

“The Ethics Towards a Common Man”-By Indian Healthcare Industries.

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ABSTRACT: *This paper is about maintaining ethics by Health care Industries while providing health care benefits to the common people. The very thinking of designing any drug by any pharmaceutical companies is to help common man to get rid of their existing disease with lesser side effects and simultaneously the treatment should also be affordable to the common man. Despite all the facilities and availability of all kind of drugs, treatment is not equal to all the population. In the Indian Healthcare scenario we find that same drugs are available with different price by different companies. It involves entire healthcare systems e.g. Pharmaceuticals companies, doctors, drug distributors, healthcare professionals, Government etc. The aim of any professional organization is to make profit and keep the pace with changing scenario but the methods they use should be acceptable to the society but this is grossly ignored by the companies which in turns effects the health of the ultimate consumers i.e. common man. Though there are certain codes of ethics to be followed by these companies but the monitoring system is poor and they grossly failed to monitor this. This is a major issue in today's society, because despite the fact that we have finest doctor in the world, we Indians account for 60% of the world heart disease and more than 25% are diabetics, though we have just 16% of the world population. A Pharma Company's ultimate balance sheet should be the number of patients saved vis-à-vis the amount of profit made. Because the major responsibility is with the pharmaceuticals companies as they are the provider of drugs to the common man. If they are not following the ethical path it is going to affect the health of the entire population.*

I. INTRODUCTION:

“Off all the form of inequality, Injustice in healthcare is the most shocking and inhumane”,

-Martin Luther King

The drug marketing practices in India are most unethical and the government has no control over the marketing gimmicks. Though the Industry have given a notable contribution to human progress, including the development of “miracle” drugs for treating cancer, AIDS, and heart disease, there is a growing tension between the industry and the common people of India. Government officials, physicians, and social critics have questioned whether the multibillion-dollar industry is fulfilling its social responsibilities.

Health, like education, is a public good. The repeated accusation of putting profit before people whether accurate or not, has a point. It is not ethical to sacrifice people's health and lives in order to boost the profit margin. It is ethical to boost the profit margin by helping people improve their quality of life. Public goods exist in developed societies, too. Public goods, such as health, education and public transport all need financing from some source other than the “user pays” principle.

Ethical Concerns: A Burning Issue;

We have been witnessing, for quite some time from now, among many other burning issues, ethical concerns related to the pharmaceutical industry across the world, have been hugely bothering a large section of its stakeholders, solely for the interest of patients and India is no exception to this stark reality.

Such concerns emanate from widely circulated media reports on legal fines levied to large pharmaceutical companies or out of court settlements on such fines due to alleged ‘unethical’ business practices of some large companies in various parts of the world including India.

Civil Society and other stakeholders including governments do allege that the prescription decisions made by the doctors, having received expensive free products and services from the pharmaceutical companies may not entirely or always be in the best interest of the patients.

In a situation like this, overall robust and healthy bottom line of the pharmaceutical industry in general, may be a tad lesser now, calls for a proper balancing act between its ethical obligations to shareholders and the ethical obligations to patients of all class, creed and color together with the civil society, at large.

Unique situation for the Ultimate Consumer:

Healthcare sector in general and the pharmaceuticals in particular is unique in many respects. The Department Related Parliamentary Committee on Health and Family Welfare in its 59th Report clearly articulated that: Medicines apart from their critical role in alleviating human suffering and saving lives have very sensitive and typical dimensions for a variety of reasons. They are the only commodity for which the consumers have neither a role to play nor are they able to make any informed choices except buying and consuming whatever is prescribed or dispensed to them because of the following reasons:

- Drug regulators decide which medicines can be marketed
- Pharmaceutical companies either produce or import drugs that they can profitably sell
- Doctors decide which drugs and brands to prescribe to their patients
- Patients are totally dependent on and at the mercy of external entities to protect their interests.

Such a scenario gives rise to a situation where patients, by and large, are compelled to buy medicines at any price, which leads many to conclude that the pharmaceutical industry is 'recession proof'

A Different Ball Game:

The typical common man belonging to Indian village is a poor, superstitious and ignorant man. Most of the villages do not even have a health centre or a doctor. In these circumstances, the pharmaceutical companies have to play the dual role of an educator and provider. In addition, each village is different in its ethnicity, values and culture. Thus, the companies require adopting different strategies for different villagers. The companies would also have to price their products strategically keeping in mind the spending power of villagers.

All the effort and resources that go into rural marketing are appropriate as not only are rural markets big, but they also present untapped potential. The rural consumer is also highly brand loyal unlike the fickle urban consumers. The rural Indian consumer is a value conscious consumer. "For instance, if he buys Calpol and it works, he will swear by it. He will not accept anything else. In case he is used to a white Calpol and a chemist gives him a blue tablet, he will not accept it. Considering this, though it will be a mammoth task for companies to come across the right formula for success in rural areas, nonetheless, the effort and investment will not be useless as every penny spent will yield them loyal customers, who trust not just the efficacy of the brand, but also the company as a whole.

Ethical Marketing:

Ethical marketing is an honest and factual representation of a product, delivered in a framework of cultural and social values for the consumer. It promotes qualitative benefits to its customers, which other similar companies, products or services fail to recognize.

Ethical marketing frames messages in a way that the consumer identifies with. It encourages companies to integrate cultural, social, economic and environmental values into their culture, strategy and actions, and reinforces the positive values of the brand, creating a strong 'citizen brand'. This is all done on a voluntary basis, and is generally an offering above and beyond statutory requirements.

Through the effective use of ethical marketing and corporate social responsibility, companies are able to positively contribute to society and manage the environmental impact of their organization, whilst maintaining and even growing the contribution to their bottom line. It can have direct benefits on businesses and can help secure long-term competitiveness.

Ethical marketing in Pharmaceutical companies should observe following guidelines:

™ Promotional practices must be consistent with patients' benefit, must be ethical and must be in good taste.

™ Information provided must take account of customer needs and must be based on product information as it has been approved by the local authority, derived from the approved Basic Product Information.

™ Event sponsorship to doctors must be clearly disclosed and the primary objective of a meeting must be scientific in nature.

™ Hospitality must be appropriate, in good taste consistent with local practices and secondary to the main purpose of the meeting.

™ Gifts must be modest and relevant to the practice of medicine.

™ Personal incentives to prescribe are prohibited.

™ Samples must be handled with the prime objective of familiarizing the customer.

™ Sales representatives must have appropriate training and product knowledge.

Compensation for healthcare professionals must be provided only for actual, reasonable and necessary services.

II. CONFLICT OF INTEREST:

The pharmaceutical industry pays out a huge sum of money for promoting its products to the doctors. Professional way of thinking about the wellbeing of patients may be unsuitably biased by a secondary interest. In such cases, the personal benefits are consequential from alliance with pharmaceutical companies. We should be attentive to the reality of expenditure pharma spend on research and entertaining doctors.

An amendment in 2009 to the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations made it unethical for doctors to accept gifts, travel facilities, hospitality, cash, etc., from pharma companies. DoP's stand is that though the idea was to stop companies from having any undue influence over doctors, an unintended side-effect was that it harmed doctors' genuine educational and research interests.

This is perhaps a valid complaint, but it is hard to believe that MCI can effectively crack the whip on each of its 840,000 registered member doctors to end unethical practices. The Parliamentary Panel on Health and Family Welfare noted in its May 2012 report that despite the regulation, "there is no let-up in this, The evil practice and pharma companies continue to sponsor foreign trips of many doctors and shower high-value gifts like air-conditioners, cars, music systems, gold chains, etc., on obliging prescribers who then prescribe costlier drugs as a quid pro quo". Such promotions are deemed unethical because they represent covert advertising that has been shown to distort prescribing practice, influencing patients' treatment. Doctors who accept gifts from drug companies, meet pharma representatives, and use their information are more likely to prescribe more expensive drugs.

III. SUMMARY:

Medicine is not a trade to be learned, but a profession to be entered. A profession is described by a specialized body of knowledge that its members must teach and expand, by a code of ethics and a duty of service that put patient care above self-interest, and by the privilege of self-regulation granted by society.

All these pharma industries have a promotional budget, which necessarily should be used for educating the doctor about the newer developments in the field of medicine. At the same time there should be an appropriate thought from the pharmaceutical companies to cut back costs by keeping away from a pointless gifts and trying to subsidize the medicines as much as possible. There is also a need of giving free medicines for the benefit of some poor patients. There are better ways for the pharma companies to spend their promotional money, keeping in view the research, development, and education of doctors as well as the end user-the patient especially in developing countries. Very often pharma companies have social welfare budgets and physicians can use these avenues to help the patients and improvement of their health care.

The Pharmaceutical Industry must need to take into following ethical consideration in order to discharge their responsibility towards the common man of the society:

- Professional integrity towards society
- Human right consideration of patients
- Pharma getting into Social welfare for Better community health and Health oriented healthy guidelines.
- They must be sensitive to consumer concern
- They need to Strengthened guidelines to cut back on bribery in the form of gifts
- Products must be reasonably priced to make it affordable to common man.

Summarizing, one must remember that ethics, like beauty, lies in the eye of the beholder. In the end, it is up to the entire healthcare community to decide the 'Lakshman Rekha', the boundaries that prevent the damage to the patient, profession and society at large.

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