

MENTAL HEALTH AMERICA

Policy Concerning Behavioral Health Funding

Background: In the 1980s and 1990s, Mental Health America (MHA) expanded from a modest membership-funded organization to a substantial national presence with diversified funding, including government and foundation grants and corporate funding. A significant portion of that corporate funding came from pharmaceutical companies that had both corporate and public interests in promoting causes that aligned with the policy goals of MHA. Issues such as health care funding reform, mental health parity and availability of and access to a broad spectrum of medications and other treatments appeared not to raise any conflict of interest concerns.

MHA believes that, through constructive engagement with a wide range of behavioral health industry companies, it has successfully advocated a consumer perspective and altered public policies and practices in important ways. MHA has consistently accepted funds from any source only to the extent that the resources secured supported actions consistent with the mission and values of MHA. But as concerns have risen nationally about the impact of corporate sponsorship on medical education, research and advocacy, and about the need for research transparency, Mental Health America has determined that it needs to set clear principles for its acceptance of funding from all sectors of the behavioral health industry.

In 2006, in adopting the Task Force on Sources of NMHA Funding Report, MHA set the goal of increasing other funding to reduce the percentage of funding of the organization by any segment of the behavioral health industry to under 33%. This ongoing restriction applies especially to pharmaceutical and health insurance interests. MHA anticipates that the 33% goal will be met in the 2010 budget year. Going forward, it is important that MHA be as transparent as possible in stating its criteria for accepting support from interests that could be viewed as affecting the impartiality of Mental Health America's policy and advocacy position. Our history as a trusted voice for people diagnosed with mental or substance use conditions is one of our most precious assets, and the preservation of that legacy requires special vigilance.

Policy: This leads to the question of when MHA should consider accepting funding from the behavioral health industry. The elements that MHA should consider include (without limitation):

- a. **MHA Mission:** MHA may accept behavioral health industry funding only to the extent that the circumstances and use of the funding is compatible with the Mission of Mental Health America: "MHA is dedicated to promoting mental health, preventing mental and substance use conditions and achieving victory over mental illnesses and addictions through advocacy, education, research and service."

- b. **Development of Balanced Information:** It is in the interest of persons with mental health and substance use conditions that research and education be dedicated to investigating and disseminating reliable scientific information concerning behavioral health medications and other treatments, services and supports. MHA will seek to assure the availability of balanced information that does not overstate the advantages of any single intervention or class of interventions, nor cause MHA to be perceived as endorsing any provider or providers of treatments, services and supports.
- c. **Dissemination of Balanced Information.** Thus, among other initiatives, and consistent with its policy promoting recovery and self-directed treatment, MHA will seek to make information and data concerning alternative, complementary and integrative treatments for mental health and substance use conditions more available. Similarly, MHA will advocate wide dissemination of clinical trial data, including data concerning side-effects and data that question the safety or effectiveness of any medication or other treatment, service or support as well as research on design and delivery of exemplary treatments, services and supports across the full range of treatment options.
- d. **Independence of MHA regarding Core Functions:** MHA will not consider any funding, marketing or other “partnership” with any behavioral health company that in any way constrains or directs its advocacy or litigation activities. MHA will not permit any behavioral health company discretion over its activities subsequent to the grant award, but it will negotiate reasonable assurances concerning contract deliverables.
- e. **Advocacy:** MHA will speak out freely on issues of public policy in accordance with its mission even though this may conflict with the wishes and desires of the behavioral health industry or any company funding MHA’s projects through contracts or grants.
- f. **Confidentiality:** MHA will zealously protect the confidentiality of consumer information.
- g. **Image and Brand:** MHA may accept funding from behavioral health companies through contracting for the delivery of specific work products, acceptance of grant awards or participation of MHA in data dissemination and retrieval, if MHA is assured that acceptance of the funding will not compromise its image or its brand. MHA will consider the reputation of the company and the potential effect of the funding on the integrity of MHA’s image and brand. MHA will seek to develop such “partnerships” only with behavioral health companies that have demonstrated the highest ethical standards.
- h. **Limited, Defined Services:** If any service, program, support, or communication (“service”) will be provided by MHA or an affiliate, the behavioral health company seeking MHA participation must specifically describe in its proposal the exact nature of the project, the role MHA and other non-profits, if any, will play in the project activities,

and any and all services expected of MHA or its affiliates. The final contract document must include a comprehensive list of services to be provided by MHA and its affiliates.

- i. **Disclosure of Gift Programs.** MHA will disclose on its website the share being donated under any company gift program in which it participates. However, individual gifts may be given anonymously upon request.
- j. **Exclusivity of Promotions.** In general, MHA will decline exclusive arrangements in promotions or certifications, although exclusivity is acceptable for sponsorships and licensed products. Regarding promotions or certifications, exclusivity may be granted to a corporation or product for a particular activity for a specified time period if there is sufficient benefit to MHA and the public, and there is no prohibition against MHA engaging in different types of activities with competing corporations/products.
- k. **Due Diligence Concerning Marketing Information:** If the proposed funding requires MHA collaboration in dissemination of information defined by the FDA Division of Drug Marketing, Advertising, and Communications (DDMAC) as marketing information,¹ directly or indirectly, MHA will exercise due diligence to assure that: the FDA regulations have been followed, the information to be disseminated is complete and unbiased, the methodology of any survey instrument is scientifically rigorous and sound, and the data are adequate to assure that the information is science-based. All marketing information mentioning or facilitated by MHA shall contain an accurate, comprehensive and non-deceptive description of the relationship between the marketer and MHA, such that a reasonable individual will understand the nature and extent of the relationship.
- l. **Release of Data:** In addition, before participating in any dissemination of marketing information, MHA will make a good faith effort to promote release by the behavioral health company of all relevant data on safety and effectiveness.
- m. **Assurances:** The behavioral health company must disclose and commit in the contract to:
 - 1. Ongoing disclosure of the status of any applications or approvals required by federal or state agencies;
 - 2. Assurances of the confidentiality of consumer data;
- n. **Termination:** MHA will seek funding from only the most reputable behavioral health companies and will be vigilant in promoting strictly ethical practices. MHA will terminate contracts and any related services if it determines that a contract violates this policy, in MHA's sole judgment, and will promptly terminate a contract in the event that it determines that unresolved concerns about the company's practices reflect unacceptably negatively on its image or brand. MHA will insist on a broad termination clause to effectuate this policy.

EFFECTIVE PERIOD

This policy was approved by the MHA Board of Directors on _____, 20XX. It will remain in effect for a period of five years and is reviewed as required by the MHA Executive and Marketing and Development Committees.

Expiration Date: [DATE]

¹ 21 C.F.R. §§99, 200-202