

AMA Code of Medical Ethics

9.6.7 Direct-to-Consumer Advertisements of Prescription Drugs

Direct-to-consumer advertising may raise awareness about diseases and treatment and may help inform patients about the availability of new diagnostic tests, drugs, treatments, and devices. However, direct-to-consumer advertising also carries the risk of creating unrealistic expectations for patients and conflicts of interest for physicians, adversely affecting patients' health and safety, and compromising patient physician relationships.

In the context of direct-to-consumer advertising of prescription drugs, physicians individually should:

- (a) Remain objective about advertised tests, drugs, treatments, and devices, avoiding bias for or against advertised products.
- (b) Engage in dialogue with patients who request tests, drugs, treatments, or devices they have seen advertised to:
 - (i) assess and enhance the patient's understanding of the test, drug or device;
 - (ii) educate patients about why an advertised test, drug, or device may not be suitable for them, including providing cost-effectiveness information about different options.
- (c) Resist commercially induced pressure to prescribe tests, drugs, or devices that may not be indicated.
- (d) Obtain informed consent before prescribing an advertised test, drug, or device, in keeping with professional standards.
- (e) Deny requests for an inappropriate test, drug, or device.
- (f) Consider reporting to the sponsoring manufacturer or appropriate authorities direct-to-consumer advertising that:
 - (i) promotes false expectations;
 - (ii) does not enhance consumer education;
 - (iii) conveys unclear, inaccurate, or misleading health education messages;
 - (iv) fails to refer patients to their physicians for additional information;
 - (v) does not identify the target population at risk;
 - (vi) encourages consumer self-diagnosis and treatment.

Collectively, physicians should:

- (g) Encourage and engage in studies that examine the impact of direct-to-consumer advertising on patient health and medical care.

- (h) Whenever possible, assist authorities to enforce existing law by reporting advertisements that do not:
- (i) provide a fair and balanced discussion of the use of the drug product for the disease, disorder, or condition;
 - (ii) clearly explain warnings, precautions, and potential adverse reactions associated with the drug product;
 - (iii) present summary information in language that can be understood by the consumer
 - (iv) comply with applicable regulations;
 - (v) provide collateral materials to educate both physicians and consumers.

AMA Principles of Medical Ethics: II,III