

Ethics of the Health Care Internet

Hi-Ethics and self-regulation

**Mark E. Boulding
General Counsel and Executive Vice
President
Government and Regulatory Affairs
MedicaLogic/Medscape, Inc.**

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MedicaLogic

Medscape

**CBS
Health Watch**

Why does ethics matter?

Does the public trust this man?



Media Coverage of Ethical Issues

Current “Hot” Buttons

■ Privacy

- Cal Healthcare Foundation survey and report
- DoubleClick debacle - relationships with third parties

■ Financial conflicts

- Payment for prominence
- Disclosure, disclosure, disclosure

■ Security

- Especially for medical-record level info

Ethics Online

Current Developments

- Conflicts of interest
 - ICMJE rules
 - Information quality and sourcing
- Blurring of content and commerce
- Development of codes
 - Health on the Net Foundation: HONCode
 - Hi-Ethics Code
 - Internet Healthcare Coalition eHealth Ethics Code
 - AMA Guidelines

Advertising Online

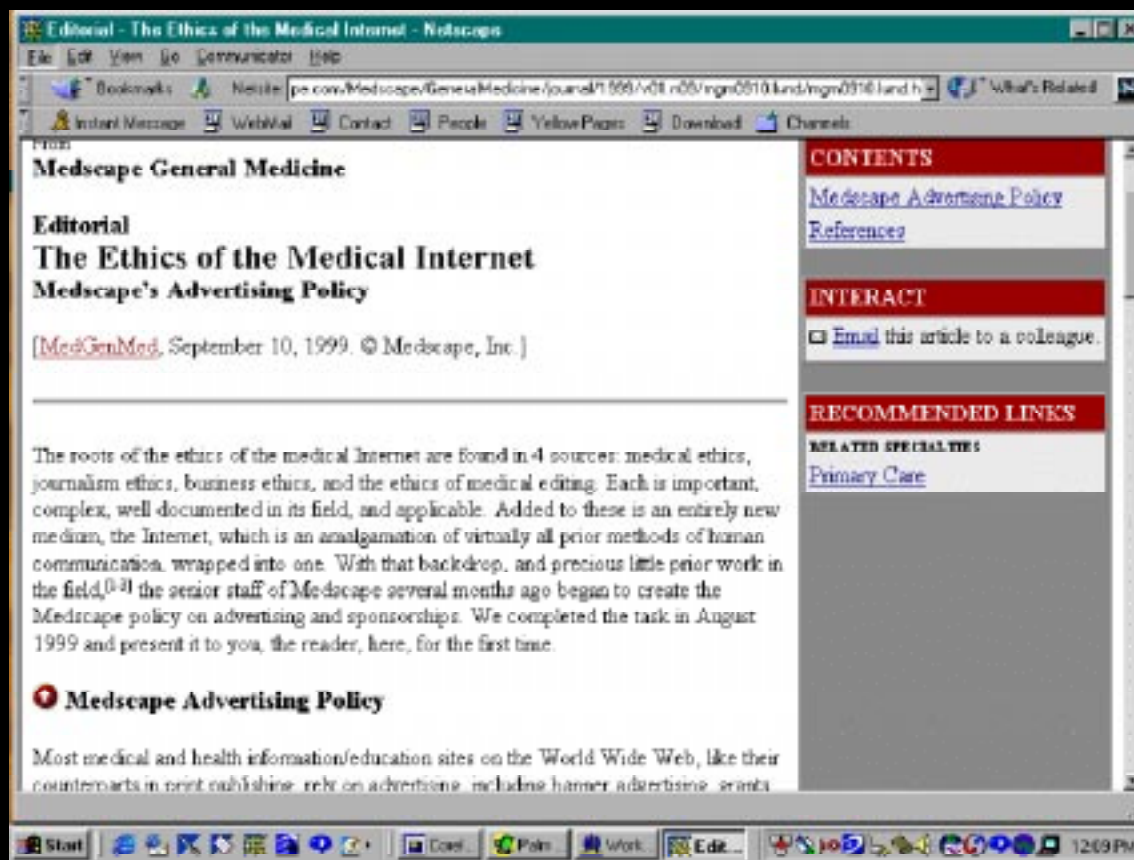
Medscape.com Advertising Policy

- Developed by editorial and marketing team
- Announced in journal and posted on site
- Draws on several existing area of ethics
 - Medicine
 - Business
 - Journalism
 - Professional medical editors (Vancouver group)

Main Points of Medscape Policy

- Control over advertising
- Right to reject unsubstantiated ads or ads for harmful products (e.g., tobacco)
- Ability to distinguish between ads and editorial content
- Single-sponsor areas follow Vancouver group rules
- No deliberate juxtaposition of ad with article mentioning product
- No behind-the-scenes influence on search results

Medscape Advertising Policy



Health Internet Ethics (“Hi-Ethics”)

Who are they?

- Formed in November 1999
- Privacy, advertising and content quality issues for Internet health consumers
- Member companies donate resources
- Represented a significant portion of the Internet health space
- March Media Metrix report: Hi-Ethics sites combined:
 - 11.5 million unduplicated unique users
 - 15.9% reach of all Internet visitors

Hi-Ethics Process

Collaboration of closed membership

- Drafting of principles by member companies
 - adam.com, allHealth.com/iVillage, America Online, AmericasDoctor, CareInsite, Discoveryhealth.com, drkoop.com, HealthCentral.com, Healtheon/WebMD, HealthGate, HEALTHvision, Healthwise, InteliHealth, LaurusHealth.com, Mediconsult/Physicians'Online, MedicaLogic/Medscape, OnHealth, PersonalMD, PlanetRx, and WellMed
 - Chair: Don Kemper, Healthwise, Inc.
 - Outside counsel: Christine Varney at Hogan & Hartson
- Draft released this Spring, compliance promised by Nov 1 2000

Hi-Ethics Goals

- Providing health information that is trustworthy and up-to-date;
- Clearly identifying online advertising and disclosing sponsorships or other financial relationships that significantly affect content or services;
- Keeping personal information private and secure, and employing special precautions for any personal health information; and
- Empowering consumers to distinguish online health services that follow the principles from those that do not.

Hi-Ethics Principles

Privacy Provisions: Chain of Trust

- General privacy policy: fair information practices
- Enhanced Privacy Protection for Health-Related Personal Information
- Safeguarding Consumer Privacy in Relationships with Third Parties

Hi-Ethics Principles

Continued...

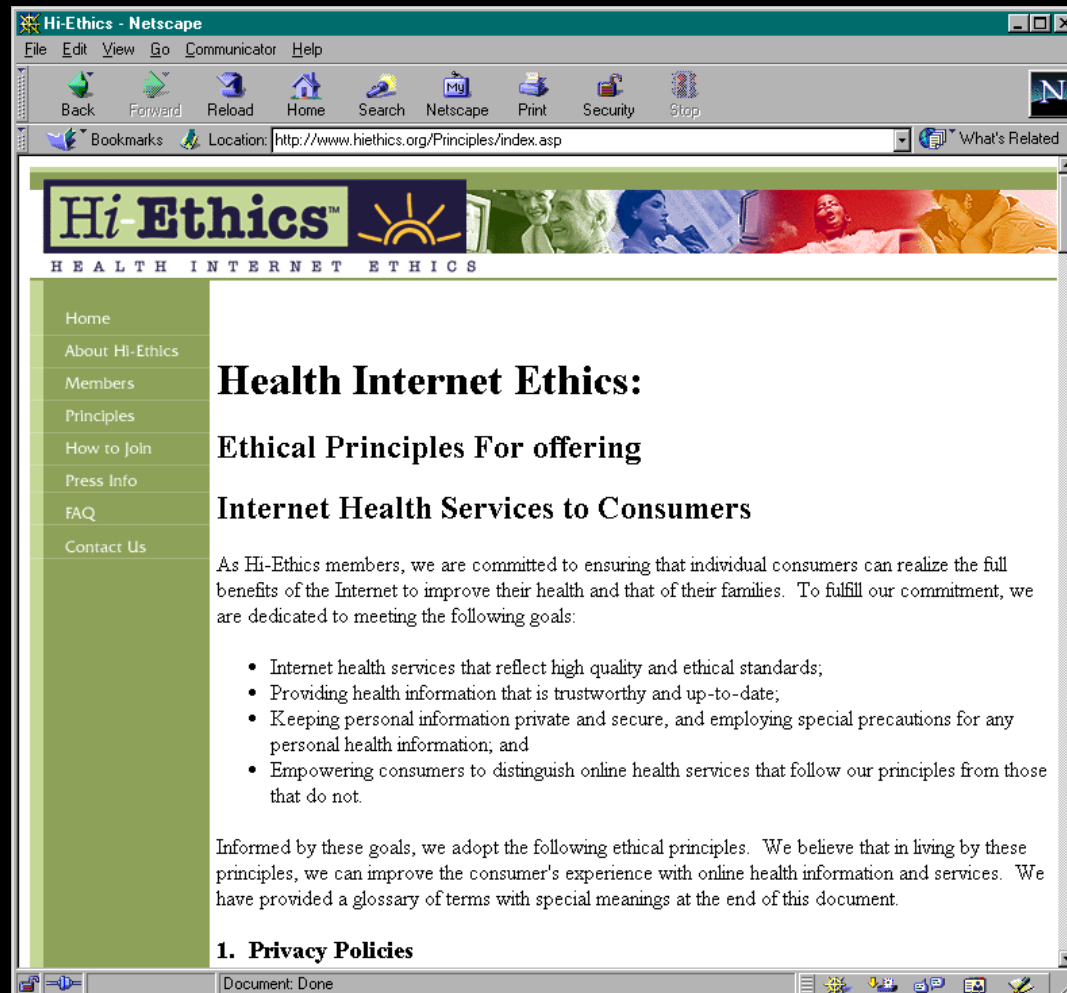
- Disclosure of Ownership and Financial Sponsorship
- Identifying Advertising and Health Information Content Sponsored by Third Parties
- Promotional Offers, Rebates, and Free Items or Services
- Quality of Health Information Content
- Authorship and Accountability
- Disclosure of Source and Validation for Self-Assessment Tools

Hi-Ethics Principles

Continued...

- Professionalism
- Qualifications
- Transparency of Interactions, Candor and Trustworthiness
- Disclosure of Limitations
- Mechanism for Consumer Feedback

Hi-Ethics web site: www.hiethics.org



Quality of Health Information Content

Hi-Ethics Principle # 7

Compliance

Ethics and You

Different rules for different sites?

- Corporate and product sites
- Sole-sponsored sites
- Controlled third party sites
- Independent third party sites
- Peer-reviewed sites
- Nonprofit sites
- Consumer sites



Self-Regulation: Who needs it?

Enforcement is the Key

- Self-regulation, by definition, requires the agreement of a self-regulated group
 - It establishes quality and trust
 - It does not affect fringe players
- To be meaningful, it must have compliance controls
 - US: Broadcast advertising
 - UK: Code of Practice Authority/ABPI
- Government/laws must serve as a backstop to self-regulation

Why Government Can't Do It All

The "Hands in the Air" Approach at FDA

- The problem, Friedman said, "is too big for any one organization to handle comprehensively, and the FDA doesn't have the staff, the resources, or even the authority to deal with it. We are interested in having the products available but also want them to be used properly and safely."

JAMA News, March 17, 1999

Why Government Can't Do It All

The “Focus on the Fringes” Approach at FTC

- “Our law enforcement efforts will continue to focus on deceptive and unproven claims. But limited resources cannot keep up with the proliferation of web sites promoting fraudulent products. Consumers must be provided with reliable resources so that they can use the Internet to find the support and health care information they need”

– FTC Press Release, June 24, 1999

Reintermediation: Building Trust



Q & A Period

Follow-up Questions:
Mark_Boulding@mail.medscape.com

212-760-3271