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**RELAXING PHARMACY OWNERSHIP LAWS WOULD BENEFIT PATIENTS**

***AMA Position Statement on the Ethical Guidelines on Ownership of Pharmacy and Dispensing by Doctors 2019***

The AMA today released its updated *Position Statement on the Ethical Guidelines on Ownership of Pharmacy and Dispensing by Doctors 2019*.

The updated Position Statement replaces the *AMA Position Statement on the Ethical Guidelines for Doctors on Addressing Potential Conflicts of Interest in Owning a Pharmacy 2010. Revised 2015*, following a five-year review of the policy.

AMA President, Dr Tony Bartone, said today that current legislation restricts pharmacy ownership to pharmacists only.

“Relaxing pharmacy ownership laws would improve patient access to medications,” Dr Bartone said.

“For instance, the AMA believes patient access and convenience in obtaining medications can be improved by doctors being permitted to own pharmacies, provided such ownership is managed ethically, addresses conflicts of interests, and maintains the clear distinction between prescribing and dispensing.

“The AMA guidelines have been updated to assist doctors who have a direct financial interest in a pharmacy to manage potential conflicts of interest, to maintain their patients’ trust, and to preserve public confidence in the wider medical profession,” Dr Bartone said.

“The guidelines will support the AMA’s advocacy regarding new dispensing models, including doctor ownership of pharmacies and pharmacists dispensing from general practice, which will offer patients enhanced convenience, safety, and quality care in their access to medications.

“We recognise that real and perceived conflicts of interest may develop if a doctor owns a pharmacy.

“All potential conflicts of interest should be addressed appropriately in order to maintain public confidence that the profession will continue to fulfil its primary duty to put patients’ interests first and protect the integrity of the doctor-patient relationship,” Dr Bartone said.

In terms of doctors owning pharmacies, the guidelines:

- highlight doctors’ duty of care to patients that takes a primacy above all else;
- advocate the importance of maintaining patients’ trust through open and honest disclosure of the doctor’s financial and commercial arrangements that may affect, or be perceived to affect, patient care. The doctor’s financial and/or commercial interests in pharmacy ownership must not influence their prescribing decisions or other treatment recommendations;
- promote the importance of patient choice of pharmacy; and
- advocate the importance of doctors and pharmacists maintaining professional autonomy where the doctor owns a pharmacy. This includes maintaining a clear separation between prescribing and dispensing where pharmacists retain the professional and legal

responsibility for dispensing medicines, independent of the doctor and ensuring that pharmacists are under no incentive or obligation to refer patients to the doctor/the doctor's practice and vice versa.

In terms of dispensing by doctors, the guidelines:

- now highlight that the separation of prescribing and dispensing is an important safety mechanism as it ensures the independent review of a prescription;
- clarify that dispensing involves more than just handing out medications but also identification, preparation, packaging, labelling, record keeping and supply of the correct medicine; and
- revise the conditions under which it is appropriate for a doctor to dispense, from suggesting that dispensing only occur if there is 'no reasonable alternative' to suggesting that dispensing being reasonable where 'the benefits to the patient outweigh potential safety concerns and the dispensing is based on clinical need and not undertaken for the purpose of material gain'.

The guidelines have largely undergone only minor revision. They have been updated to be consistent with the *AMA Position Statement on Guidelines on Managing Conflicts of Interest in Medicine 2019*.

The *AMA Position Statement on the Ethical Guidelines on Ownership of Pharmacy and Dispensing by Doctors 2019* is at <https://ama.com.au/position-statement/ethical-guidelines-ownership-pharmacy-and-dispensing-doctors-2019>

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