



Tehran University of Medical Sciences

Faculty of Medicine.

Ph.D. Thesis

**Financial conflict of interest in physicians with focus on fee- splitting,
self referral and informal payments: an ethical survey and defining
a draft of Iranian code of conduct**

A thesis presented for ph.D degree

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Abstract:

Title: Financial conflict of interest in physicians with focus on fee-splitting, self referral and informal payments: an ethical survey and defining a draft of Iranian code of conduct

Introduction: Trust is the main stay of physician-patient relationship. Conflict of interest and its features including fee splitting, self-referral, informal payments, and accepting gifts (from patients or industries) can be considered as an important threat for the trust between physician and patient. In this regard conflict of interest should be managed properly to not to affect physician-patient relationship. In this research, the ethical, Islamic jurisprudence, and legal aspects of conflict of interest and its features have been evaluated, defined and finally a draft of code of conduct has been supposed for beneficiaries.

Materials and methods: The research consists of theoretical, qualitative and quantitative studies which eventually led to compilation of a relevant draft of code of conduct. The theoretical study was done using a series of MESH keywords and search engines in order to find out the relevant articles. In the qualitative study, ۳۳ general practitioners and specialists, experts and healthcare managers were interviewed. Also, fatwa were taken in writing from ۱۱ Grand ayatollah. In the quantitative study, ۶ types of valid questionnaire have been used separately.

Results: The results of the theoretical study showed that there are differences between the concepts of conflict and Tazāhum in the Shi'ite Fiqh. Therefore, most of themes in Western literature referred to as conflict are in fact Tazāhum in Shi'ite Fiqh. It also became clear that the discussed topics as the immoral acts in most code of medical ethics lead to the devastating complications for patients and the healthcare system. The main problem in this respect is the disturbance of the trust between physicians and patients. The results of the qualitative study revealed that several factors cause distrust; and the most important of which is unrealistic tariffs. From the other point of view, it revealed that

conflict of interest lead to rising healthcare costs. The results of the quantitative study showed that, although the most of the physicians consider conflict of interest and its features as immoral acts but the number of physicians who have taken such actions are significant. From the physicians' perspective unrealistic tariffs were the most important reason for doing that. It also had been shown that damage to the status of the medical community, imposing unnecessary costs to patients, and harming the trust in the physicians-patients relationship are the most important consequences of conflict of interest.

Conclusion: We should try to eradicate causative factors of conflict of interest and its features, the most important of which is the incompetence of healthcare system such as unrealistic tariffs. On the other hand with the development of ethical guidelines for physicians, which the thesis is achieved to, and to show moral wrongfulness of these phenomenon to the medical staff we may be able to prevent such an unethical action in the future.

Key words: Conflict, Medical Ethics, Tazāhum, Conflict of interest, Informal payments, gift, Self referral, Pharmaceutical Company, Fee splitting