



Communiqué

15 August 2013

The Pharmacy Board of Australia (the Board) met on 19 July 2013 at the national office of the Australian Health Practitioner Regulation Agency (AHPRA) in Melbourne.

Fees

A media release regarding the 2013/2014 fees has been published on the Board's [website](#). The fee for general registration which will apply from 1 August 2013 is \$317, an increase of 2.3% which is under the national consumer price index (CPI). The full schedule of fees is published on the Board's [website](#).

Cap on education expenses

The Board made a submission regarding the Australian Government's proposals to introduce a \$2,000 cap on work related education expense deductions as outlined in its discussion paper 'Reform to deductions for education expenses'. The Board outlined that the proposals had the potential to impact pharmacists in meeting their obligations under its *Continuing professional development registration standard* and to specifically impact pharmacists residing and practising in rural locations and intern pharmacists. The Board notes that the Government has decided to defer the introduction of the cap until 1 July 2015.

Advertising concerns

The Board notes with concern the reports it receives regarding the way some pharmacists advertise regulated health services. Section 133 of the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law) outlines the responsibilities advertising regulated health services. Australian regulators such as the Australian Competition and Consumer Commission (ACCC) and the Therapeutics Goods Administration (TGA) also have responsibility for laws governing the advertising of health products and services. Persons that advertise regulated health services, including individual practitioners, are responsible for ensuring that their advertisements comply with the National Law and other laws.

The Board noted with particular concern, recent reports of advertising by pharmacists involving the sending of text message advertisements to consumers from their pharmacies. These messages advised recipients that:

- due to reforms to the PBS, most suppliers would be out of stock of medications during that month, or
- due to government price reform, there would be a shortage of medication supplies in subsequent weeks.

The Board expressed concern that such advertisements may breach the National Law and its Guidelines for Advertising of Regulated Health Services in that the content of the advertisements may be false, misleading or deceptive and may directly or indirectly encouraging the indiscriminate or unnecessary use of regulated health services.

Advertising of delisted products

Pharmacists are reminded that the advertising of delisted products may amount to an offence under the *Therapeutic Goods Act 1989* and/or result in prosecution by AHPRA under Part 7 and/or an Investigation under Part 8 of the National Law. The Board has received reports that despite announcements by the Therapeutic Goods Administration of the cancellation from the Australian Register of Therapeutic Goods (ARTG) of products such as Sensaslim Solution and Reducta Fatblaster Tablets, some pharmacists have continued to advertise these

products. Pharmacists are reminded of their obligation to comply with their responsibilities under all legislation regarding advertising of regulated health products and services.

Stephen Marty
Chair
15 August 2013