

NOTICE TO STAKEHOLDERS

The Pharmacy Council has recently had its attention drawn to advertisements discounting prescription charges or co-payments. As part of this process, the Pharmacy Council has been considering the application of the January 2014 *Advertising Guidelines* published jointly by the Pharmacy Council and the Pharmaceutical Society of New Zealand.

The purpose of this Notice is to inform pharmacists and other stakeholders that the Pharmacy Council has considered the intent of the guidelines and confirms that the *Advertising Guidelines* do apply to prescription charges/co-payments and other pharmacy services.

With changes in the delivery of health services in New Zealand and new innovative methods of delivering pharmaceutical care to the NZ public, the Pharmacy Council intends to develop a formal Statement on advertising in 2018 to proactively address advertising in a broader sense, including other forms of marketing perhaps not anticipated when the *Advertising Guidelines* were first developed.

Development of a Statement

In accordance with its powers under section 118 Health Practitioners Competence Assurance Act 2003, the Pharmacy Council intends to develop a principled-based Statement, to be observed by pharmacists, addressing the advertising and marketing of medicines, pharmaceutical services and prescription charges.

This work will commence in 2018. Pharmacists, and other stakeholders, will be given an opportunity to comment on the proposed Statement before it is finalised.

The Pharmacy Council's current position

The Pharmacy Council considered the application of the 2014 *Advertising Guidelines* at its November 2017 meeting. While the *Advertising Guidelines* are described as 'guidelines', the Pharmacy Council considers that the document accurately captures established and important principles that apply to pharmacy practice. Until such time as there is a new formal Statement issued, the Pharmacy Council commends the *Advertising Guidelines* to pharmacists and expects, as a general proposition, that pharmacists will comply with the *Advertising Guidelines* unless the pharmacist can identify good reasons, in any particular case, not to do so. The *Advertising Guidelines* should be read and applied by pharmacists in conjunction with the Pharmacy Council's *Code of Ethics 2011*.

The Pharmacy Council is aware that the *Advertising Guidelines* have been interpreted by some people to exclude a prohibition on comparative advertisements relating to prescription charges and prescription co-payments. While these are matters that will be considered carefully as part of the development of the Statement referred to above, pending the development and finalisation of that Statement, the Pharmacy Council would like to make its interpretation of the *Advertising Guidelines* clear to pharmacists.

The Pharmacy Council's position is that the restrictions on advertising set out in the *Advertising Guidelines* do not prevent advertising of lower prescription charges or zero charges. However, the Pharmacy Council's position is that the *Advertising Guidelines* **do include** a prohibition on the advertising of comparative pricing of prescription charges and prescription co-payments, and a prohibition on the advertising of comparative pricing on pharmacy or pharmacist services.

November 2017