

# RENAL ANAEMIA NURSE PRACTITIONER v VIFOR PHARMA

## Promotion of Ferinject

A renal anaemia nurse practitioner alleged that an email relating to Ferinject (iron solution for injection/infusion), a Vifor Pharma product, was biased.

The complainant noted that the email suggested that use of Ferinject would deliver savings. It was not clear from the article within the email that other IV irons were available. The email referred to redesigning intravenous iron services, and encouraged the reader to view a video on Ferinject.

A detailed response from Vifor Pharma is given below.

The Panel noted that the complaint was only about the email which the complainant appeared to have received from a third party media company. Vifor had paid the media company a nominal fee to put the video, originally developed for use with NHS Alliance, onto its website. Given this relationship between the parties, the Panel considered that when the media company had distributed the video it had done so with Vifor's authority; Vifor was thus responsible under the Code for the media company's actions in that regard. The email, alerting recipients to the availability of the video, (as received by the complainant) stated that 'Currently, the treatment of iron deficiency involves multiple visits to the hospital but a drug called Ferinject from Vifor Pharma administers all the iron a patient needs in one 30 minute visit'. The Panel considered that this claim implied that Ferinject was the only iron replacement therapy that could be administered as a single total dose infusion and that all other products needed multiple visits, which was not so. The Panel thus considered that the claim was misleading and a breach of the Code was ruled.

A renal anaemia nurse practitioner complained about an email relating to Ferinject (iron solution for injection/infusion), a Vifor Pharma UK Limited product.

### COMPLAINT

The complainant noted that the email suggested that use of Ferinject would deliver savings. It was not clear from the article within the email that other intravenous (IV) irons were available; as a non medical prescriber, the complainant considered it was biased.

The email stated:

'Redesigning intravenous iron services is an excellent way of delivering QIPP improvements to patient care by dramatically reducing hospital

visits and improving service efficiency and cost-effectiveness.

Currently, the treatment of iron deficiency involves multiple visits to the hospital but a drug called Ferinject from Vifor Pharma administers all the iron a patient needs in one 30 minute visit.

Watch this video to find out how this patient-centric service is saving the NHS money and promoting faster recovery and better outcomes.'

When writing to Vifor Pharma, the Authority asked it to respond in relation to Clause 7.2 of the Code of Practice.

### RESPONSE

Vifor Pharma explained that it was asked by NHS Alliance, organisers of the November 2010 Alliance Annual Conference, to contribute to 'NHS Alliance TV News', an hour long video, which was to be shown at the meeting and used on the NHS Alliance website. The conference theme was to focus on the Quality, Innovation, Productivity and Prevention (QIPP) Initiative and in that regard the NHS Alliance suggested that redesigning iron services would be an appropriate example to highlight the benefits of QIPP initiatives. The topics were agreed and a contract signed with the story title of 'Delivering QIPP by redesigning iron services'.

Vifor noted that the QIPP Initiative was driven at a national, regional and local level to support clinical teams and NHS organisations to improve the quality of care they delivered while making efficiency savings that could be reinvested in the service to deliver year on year quality improvements.

Vifor stated that currently, up to five visits were needed to administer 1g of its medicine Venofer (200mg/visit). Most patients who received this treatment had co-morbid conditions including chronic kidney disease, end stage renal disease and other chronic conditions. The video highlighted the fact that by using an alternative preparation, Ferinject, these patients could be given 1g in one 30 minute visit with resultant benefits consistent with the QIPP program.

Vifor provided speakers for the video and allowed filming at its premises. The script was reviewed internally for the general manager. The video was signed off according to Vifor's internal procedures.

Vifor stated that, in response to a request to do so, it allowed a media company to host the video on its

website. The article and video belonged to the NHS Alliance and Vifor did not proactively contact anyone to disseminate either. The media company emailed only those registered users of its website who had previously signed up to receive emails regarding new information on the website.

The complainant did not receive the email from Vifor, it was sent by the media company.

When, on 26 April 2011, Vifor realised that the media company was not affiliated to the NHS Alliance it asked for the immediate removal of the video.

While Vifor now appreciated that some might consider the video to be promotional, it was produced specifically as a non-promotional, independent endorsement of QIPP, to highlight an example of how a patient centric service supported the QIPP Initiative. Vifor thus did not consider that the complaint's concerns were valid.

In response to a request for further information Vifor reiterated that the NHS Alliance approached it to give an example of IV iron services supporting QIPP and after internal discussions Vifor decided to participate in the project.

Following the NHS Alliance Conference, videos used during the conference were hosted on the NHS Alliance website. When the media company asked Vifor if it could put the NHS Alliance QIPP video on its website, Vifor understood that organisation to be part of the NHS Alliance initiative. There was a nominal fee to host the video. Vifor had two days' notice to agree, and unfortunately gave its consent without checking the affiliation to NHS Alliance. As soon as Vifor realised that the media company was an independent organisation outside the NHS Alliance it asked that the video be removed and it was removed immediately.

The video was signed off internally specifically for the NHS Alliance project.

#### **PANEL RULING**

The Panel noted that the complaint was only about the email which the complainant appeared to have

received from the media company. Vifor had paid the media company a nominal fee to put the video, originally developed for use with NHS Alliance, onto its website. Given this relationship between the parties, the Panel considered that when the media company had distributed the video it had done so with Vifor's authority; Vifor was thus responsible under the Code for the media company's actions in that regard. The email, alerting recipients to the availability of the video, stated that 'Currently, the treatment of iron deficiency involves multiple visits to the hospital but a drug called Ferinject from Vifor Pharma administers all the iron a patient needs in one 30 minute visit'. The Panel considered that this claim implied that Ferinject was the only iron replacement therapy that could be administered as a single total dose infusion and that all other products needed multiple visits, which was not so. At least one other medicine (Cosmofer, marketed by Vitaline) could be administered in this way albeit over 4-6 hours. The Panel thus considered that the claim was misleading as alleged. A breach of Clause 7.2 was ruled.

During its consideration of this case, the Panel noted that the video, produced for use by the NHS Alliance, had been filmed at Vifor's offices, Vifor had provided speakers and had reviewed the script for the general manager. The video had been certified under the Code. The Panel was concerned to note, however, that Vifor considered that the video was non-promotional. In the Panel's view the video clearly promoted Ferinject and to consider otherwise demonstrated a very poor understanding of the Code and its requirements. The Panel questioned whether, as promotional material, the video complied with the Code and noted that, at the very least, it should have contained the prescribing information for Ferinject. In the Panel's view, Vifor would be well advised to review the video and its status under the Code and it requested that the company be advised of its extreme concerns in this regard.

**Complaint received**      **13 April 2011**

**Case completed**        **27 June 2011**

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