

Over the counter sale of prescription only medication in Abu Dhabi, UAE: Law enforcement or health ethics?

Abstract

Ethics is the heart of health care (Seedhouse, 2003), and there is an expectation that health care providers and other professionals will adopt a degree of ethics in their professional duties and practice. Throughout the United Arab Emirates (UAE), stories of unethical health care practices continue to be heard and read in the local newspapers unabated. This study focuses on one ethical issue of critical significance in the health sector in Abu Dhabi, i.e. over the counter sale of prescription required medication without prescription in Abu Dhabi. The methodology involves a triangulation approach including the survey of selected health professionals and patients. The results indicate that the problem is endemic in the Emirates and that, while the health authorities assert that it is a law enforcement issue, other respondents agree that there is an inherent and underlying element of professional ethics for Pharmacists. Others even think it is a cultural issue. The study concludes that the practice has both ethical and legal dimensions. The study concludes further that the practice is endemic and that, on the basis of the reasons given by buyers and sellers of medications, a comprehensive approach may be necessary to identify strategies to alleviate the situation.

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26 **Introduction**

27 Ethics is the heart of health (Seedhouse, 2003), and there is an expectation that health
28 care providers and other professionals will adopt a degree of ethics in the professional
29 duties and practice. Throughout the United Arab Emirates (UAE), stories of unethical
30 health care practices continue to be heard and read in the local newspapers unabated.
31 From Abu Dhabi to Ras Al Khaimah, Dubai to Fujairah, stories of unethical health
32 practices have been doing the newspaper rounds regularly (see, for example, Gulf
33 News, 2011a, page 2; and Gulf News, 2011b, page 3). This article focuses on one
34 essential issue - over the counter sale of prescription only medication in the Emirate of
35 Abu Dhabi.

36 The great diversity of population in Abu Dhabi (Yeboah, 2007) and the associated
37 variety of cultures mean that providing health services which are linguistically and
38 culturally appropriate for all the residents is impossible. This situation is exacerbated by
39 the fact that what is ethically and culturally appropriate for one group of residents (e.g.
40 Moslems) may not be appropriate or ethical to others (e.g. non Moslems). This is by and
41 large due to the prevalence of numerous and varied norms, values, beliefs and
42 perceptions about health for the various populations and cultures. However, the
43 apparent dangers of selling prescription medicines without the appropriate prescription

have created the situation where people from all cultures converge in their belief and thoughts that the practice must be stopped. The dangers of selling and buying prescription medicines without an appropriate prescription presuppose a need to investigate the problem.

The purpose of this study is, therefore, to investigate the sale of prescription only medicines without the necessary prescription in Abu Dhabi, establish the extent of the problems, the reasons why the practice prevails and discern if it is a law enforcement or health ethics issue. This is the rationale behind this study. The point must also be made that the lack of published research literature on health in the UAE, especially ethics in health care delivery, adds to the significance of this article.

Literature review

Not much exists on ethics and health care in particular and population and health generally, in the published research literature on the UAE. Raven (2002) discussed the intersection of healthcare organizational ethics, pointing out that healthcare providers are business organizations with ethical issues. Gulf News (2011c) discussed ethical issues surrounding Doctors being remunerated by commission instead of salary, while Gulf News (2011b) reported warnings from health professionals regarding the sale of prescription medication over the counter.

National Newspaper (2011:1) pointed out the growing problems with waiting lists for various health procedures in the UAE while Yeboah (2007) examined population growth and the demand and provision of health services in the UAE up to 2006. He found that population growth was accompanied by new medical centers and increased number of public and private health services.

Yeboah (2005) compared reproductive health in the Gulf with the Caribbean, noting the vast improvements in maternal and child health in the UAE and GCC over the decades. Okaida (2003) examined mental health in the Arab world while Zufur (2003) focused on women empowerment in the Arab world. Burn et al. (1993) investigated variables affecting health in the UAE, focusing on primary health care. They examined the 1986-1991 health strategy and concluded that health care had improved in the UAE. In addition, Matthew (2001) studied obesity in the UAE, indicating that there was a need to target obesity in the UAE. He concluded that obesity has a far greater impact in the UAE than acknowledged. UAE Ministry of Health (2001) presented professional code of conduct for health professionals, defining clearly what ethical practices were expected from medical practitioners and other health professionals. Ethical issues in health care have not received any attention in the published research literature on the UAE.

Methodologies and data sources

A triangulation approach was adopted for the study methodologies. This allowed for diverse analysis of data from at least 2 or more methodologies to be used in the investigation (see Patten, 1990; Yeboah, 2010). About 90 pharmaceutical outlets were initially selected randomly for the study. However, 17 refused to participate in the study, resulting in a response rate of approximately 77.2%. Survey and participant observation data were obtained on the 73 pharmaceutical outlets or chemists which agreed to participate. It was impossible to randomly select patients who were buying prescription medicines without the necessary or required prescription, as no sampling frame could be created for customers or patients who buy prescription medicines over the counter. A convenience but systematic sampling approach was adopted, involving

the selection for inclusion of every 3rd patient who bought medicines without the necessary prescription. 131 patients in various outlets were interviewed as they agreed to participate. The results are presented later in this article.

A predesigned questionnaire was used to interview both patients and pharmaceutical outlets to identify the underlying reasons for the practice and how the practice could be stopped. Participant observation methodology was used to establish the extent of the practice through the direct observation of the practice in the selected outlets. The main sources of data were, therefore, the survey responses and the observation of the practice in the selected outlets. The selected pharmaceutical outlets were visited at different times, the incidence and prevalence of selling and buying prescription required medication without prescription were observed and recorded.

The survey data was scientifically analysed and descriptive statistics were used to show the demographic and related characteristics of the study subjects and their responses to the survey questions.

Thus, survey and participant observation data constitute the main data sources for the study.

Results

The study found that over the counter sale of prescription required medications was very endemic in the Emirate of Abu Dhabi. All the pharmaceutical outlets observed actually sold medicines without the required prescription. Table 1 shows the geographical distribution of pharmaceutical outlets by geographical region in the Emirate of Abu Dhabi. Consistent with the geographical distribution of pharmaceutical

112 outlets in the Emirate of Abu Dhabi, about 78.1% of the selected pharmaceutical outlets
113 were in Abu Dhabi city, followed by Al Ain, 20.5%.

114 Table 1 Geographical distribution of pharmaceutical outlets

Locality/Region	Number of Outlets	% of total
Abu Dhabi City	57	78.1
Al Ain District	15	20.5
Western Hemisphere	1	1.4
Total	73	100

115 Source: Survey data

116 Distribution of customers

117 The study found that almost 65% of the customers interviewed were males compared
118 with about 35% females. The age distribution was skewed towards the middle age
119 groups, with the 25 -44 years age group recording the highest percentage of 42,
120 followed by 65 years and over, 45-64 years, 15-24 years and <15 years (table 2).

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123 Table 2. Age distribution of customers buying medication without prescription

Age Group in Years	Number	%
<15	11	8.4
15-24	15	11.5
25-44	55	42.0
45-64	22	16.8
65 and over	28	21.4
Total	131	100.1

124 Source: Survey data

125 Respondents were asked a number of questions directly related to the practice of
 126 buying prescription required medication without prescription and their responses are
 127 presented in table 3.

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130 Table 3 Customers/Buyers responses to key questions on the practice

Question asked	Yes	%	No	%
Do you buy prescription medicines regularly without prescription?	126	96.2	5	3.8
Has any outlet ever refused to sell you prescription medicines without prescription?	1	0.8	130	99.2
Has any pharmacist ever told you of the dangers involved in buying medicines without prescription?	0	0.0	131	100.0
Do you know that it is unlawful to buy those medicines without prescription?	51	38.9	80	61.1
Are you aware or know that these medicines can do serious harm to you?	21	16.0	110	84.0
Will you buy medicines without prescription again?	131	100.0	0	0.00

131 Source: Survey data

132 Table 4 Pharmacies/Sellers responses to key questions on the practice

Question asked	Yes	%	No	%
Do you sell prescription medicines regularly without prescription?	73	100	0	0.0
Has your outlet ever refused to sell prescription medicines without prescription?	11	15.1	62	84.9
Have you ever advised buyers of the dangers involved?	5	6.8	68	93.2
Do you know that it is unlawful to sell those medicines without prescription?	73	100	0	0.0
Are you aware or know that these medicines can do serious harm to buyers?	69	94.5	4	5.5
Will you sell medicines without prescription again?	73	100.0	0	0.00

133 Source: Survey data

134 Tables 4 and 5 identify the main reasons given by pharmacists and buyers respectively
 135 for selling and buying medicines without prescription. Two reasons stand out for
 136 pharmacists, namely “everybody is doing it” and “the next pharmacy will sell if I don’t”.

137 Table 4. Main reasons given by pharmacists for the practice

Reason	Number of Respondents	%
Everybody is doing it	73	100.0
Next pharmacy will sell if I don't	73	100.0
Customer satisfaction	68	93.2
Make more sales	29	39.7
Customers ask for it	70	95.9
Easy to sell without prescription	57	50.7

138 Source: Survey data

139 Table 5 shows that the overwhelming reason given by buyers is “easy to get what you
 140 want” (100), followed by “pharmacists don't mind” (96.9%), “all my friends are doing it”
 141 (70.2%) and “I have not had any harm or problem” (63.4%).

142 Table 5. Reasons given by buyers for the practice

Reason	Number of respondents	%
Pharmacists don't mind	127	96.9
All my friends are doing it	92	70.2
Easy to get what you want	131	100.0
No harm to my body so far	83	53.4
You save money by not going to the Doctor	18	13.7
You save time	59	45.0

143 Source: Survey Data

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146 Discussion

147 That prescription required medications are sold without accompanying prescription
 148 forms is not in question (Yeboah, 2013). The practice is endemic in the Emirate of Abu
 149 Dhabi as confirmed by evidence from this study. All the pharmacists surveyed in this
 150 study `were observed to beselling prescription only medicines without prescriptions.

151 The extent of the problem is gauged from the fact that children under 15 years of age
152 were seen buying prescription only medicines without prescription. Another notable
153 finding was that All nationalities were involved in the practice and that has implications
154 for strategies to address the issue. There are about 248 nationalities in the world and
155 212 nationalities are represented in the Emirate of Abu Dhabi. This presupposes that
156 any attempts to eradicate the practice must transcend cultural and linguistic boundaries.
157 It is important to note that these medicines include powerful medicines such as Daonil,
158 Metformin, Ex-Forge of varying strengths, Concor (5mg and 10 mg) and antibiotics.

159 In the Emirate of Abu Dhabi, the existing legislation prohibits the sale of prescription
160 required medications without an appropriate prescription form duly completed by a
161 qualified and registered medical practitioner. Some medicines are classified by law as
162 “Controlled medicines” and must be dispensed only on receipt of duly completed
163 controlled medicines prescription form. Only specialist medical practitioners, certified to
164 practice in specialist fields of medicine, are allowed to complete these forms and only
165 for controlled medicines in their areas of specialization.

166 So the question everybody is asking is why is the practice of selling medicines without
167 prescription so rife albeit there is legislation against doing so? The answers are clearly
168 indicated in tables 4 and 5. The survey results show that all the 73 pharmacies in the
169 study provided 2 paramount reasons why the practice was endemic, namely everybody
170 is doing it and next pharmacy will sell if I don't. It is needless to say that no individual
171 pharmacy is likely to stop the practice unless it can see clearly that other outlets have
172 also stopped. From the buyers' point of view, “easy to get what you want” and
173 “pharmacists don't mind” were the main reasons given. The combination of the buyers

174 and sellers reasons for adopting the practice exacerbate a complex situation of easy
175 access to medicines and the potential dangers of taking medicines without medical
176 supervision. It is also clear that only a very comprehensive approach, involving a
177 number of evidence based strategies, can achieve any success in eradicating the
178 problem. This is beyond the scope of this study as the primary objective of this study is
179 to establish the nature and extent of the practice and the reasons why the practice is so
180 prevalent.

181 Another pertinent question which emerged during the investigation was whether the
182 practice was an issue for health ethics or law enforcement. The position of the
183 government health provider was that it was a law enforcement issue. According to
184 Health Authority Abu Dhabi (HAAD), existing legislation requires prescription medicines
185 to be dispensed only when a prescription is presented. While the Police, as the main
186 law enforcement agency, do not oppose this position, it is abundantly clear that the
187 Police cannot be at all pharmacists all the time.

188 Based on the available evidence from the study, the standpoint taken in this study is
189 that the practice of buying and selling medicines without prescription is both a law
190 enforcement and health ethics issue. First, it is a law enforcement issue because there
191 is an appropriate legislation on the matter. The legislation has to be enforced, but the
192 Police cannot be at every pharmacy all the time. Police resources cannot do this in all
193 countries and the Emirate of Abu Dhabi is no exception. This study covers numerous
194 visits to 73 pharmacies and, on no occasion, was a Police Officer present.

195 This study suggests a systematic but random and regular unannounced Police visits to
 196 pharmaceutical outlets to monitor sale of medicines. There is some evidence that the
 197 Police are acting on the matter, especially in relation to controlled medicines. A case in
 198 point is when a pharmacist and her assistant were arrested, prosecuted and jailed for
 199 selling controlled medicine without the controlled medicines prescription form (Gulf
 200 News, 2013a). This was the result of a tip off from the public that the pharmacy was
 201 selling controlled medicines without the completed “controlled medicine prescription
 202 form”. However, there has been no tip off in relation to the widespread selling and
 203 buying of other prescription medicines without prescription. Perhaps, it is because
 204 everybody is doing it, with implications for what needs to be done. A related interesting
 205 finding was that all the pharmacies were aware of the legislation (table 4), but continued
 206 to breach the law. Law enforcement is “sine qua non” if the practice is to be stopped.

207 Secondly, the practice of selling and buying medicines without prescription is a health
 208 ethics issue at 2 levels. First, pharmacists have an ethical obligation to sell prescription
 209 required medicines only when prescriptions are presented. The pharmaceutical Code of
 210 Ethics requires pharmacists to exhibit ethical practices in various ways including abiding
 211 with existing laws and ensuring the health and safety of their clients and patients. The
 212 practice of selling and buying prescription medications without prescription is unethical
 213 mainly because it is not in line with the Code of Ethics and it compromises patients’
 214 health and safety. At the second level, the health authorities have code of ethics for all
 215 the major professions in the health industry (see, for example, UAE Ministry of Health
 216 2001). HAAD and the Ministry of Health must enforce their ethical codes to ensure
 217 proper health care and the elimination of the unethical practice of pharmacies putting

218 profits before care through over the counter sale of various medications. Pharmacies,
 219 like other health care providers in the Emirate, are business entities with a primary
 220 objective to be competitive and profit making. The intersection of business ethics with
 221 health ethics in the UAE has been noted by Raven (2002), and the ethical practices of
 222 pharmacies may not necessarily converge with health ethics as enshrined in the
 223 pharmaceutical code of ethics and the professional code of ethics presented by health
 224 authorities. However, with huge potential for illness, injury and fatality, the over the
 225 counter sale of prescription medication poses a major risk and every effort must be
 226 made to stop the practice.

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228 Conclusion

229 The study concludes that the practice of selling prescription required medication without
 230 prescription is endemic in the Emirate of Abu Dhabi. The study concludes further that it
 231 has become acceptable to both pharmacies and their customers to indulge in the
 232 practice with impunity, and with no due regard for the law and basic ethics. On the
 233 important question of whether it is a law enforcement or health ethics issue, the
 234 conclusion reached in this study is that the practice has legal and ethical dimensions.

235 Given the endemic nature of the practice and the diverse reasons given by sellers and
 236 buyers for the practice, this study concludes further that a comprehensive approach is
 237 needed to address the problem. The standpoint taken in the study is that this
 238 comprehensive approach must be evidence based involving a separate study.

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