive promotion of medicines, tougher restrictions on doctors over-prescribing drugs, and closer monitoring of relationships between health departments and the drugs industry.
- Medical licensing authorities need to define the specific rules for physician behaviour regarding conflicts of interest (in particular in relationships with the pharmaceutical and medical device industries) and obtain the necessary resources to enforce these rules.

Integrity pacts and debarment

- An Integrity Pact – a binding agreement by both bidders and contracting agencies not to offer or accept bribes in public contracting – needs to be applied to major procurement in the health sector.²
- Companies found to have engaged in corrupt practices must be debarred by governments from participating in tender processes for a specified period of time.

Rigorous prosecution

- It is essential for prosecuting authorities to strengthen the message that corruption has consequences by rigorously pursuing corrupt acts that are clearly

² For more on the TI Integrity Pact, see www.transparency.org/integrity_pact/index.html.

proscribed by law. Producers of counterfeit drugs and the public officials who collude with them must be prosecuted, sanctioned and jailed.

- Special anti-corruption and fraud agencies to detect corruption and promote preventative measures in the health sector must be equipped with the necessary expertise, resources and independence to carry out their functions, and be backed by functioning independent courts.

Health is a major global industry, a key responsibility and budget expense for governments and businesses; but more than that, it is a global human right. Corruption deprives people of access to health care and leads to poor health outcomes. There are no simple remedies to tackling corruption in the health sector but the recommendations outlined above and the initiatives highlighted in the *Global Corruption Report* could prevent, reduce and control corruption. These are addressed as a call to action to researchers, governments, the private sector, the media and citizens the world over.