



# The challenges of CAMs

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## COMPLEMENTARY MEDICINES PRESENT BOTH CHALLENGES AND OPPORTUNITIES FOR PHARMACISTS.

The effectiveness of complementary and alternative medicines (CAMs) is regularly questioned in the media, often fuelled by calls for a tighter regulatory framework to ensure efficacy, safety and quality. Of course all pharmacists are interested in these attributes too. However, the growing use of CAMs is driven by the growing desire of consumers to take greater control of their health. As pharmacists, we should encourage such behavior. A friendly, helpful and well-informed community pharmacist can become a great asset to these proactive consumers.

But community pharmacies that stock CAMs need to carefully weigh their professional responsibilities with their desire to encourage and support the active involvement of consumers in their health and wellness. Due to the complexities surrounding their dispensing, Pharmaceutical Defence Limited sought legal advice from Wisewoulds Lawyers on legal considerations surrounding the stocking and sale of CAMs.

### GUARD AGAINST INJURY

Pharmacists must take reasonable steps to guard against reasonably foreseeable risks of causing injury to others. It is widely acknowledged that even if complementary medicines meet basic safety standards, there are still risks associated with the consumption of these products:

- some CAMs are contraindicated when the patient has other conditions or health issues (eg. pregnancy, breastfeeding, cardiac symptoms);
- CAMs may be used excessively or inappropriately;
- CAMs may interact with other drugs or substances being taken by the patient, rendering the consumption of the medicine unsafe;
- the use of CAMs might lead to withdrawal from appropriate medical therapy or to delays in diagnosis or treatment of underlying conditions;
- like any other medicine, CAM products can expire or become contaminated since manufacture, rendering it unsafe; and
- CAMs may lack efficacy.

### Medical certificates

I was delighted that the Pharmaceutical Society of Australia had chosen to support the position taken by the Guild and PDL over whether pharmacists should exercise their legislated right to issue medical certificates.

Last year PDL worked with the Guild to develop an information kit offering pharmacists with guidelines on when and how medical certificates should be issued in pharmacies. This formed the basis of the guidelines jointly agreed to by the Guild and the PSA. The only shame is that the Australian Medical Association chose to attack the move despite the fact pharmacists were being encouraged by legislation and that the AMA was consulted during the process of finalising the guidelines.

Pharmacists may be legally exposed if any of these risks occur. The extent of the pharmacist's exposure must be determined on a case-by-case basis but some features of common pharmaceutical practice mean there are some increased areas of risk for pharmacists.

### BASIC KNOWLEDGE

Pharmacists should be able to discuss with patients issues such as active ingredients, indications, contraindications, interactions and evidence of efficacy. A lack of knowledge about a product means the risk of overstating or understanding the product increases.

Resources assessing these products are available so any pharmacy that stocks CAMs should ensure they have appropriate information resources to refer to. The Australian Pharmaceutical Publishing Company publishes the *Journal of Complementary Medicine* which can be a valuable resource to pharmacists wishing to keep up-to-date about the latest evidence and issues surrounding CAMs. Indeed, a useful article on information resources for CAMs was published in the March/April 2007 edition.

### CHECKING PRODUCT QUALITY

Most pharmacists keep a close eye on the medicines stocked within the dispensary to ensure the storage of the medicines is consistent with safety standards and the medicines remain current. Often, however, procedures relating to the complementary medicine section are less rigorous than those applied to mainstream medicines. This

increases the risk that the product may be compromised. If a pharmacist does not take reasonable steps to ensure a product remains current and is stored appropriately, the risk of liability to purchasers of the product increases.

### LACK OF EFFICACY

Because pharmacists are recognised within the community as experts in medicines and drugs, products on pharmacy shelves may enjoy an enhanced status by association. Perhaps this is why pharmacies are occasionally criticised for stocking complementary medicines where there is some doubt that the medicine has efficacy.

When a pharmacy sells any product a contract is formed and a warranty is often implied in such a contract that the goods are reasonably fit for the purpose they were supplied. Problems arise when a positive misstatement is made about a product and in many cases the proprietor of the pharmacy will not be protected from liability.

The 2007 PDL Annual Report contains a list of risk management strategies which PDL recommends should be reasonably applied to reduce risk when stocking and selling CAMs.

In safely and professionally supplying complementary medicines another opportunity is created for pharmacists to further enhance their role within the community. ■

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