



**National Council of
Women of New Zealand**

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**Submission to the Medical Council of new Zealand on DOCTORS AND
ADVERTISING – A review of the Medical Council’s Statement on Advertising**

Thank you for sending this report to The National Council of Women of New Zealand (NCWNZ). In this age of increasing promotions and advertising, it is timely for the Medical Council to be reviewing the use of titles and discount coupons and gift certificates.

The National Council of Women of New Zealand is an umbrella organisation representing 30 organisations affiliated at national level and a further 40 organisations affiliated at branch level. It has 22 branches throughout the country attended by representatives of these organisations, as well as individual members. NCWNZ’s function is to represent and promote the interests of New Zealand women through research, discussion and action.

NCWNZ has previously commented on the Review of Good Medical Practice in 2012 and been active in support of the establishment of Ethics Committees in 1988, 1992 and 1994.

The specific questions covered in Doctors and Advertising are addressed below.

1. How do you think the use of titles should be regulated? Do you think the wording proposed above would be helpful?

It was thought that it is very important that the only titles allowed are those approved as part of the registration process. Any additional titles could easily be misleading and may encourage patients to participate in an intervention that they would not have done so otherwise.

2. If titles conferred or approved by a College are to be recognised, should these also be published on the Medical Register?

This makes sense, and allows cross referencing.

3. Do you think that it would be helpful to patients to require doctors to use their full titles in advertising and promotional material, rather than abbreviations? For example, to use “Fellow of the Royal Australasian College of Surgeons” rather than “FRACS”?

As abbreviations can be confusing this clarification is important.

4. Do you agree that Council should permit the use of gift certificates and discount coupons when they meet the requirements listed above?

While the Advertising Standards Authority principles do provide guidelines, there was some concern expressed about the use of gift certificates and discount coupons.

5. Do you agree that there should be a period of reflection between the purchase of a coupon and treatment? Do you think it may be better to require this period of reflection to take place after an initial consultation? If so, should this be in all cases or just in the case of some procedures (such as surgical procedures)?

There was concern at this proposal as it was thought that it is not ethical to use financial incentives in this way.

6. Paragraph 6.2 of the Australian Guidelines requires advertising for surgical and invasive procedures to include a visible warning about risk. Would including such a clause in the New Zealand standard assist in ensuring that patients are fully informed about their treatment options and help to protect patient safety?

This is another commonsense requirement and should definitely be included – otherwise it breaches Health and Disability Commissioner, Code of Rights articles 6 and 7 – to be fully informed and to give informed consent.

7. The Council has dealt with several complaints in recent years about the way innovative treatments have been promoted. In particular, concerns have been expressed about the way scientific information has been presented in promotional material, and the quality of that information. Would it be useful to insert a clause into the statement such as that outlined in paragraph 6.7 of the Australian Guidelines?

Yes – The Australian guidelines are useful and relate to right to be fully informed.

8. How do you feel about doctors advertising non-medical products such as skin care treatments and gluten-free bread? Do the current requirements of the Statement on advertising address this issue appropriately, or are specific standards needed? If so, what should those standards require?

It was felt that there was enough advertising already about these products, and that doctors should not be “advertising” non-medical products.

Members thought that anything that strengthens the patient's rights and protections is a good thing, especially where patients are particularly vulnerable, for example with body image and appearance medicine issues. Making doctor's responsibilities regarding advertising of medical procedures and/or treatments clearer was important. It was thought that the proposed amendments seem to be sensible, and achieving better patient protection and truth in advertising was desirable.

Thank you for the opportunity to comment on this Review. NCWNZ would like to be advised when the Guidelines for doctors have been approved so that this information can be conveyed to our members.

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