

23 August 2024

The Honourable Mark Butler MP
Minister for Health and Aged Care
Australian Parliament House
Canberra ACT 2600

Email: minister.butler@health.gov.au

Dear Minister Butler,

Re: Urgent Need for Action on Pain-Relieving Medication Shortages

I am writing to you as the Dean of the Faculty of Pain Medicine at the Australian and New Zealand College of Anaesthetists, representing pain medicine specialists through Australia and New Zealand.

Our fellows have expressed grave concerns over the persistent shortages of essential pain-relieving medications, particularly oral morphine preparations, which are indispensable in the management of severe pain, including in palliative care.

These shortages, now stretching into their second year, have severely impacted patient care, forcing healthcare providers to rely on inconsistent supplies of alternative medications. The situation is exacerbated by the withdrawal of key products from the Australian market by international pharmaceutical companies. This disruption has led to significant gaps in the continuity of care, placing both patients and clinicians in an untenable position.

In my opinion, the actions of certain multinational pharmaceutical companies in this regard have been egregious. These companies, having reaped significant profits from the Australian market, have nonetheless opted to discontinue essential medicines without ensuring a smooth transition or adequate alternative arrangements for supply.

This abandonment starkly contrasts with the expectations placed on individual medical practitioners under the Medical Board of Australia's code of conduct. When a doctor needs to terminate a therapeutic relationship, they are obligated to make alternative arrangements for the patient's care before ending the relationship. It seems highly anomalous that a multinational corporation, with vast resources at its disposal, appears to be under no such obligation.

To draw a parallel, consider the automotive industry. Federal regulations require that when a manufacturer introduces a product into the market, they are obliged to ensure the availability of replacement parts for a substantial period. Additionally, they must provide ample notice if those parts are likely to become unavailable. It is worth considering whether a similar regulatory framework could be applied to multinational pharmaceutical companies seeking to market their products in Australia. Such a framework would ensure that these companies cannot simply withdraw essential medications from the market without adequate notice or the provision of reliable alternatives.

Whilst the TGA has made substantial efforts to source and approve alternative means of supply, this can only be described as a crisis-driven response. The responsibility for the situation rests with the pharmaceutical companies.

The Faculty of Pain Medicine is committed to working with the government to address these critical issues. We are eager to collaborate in developing strategies that secure a stable, long-term supply of essential pain-relieving medications, ensuring that all patients have safe and equitable access to the care they need.

We kindly request your consideration of these points and look forward to your response on what further actions can be taken to protect the health and well-being of Australians who rely on these vital medications.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'D Kapur', with a small flourish at the end.

Dr Dilip Kapur
Dean, Faculty of Pain Medicine