



**AIMA**

## **Australasian Integrative Medicine Association Position statement on sale of Complementary Medicines by Medical Practitioners.**

### **Preamble**

There are many Complementary Medicine (CM) products available in Australia all of which are regulated the same way as pharmaceutical medicines, are assessed for their quality and safety, and controlled for the therapeutic claims the company can make. They also have variable evidence relating to their efficacy with some CM products having little or no data about their efficacy while others have evidence that their efficacy for specific conditions is at least as good or superior to pharmaceutical alternatives.

CM products include products available over-the-counter through pharmacies, health food stores and supermarkets as well as certain medicines that are deemed 'practitioner-only' products that must be prescribed and dispensed by a practitioner. These practitioner-only products often have different quality and potency as well as different formulations to similar products available to consumers over-the-counter. Furthermore there are a range of products (such as extemporaneously compounded herbs) that require some time as well as specific knowledge and expertise to dispense.

Currently the Medical Board of Victoria has the following statement published on its website: *"Doctors must not gain financial advantage by selling alternative therapeutic substances directly to patients."* (Medical Board of Victoria, Policies and Statements: Alternative or Complementary Medicines Accessed on 4/10/04 at <http://test.medicalboardvic.org.au/content.php?sec=35>)

This statement as well as its legal standing is unclear. The statement itself begs the question of what is considered a "financial advantage" or "alternative therapeutic substance" and appears to set different standards for so-called 'alternative' and 'conventional' therapeutic substances. The mechanisms to monitor and enforce this position is also unclear.

Sale of products by health professionals is a common practice and there are many registered health professions who provide advice as well as sell and dispense products within the same consultation. These include veterinary surgeons, pharmacists, podiatrists (orthotics etc), physiotherapists (lumbar rolls, bandages, splints etc) and optometrists (spectacles). Medical practitioners are known to make products from the sale of travel medicines and dermatologists from selling therapeutic creams. There are a number of advantages in having medical practitioners dispense and sell products from their clinics including:

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1. Products that require specific expertise to prepare and dispense may not be available other than through an appropriately trained practitioner.
2. Patients may feel safer and more confident buying from a doctor who knows their medical history, has assessed the available supplements and determined what would be most appropriate for them.
3. Patients may enjoy the convenience of obtaining products from a dispensary located at a medical clinic.
4. If the doctor has prescribed specific products the products will be tax deductible if the patient reaches the tax threshold. Furthermore the doctor would have a record of all their accounts, which could be used in a tax claim if necessary.
5. In dispensing products doctors can ensure compliance with particular products, dosages and brands. Retail sellers of over-the-counter complementary medicines such as pharmacies and health food stores rarely have training in the use of complementary medicines and are not obliged to sell the recommended product. They may therefore try to persuade patients to use different products from the one prescribed due to commercial reasons such as stock levels, wholesale costs, commissions etc.
6. Doctors can add the products to their prescribing software and produce a professional-looking prescription that the patient will take seriously.
7. If the patient is unable to afford the prescribed products the doctor will become immediately aware of and can then make other arrangements such as discounting the price, deferring payment or changing the prescription.
8. It may be that a product is started as soon as possible however a busy patient may not be able to fulfill their prescription immediately if they are required to go to a third party for their purchase.

The AIMA endorses the AMA Code of Ethics (2004), which covers many of the issues around the sale of complementary medicines by medical practitioners. This Code of Ethics includes the following relevant statements.

- Consider first the well-being of your patient.
- Make sure that you do not exploit your patient for any reason
- Respect your patient's right to choose their doctor freely, to accept or reject advice and to make their own decisions about treatment or procedures.
- Place an appropriate value on your services when determining any fee. Consider the time, skill, and experience involved in the performance of those services together with any special circumstances.
- Ensure that your patient is aware of your fees where possible. Encourage open discussion of health care costs.
- When referring your patient to institutions or services in which you have a direct financial interest, provide full disclosure of such interest.

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- If you work in a practice or institution, place your professional duties and responsibilities to your patients above the commercial interests of the owners or others who work within these practices.
- Confine advertising of professional services to the presentation of information reasonably needed by patients or colleagues to make an informed decision about the availability and appropriateness of your medical services.
- Make sure that any announcement or advertisement directed towards patients or colleagues is demonstrably true in all respects. Advertising should not bring the profession into disrepute.
- Do not publicly endorse therapeutic goods as defined under the Therapeutic Goods Act 1989 (C'th), contrary to the Therapeutic Goods Advertising Code. Exercise caution in publicly endorsing any particular commercial product or service not covered by the Therapeutic Goods Advertising Code.
- Ensure that any therapeutic or diagnostic advance is described and examined through professional channels, and, if proven beneficial, is made available to the profession at large.
- Protect the right of doctors to prescribe, and any patient to receive, any new treatment, the demonstrated safety and efficacy of which offer hope of saving life, re-establishing health or alleviating suffering. In all such cases, fully inform the patient about the treatment, including the new or unorthodox nature of the treatment, where applicable.

AMA Code of Ethics 2004 released 05/03/2004

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- AIMA supports the judicious and appropriate use of Complementary Medicine products by medical practitioners. AIMA further recognises the need for its members to be free to prescribe, dispense and / or sell these products to their patients, as is clinically indicated and, as outlined in the Trade Practices Act, to make a "reasonable profit" from the sale, similar to other retailers of such products such as pharmacies and health food stores.
- The doctor needs to be mindful to dispense ethically and clinically appropriately and to avoid decisions based on profit.
- All treatment decisions whether they involve conventional or complementary medicine should be based as much as possible on informed consent whereby the patient has appropriate information about the nature, benefits and risks of any proposed treatment along with any associated costs. Such information may include reference to the peer-reviewed medical literature.
- The doctor should declare if they have any financial interest in the sale of products and should inform patients of alternative sources of products and encourage patients to shop around. Patients also need to be informed that they have the right NOT to purchase any product from the dispensary.

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- The dispensing of CM products should occur outside the consultation time. This allows the patient thinking time, to not feel pressured to buy the product.
- The receipt from sale of the CM product should be separate from the consultation fee.
- Products to be dispensed are best stored discretely within the practice rather than being put on open display.

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