

21 June 2023

## Open letter to the Minister of Health, Hon Dr Ayesha Verrall

E te Minita, tēnā koe,

For decades, doctors have been concerned that Direct to Consumer Advertising of Prescribed Medicines (DTCA-PM) presents a biased, overly optimistic picture of advertised medicines and prompts patients to request treatments they do not need.

Health practitioners, health professional associations and consumers have continued to call for the practice to be banned in Aotearoa New Zealand, stating that the health claims in DTCA-PM are often unsubstantiated and based on weak evidence; in its most basic form, the priority of advertising is sales and profits; and the triangulation and imbalance of power between the industry, prescribers, and patients places the latter at a distinct disadvantage

We have outlined 10 reasons why CMC strongly recommend the Therapeutic Products Bill expressly prohibit pharmaceutical advertising direct to consumers in [our submission to the Health Select Committee](#).

They are:

1. DTCA-PM is prohibited almost everywhere else in the OECD
2. DTCA-PM is inconsistent with efforts to improve New Zealanders health literacy
3. DTCA-PM targets the most vulnerable
4. DTCA-PM leads to increased costs for the health system
5. DTCA-PM leads to inappropriate prescribing and overtreatment
6. DTCA-PM leads to iatrogenic harm
7. DTCA-PM puts the doctor-patient relationship at risk.
8. DTCA-PM regulation options are flawed
9. DTCA-PM does not provide patients with useful information
10. DTCA-PM perpetuates power imbalance in pharmaceutical companies favour

DTCA-PM benefits those who can derive a profit from its existence: the pharmaceutical industry, the advertising industry, and pharmacy businesses.

Ultimately, removing DTCA-PM would free up our overstretched medical professionals by thousands of hours a year – hours that would be much better spent helping sick Kiwis get better. Right now, we estimate New Zealand's doctors spend around 48,000 hours a year dealing with queries that come up only because of this advertising.

Amongst developed nations, New Zealand and the United States are the only countries that allow this sort of advertising. Banning direct to consumer advertising will bring New Zealand into line with international partners and reduce stress on our health system.

DTCA-PM is often predatory and puts profit ahead of the safety of patients and the expertise of medical professionals. The best person to give patients advice about which treatment is right for them is their health professional – not an advertising campaign whose interest is to push up sales volume.

Prohibiting DTCA-PM is a simple legislative change that will have a profound impact on patients, and free up time for health professionals to look after sick people. There is a consensus view across doctors, across health, across academia, and the opportunity for bipartisanship across political parties, that we need to act now.

We've missed many opportunities as a country to fix this and make the Medicines Act fit for purpose. I urge you not to miss the opportunity in front of you.

Ngā mihi,

The Council of Medical Colleges, and the undersigned.



*Banning Direct to Consumer Advertising for Prescription Medicines through the Therapeutic Products Bill is a simple legislative change that will have a profound impact on patients, and free up time for health professionals to look after sick people. We need to act now, but to get it across the line, the Minister and the Government need to know they have your full support.*

*Sign on to our Open Letter now by emailing [enquiries@cmc.org.nz](mailto:enquiries@cmc.org.nz) with your name, organisation, email address, and phone number. Please indicate, if signing on behalf of your organisation, that you are authorised to add my organisation's name and wish to have their name displayed as a signatory.*

*By signing this Open Letter, you agree to allow us to publish your name, organisation if indicated, and your organisation's signature if you have indicated you have the authority, to demonstrate support as outlined in the letter. We will include these details in communications about the letter to stakeholders and decision-makers.*

*We will also collect and securely store these details and your email address and phone number, so we can keep you up to date on the campaign and any other Council of Medical Colleges business you might be interested in.*

**For more information, or to opt out of future communications from CMC, please contact Esther Munro at [esther.munro@cmc.org.nz](mailto:esther.munro@cmc.org.nz)**