THE CASE FOR AN IACP ETHICS TASK FORCE – August 2019

Since December 1, 2018 – an arbitrary date – not a week has gone by without at least one report of unethical or illegal behavior – and the legal consequences of that behavior – related to compounding pharmacy in news media somewhere in America. That December-through-March period was not an aberration. Pain cream scams, Medicare or Medicaid fraud, and occasional – and worst of all – patient harm have lately come to be mainstays of healthcare reporting. While it's true that the reported unethical behavior is limited to a relatively few bad actors, the image and reputation of all compounding pharmacists and pharmacies have been harmed – and continue to be affected – by those ongoing disclosures of indictments, convictions, fines, sentencings, license revocations, and patient lawsuits.

Unethical behavior in compounding amounts to an existential threat to compounding pharmacists and pharmacies in America. Current regulatory overreach is evidence enough of that threat; it's also a natural response to the media narrative that compounding needs to be more thoroughly regulated at the federal level to avoid patient harm. As the voice for compounding pharmacy, IACP must confront this challenge or risk its own irrelevance – and the obsolescence of its member base.

As a profession, our ethical vision is clearly focused on the health and well-being of the patients and communities we serve. This test of our professional responsibility demands that individuals not only conduct their own affairs with ethics and integrity, but that we work collectively to create a framework in which the highest standards of ethical behavior are encouraged and enforced across the profession and that policy-makers, the news media, and the public share an understanding of the value and high professional standards of compounding pharmacists.

Therefore, IACP proposes to form an Ethics Task Force whose charge is as follows:

PRIMARY:

- To evaluate the IACP Code of Ethics, both its content and enforcement framework, and recommend mechanisms for elevating its stature as the 'gold standard' for professional behavior in pharmacy compounding, including proposing an enforcement framework.
- To make recommendations for steps IACP and its partners can take to correct and enhance public understanding of the proper and spotlight beneficial role of compounding in improving patient lives.

SECONDARY:

- To assess the rate of fraudulent activity in compounding and the insufficiency of enforcement, which many posit has led to reports of patient harm and the abundance of fraudulent schemes related to compounding reported in media – and make recommendations for corrective action.
- To assess the nature of fraud and abuse in compounding and make recommendations for public policy changes that can make fraudulent behavior more difficult to perpetrate – without adding layers of onerous regulation on compounders.

Task force size: 7-9 members, including at least one certified pharmacy technician.

Task force recommendations due: The Ethics Task Force will issue a final report and recommendations to the IACP Board of Directors no later than the 2020 EduCon meeting. The final report will also be shared with IACP members.