The Hong Kong Association of the Pharmaceutical Industry
香港科研製藥聯會

**Views of the Hong Kong Association of the Pharmaceutical Industry on the UMAO Bill (2)**

The Hong Kong Association of the Pharmaceutical Industry (HKAPI) is committed to the improvement of the health of mankind through research, development, production and marketing of pharmaceutical products of reliable quality, in accordance with internationally defined standards of good practice. During the Bill Committee meeting of LEGCO held on November 23, the HKAPI expressed its concerns regarding the proposed amendments to the Undesirable Medical Advertisement Ordinance (UMAO). We believe that suggested changes create internal inconsistencies and highlight the deficiencies within the existing UMAO. The social cultural environment in which the UMAO was first entered into the statute books in 1953, no longer reflects the reality today in which the patients are encouraged to take an active role in their own medical care. Our citizens are in urgent need of accurate, evidence based information regarding new health treatments.

The government of Hong Kong has an obligation and responsibility to balance the protection of its citizens' public health while sustaining economic growth within the SAR. Helping all individuals in Hong Kong make better informed health decisions should be a top priority.

The delivery of excellent medical care requires that medical professionals have the time and willingness to provide their patients with accurate, up to date evidence based treatment choices. They do this with the support of well trained pharmacists who assist in explaining the rationale behind treatment, and the need for treatment compliance. Both groups may understandably become concerned when patients begin to self-diagnose and treat themselves.

Communication technology now provides access to an overwhelming supply of both accurate and inaccurate information regarding the provision and maintenance of health care. The public has a right to receive up-to-date, accurate health education and disease prevention information, as well as information regarding current evidence-based treatments and alternatives. Consumer groups rightfully demand that the public is protected against being misled by potentially false, exaggerated or non-evidence based claims by western medicines, health supplements, or traditional Chinese medicine. At the same time, UMAO prohibits patients from receiving evidence-based information on pharmaceutical products which is essential in managing their own health.

How does the government balance the patient's need to know about potentially life saving medicines while at the same time guarding against consumer manipulation? The good news is that Hong Kong has an excellent system for the registration of pharmaceutical products based upon evidence based medicine that demonstrate efficacy, safety, and quality. HKAPI supports the broader dissemination of information regarding modern medicine through carefully controlled advertisements of registered pharmaceutical products. This would allow for claims-based information, requiring fair and balanced discussion of potential side effects, and making it absolutely clear that the medicine that physicians and pharmacists input is the only way to determine that the right patient gets placed on the right medicine for the right condition.

What about those products in which there is a strong evidence base but there is no current method for registration? HKAPI recommends the development of a process in which the consumer can be reassured that claims made for any treatment are supported by clear scientific evidence. Given the fact that traditional Chinese medicine and health supplements are one of the main focuses of research and development for Hong Kong, a good regulatory system in controlling (but not prohibiting) the provision of product information is increasingly important. With the existing UMAO, the scope of regulation on conventional food, nutritional products, health supplements and traditional Chinese medicine is not clearly defined.

The January 2003 survey of 500 physicians by the United States FDA suggests that broader dissemination of educational material by pharmaceutical companies through carefully regulated advertising, may improve the public's understanding of a drug's risks and benefits. Most physicians agreed that because their patients saw a direct to consumer advertisement, the individual asked more pertinent questions during their doctors' visits. Furthermore, many physicians thought that this also encouraged their patients to be more involved in their own health care. Interestingly, the advertisements prompted thoughtful discussions between patients and physicians that resulted in necessary treatments being prescribed, but often not the treatment mentioned in the advertisement.[1]

In summary, public health is best enhanced by the dissemination of accurate, fair and balanced information regarding health education, prevention, and evidence-based treatment choices. In fact, the public has a right to access such information and the public, nowadays, actively uses the tools at hand to search for it. The provision of carefully controlled direct to consumer advertisements of evidence based treatments, assists the consumer in making safe and informed choices in partnership with their physicians and pharmacists. It is clearly time to re-examine Schedules 1 and 2 of UMAO.

[1] US Food and Drug Administration, FDA Consumer Magazine, March-April 2003