

7 February 2018

The Committee Secretariat
Senate Community Affairs Legislation Committee
P O Box 6100
Parliament House
Canberra ACT 2600

Email: committee.sen@aph.gov.au

Dear Committee Secretariat

Late Submission - Therapeutic Goods Amendment (2017 Measures No.1) Bill 2017 and the Therapeutic Goods (Charges) Amendment Bill 2017

The Royal College of Pathologists of Australasia (the College) is the pre-eminent organisation with respect to training, professional standards and quality of pathology services in Australia.

We note that the above-mentioned Bills have been referred to the Senate Community Affairs Legislation Committee for inquiry and report and the closing date for submissions was 12 January 2018. The College apologises for not putting in a submission on time. As discussed, we would be grateful if the Secretariat could bring to the attention of individual Committee Senators our late submission.

The College is concerned regarding the restrictions imposed on advertising pathology services by the *Therapeutic Goods Advertising Code 2015* (the Code). The Code restricts advertisements for therapeutic goods directly to patients unless pre-approved by the Department.

Patient-related information relating to important pathology tests is readily available to patients in brochures in collection centres/medical centres as well as on websites. Particular examples are genetic tests. These are new and complex tests which provide results with significant health consequences. They are also tests that are not funded through Medicare and as such, there is often a large out of pocket expense for the patient. In this setting it is important to provide detailed patient information explaining both the tests, the predictive value of the tests and the cost. It is the College's belief that this is not advertising but educational material that allows patients to make an informed decision.

The profession has been providing such information in a manner that promotes the quality use of pathology, is socially responsible and does not mislead or deceive the consumer. As stated above, it allows patients to make an informed decision which health educators have been advocating for many years.

The College therefore requests input into the wording of the Advertising Code that allows these important activities to continue.

If you need any further clarification, please feel free to contact the College Chief Executive Officer Dr Debra Graves

Yours sincerely

A/Prof Bruce Latham
President