

# News from SMA Council

## 1. PARTICIPATION IN ONLINE MEDICAL HISTORY RECORD PROGRAMMES

It has been brought to SMA's attention that a company has been inviting doctors to participate in their online medical history record programme and to market one of its products through the doctors' clinics.

The SMA Ethics Committee has consulted the SMC, as to whether it is permissible for doctors to join this programme. SMC has expressed its concerns as follows:

- a. Section **4.4.3.2** of the SMC Ethical Code states that "it is not allowable to carry out advertising, either by the doctor himself or by proxies, etc".

SMC is of the opinion that the company's proposal is advertising, as a proxy, for the doctors who are affiliated to it by application. This is therefore not an allowable platform for placing information about doctors' services.

- b. Section **4.4.3.1** of the Ethical Code states that "unsolicited information that doctors put or

allow to be put into the public domain must come with added responsibility not to be persuasive, laudatory or misleading."

The proposed offering of preferential rates to the company's members by affiliated doctors is deemed to be persuasive in a way which transcends pure reputation as professionals and is therefore inappropriate. In addition, as the company does not ensure that all medical practitioners are equally listed, association with this platform may be regarded as both laudatory (by virtue of implied selection for listing) and thus also persuasive. The company's invitation to doctors to offer the former's members preferential corporate rates could also be construed as a discount scheme, which is unethical.

- c. An offer was made for doctors to contribute articles on the company's website under their health education features section, so as to attract the company's members to find out more about

doctors' clinics. Whereas the publication of educational articles by doctors is encouraged, the purpose of this was frankly admitted by the company to be subverted for advertising purposes, a motive that SMC does not condone.

Doctors should keep in mind the guidance provided by sections **4.4.3.1**, **4.4.5.1** and **4.4.5.2** of the Ethical Code.

- d. With reference to the company's other invitation to doctors to market their product through the doctors' clinics, doctors should bear in mind section **4.5.1.2** of the Ethical Code if they are involved in the business aspect of promoting the product; and section **4.5.2** if they as professionals intend to promote it. Doctors should also satisfy themselves that the product is not a medicinal product requiring drug registration (**4.1.3** and **4.1.4** of the Ethical Code) and that it is not an aspect of complementary medicine for which section **4.1.5** could apply. ■