

NFTHD #46: What is a Healthcare Professional?

Our Help Desk is peppered regularly with the question about who can be considered a Healthcare Professional (HCP) – a social worker? An allied health professional? A psychologist? An exercise physiologist? And how about a practice manager? The question reflects the need for industry to define their audience and ensure appropriate content is delivered to that audience.

Lying at the heart of the issue is the legislative requirement that pharmaceutical companies are unable to promote to the general public. In terms of the framework in which we work, an audience can be divided into a HCP bucket and a non-HCP bucket – anyone who is not defined/classified as a healthcare professional is considered the general public. Not much grey in this classification. So, how to define a HCP?

The Code's definition of a HCP aligns with the TGA's definition of a Health Professional: it has the same meaning as 'health professional' in the Therapeutic Goods Act 1989 (Cth). This Code relates to healthcare professionals who in the course of their professional activities may prescribe, dispense, recommend, supply or administer a prescription medicine in Australia. The TGA has some good advice [on their website here](#) – but be mindful that a health practitioner is defined more narrowly than a health professional, and in terms of determining an appropriate audience, the key lies in [Section 42AA of the Therapeutic Goods Act](#) (page 174 of Volume 2).

In a nutshell, this names HCPs to include medical practitioners, psychologists, dentists, pharmacists, optometrists, chiropractors, physiotherapists, nurses, midwives, dental hygienists, dental prosthetists, dental therapists, oral health therapists, paramedics or osteopaths. The Act also includes professionals who are members of an Australian branch of a number of organisations; this list is in Schedule 1 in the [Therapeutic Goods Regulations 1990](#) (page 201).

The list of professionals included in section 42AA also includes persons who are:

- purchasing therapeutic goods on behalf of a registered charity; or
- purchasing therapeutic goods on behalf of a government or government authority (including a foreign government or foreign government authority); or
- purchasing officers, or practice managers, for a person mentioned in paragraph (a) or (aa) (other than a person in a retail pharmacy who, under a law of a State or internal Territory, is registered or licensed to practice in the health profession of pharmacy).

NFTHD #46 CONTINUED...

So, lets test some questions:

A Social Worker? No. Whilst they might be part of an allied health team care for a patient, this doesn't define such a person to be a HCP.

A Psychologist? Whilst they are less likely to prescribe, dispense, recommend, supply or administer a prescription medicine in Australia, they are specifically mentioned in the Act and therefore considered a HCP (at least for the purposes of receiving information).

An Exercise Physiologist? Whilst not mentioned specifically in the Act, if they are registered to practice in Australia and a member of the Australian Association of Exercise and Sports Scientists (listed as an organisation in Schedule 1 as part of the Regulations), they can be considered a HCP.

A Practice Manager? Whilst they do not prescribe, dispense, recommend, supply or administer a prescription medicine, they are specifically mentioned in the Act and therefore considered a HCP at least for the purposes of receiving information. The Act does allow for those specifically engaged in the business of wholesaling therapeutic goods, and purchasing officers in hospitals, to receive information that is only appropriate to HCPs.

Ultimately, the Code's Overarching Principle 6 captures our obligations: *Companies' interactions with all stakeholders are at all times consistent with all legislative requirements, and appropriate to the information needs of the respective audience.*

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