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## Complementary therapies - safety and legal issues

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### Summary

- Under Australian law, a complementary medicine is assessed for the safety and quality of its ingredients, but not always for how well it works.
  - Avoid the temptation to self-diagnose and self-medicate.
  - Always consult with your doctor before taking a complementary medicine or embarking on a complementary therapy.
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Many people believe that complementary therapies are safer than conventional medical treatments because they are more 'natural'. This is not always true. There are a number of safety and legal issues surrounding the use of complementary therapies that you need to be aware of.

Complementary therapies are used alongside conventional medical treatments to help improve a person's health and wellbeing. Examples include acupuncture, aromatherapy, traditional Chinese medicine, herbal medicine, yoga, meditation and massage. These treatments are sometimes known collectively as 'complementary and alternative medicine' (CAM).

Estimates suggest that the number of Australians who use complementary medicines or consult with complementary therapists is on the rise. However, there are many safety and legal issues surrounding their use.

### Regulation of complementary medicines in Australia

The Therapeutic Goods Administration (TGA) is a federal government department that regulates all medicines in Australia, including complementary medicines. A branch of the TGA, called the Office of Complementary Medicines, oversees the recall of faulty or dangerous complementary medicines.

Under Australian law, every complementary medicine is assessed for the safety and quality of its ingredients, but not always for efficacy (how well it works). Only complementary medicines that are deemed 'high risk' are assessed for efficacy. The TGA does this by looking at data from clinical trials supplied by the manufacturer.

The TGA considers as complementary medicines:

- Medicinal products that contain herbs, certain vitamins or minerals
- Nutritional supplements
- Homoeopathic medicines
- Certain aromatherapy products
- Traditional medicines such as traditional Chinese medicines, ayurvedic medicines and Australian Indigenous medicines.

### Clinical trials are important

Without clinical trials, we can't know for sure whether a complementary therapy actually works. The short and long-term risks of the treatment also remain unknown. A lack of scientific evidence doesn't necessarily mean that a complementary therapy doesn't work. It may mean that there is a lack of research or that the research available doesn't meet Australian standards for clinical trials.

### Buy Australian-made complementary medicines

Complementary medicines made in Australia are subject to strict product safety and quality regulations. This may not be the case in other countries. Look for Australian-made products that are marked 'Listed Aust R' or 'Registered Aust R', which means these products were manufactured in a laboratory licensed by the TGA:

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- **Listed** – this means the product is considered low risk and has been assessed for safety and quality.
- **Registered** – this means the product is considered higher risk and has been assessed for safety, quality and how well it works. The TGA assesses efficacy and safety by looking at data that are required to be provided by the manufacturer.

### Regulation of complementary therapists

In Australia, state governments regulate complementary therapists. This means that the laws differ from one state to the next. For example:

- The complementary therapy industry in Australia is largely self-regulated.
- Most complementary therapists are affiliated with a professional association. Membership may require that therapists maintain a certain standard of care. However, membership is usually voluntary, which means there is no legal obligation.
- In Victoria, acupuncturists, Chinese medicine practitioners and Chinese herbal medicine practitioners are legally obliged to register with the Chinese Medicine Registration Board.
- Across Australia, police, the courts or a health review board may investigate the activities of a complementary therapist in the case of misconduct.

### Health and safety risks of complementary therapies

Many people believe that complementary therapies are safer than conventional medical treatments because they are more 'natural'. This is not necessarily true. Complementary therapies can cause harm if used incorrectly or by someone for whom they are unsuitable. For example:

- **Poor standard of care** – without regulation, there is no legal requirement that a complementary therapist is qualified, trained or experienced. A dodgy therapist can inflict harm on a patient.
- **Indirect harm** – relying on complementary therapies alone may delay a person's diagnosis and medical treatment. In the case of serious illnesses, such as cancer, a delay can lead to serious complications or death.
- **Side effects** – complementary medicines can cause unwanted and potentially dangerous side effects. For example, the herb feverfew can cause uterine contractions and possible miscarriage in pregnant women.
- **Drug interactions** – complementary medicines can interact with over-the-counter and prescription drugs. For example, ginkgo and chamomile may increase the risk of bleeding in people who take anticoagulant medicines such as warfarin and anti-inflammatory medicines such as aspirin.
- **Financial harm** – you are wasting your money if the complementary medicine isn't effective or appropriate. The TGA and the Australian Competition and Consumer Commission (ACCC) have strict guidelines on claims made by companies. However, there is no protection under Australian law if the product is bought from overseas.

### Issues for you and your doctor about complementary therapies

Doctors are expected to advise their patients on complementary therapies. However, the law and the medical profession are unclear about how much a medical doctor should know about complementary therapies.

Important issues for you to consider: include:

- There are many different complementary therapies available in Australia. It's not realistic to expect that a doctor should be familiar with all of them.
- A doctor's knowledge of complementary therapies may depend on their medical specialty. For example, a cancer specialist (oncologist) may know about complementary therapies specific to cancer, but have very little knowledge of any other kind.
- Many patients don't tell their regular doctor about their use of complementary therapies. Many patients incorrectly assume that the doctor will be judgemental or else won't understand.
- It is very important that you tell your doctor if you are receiving or planning to receive complementary therapy.
- Your doctor may have genuine misgivings about the safety of complementary therapies. Without regulation, standards of care differ from one therapist to the next. The evidence on a particular complementary medicine's efficacy, risks and benefits may not be clear.

- Your doctor may be reluctant to refer a patient for fear of malpractice. In some cases, a doctor is legally liable if their referral to a complementary therapist results in harm to the patient.

### **General safety suggestions for complementary therapies**

Be guided by your doctor, but general safety suggestions include:

- If you are concerned about your health, always see your doctor (GP) for diagnosis and treatment. Don't self-diagnose or seek diagnosis from a complementary therapist.
- Always consult with your doctor before taking a complementary medicine or embarking on a complementary therapy.
- Buy Australian-made complementary medicines that are labelled 'Registered Aust R' or 'Listed Aust R'.
- Be an informed consumer. Medical misinformation or 'cyberquackery' is rife on the internet. Consult with reputable websites about complementary medicines and therapies.
- Be wary of complementary medicines for sale on the internet. The products may be out-of-date, poor quality or fake. You should consult your doctor before purchasing **any** healthcare product on the internet – especially if it is a complementary healthcare product.

### **Where to get help**

- Your doctor
- Pharmacist
- Australian Government (TGA) – Office of Complementary Medicines Tel. (02) 6232 8634 or 1800 020 653 or TTY Tel. 1800 555 677 (then ask for 1800 020 653)
- Australian Competition and Consumer Commission (ACCC) Tel. 1300 302 502
- Medicines Line (Australia) Tel. 1300 MEDICINE (1300 633 424) – for information on prescription, over-the-counter and complementary medicines
- Adverse Medicines Events (AME) Line Tel. 1300 134 237
- Victorian Poisons Information Centre Tel. 13 11 26 – for advice when poisoning or suspected poisoning occurs and poisoning prevention information (24 hours, 7 days)
- NURSE-ON-CALL Tel. 1300 60 60 24 – for expert health information and advice (24 hours, 7 days)
- Complementary Healthcare Council of Australia Tel. (02) 6260 4022

### **Things to remember**

- Under Australian law, a complementary medicine is assessed for the safety and quality of its ingredients, but not always for how well it works.
- Avoid the temptation to self-diagnose and self-medicate.
- Always consult with your doctor before taking a complementary medicine or embarking on a complementary therapy.

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