



22 September 2011

Maree Gunn  
New Zealand Audiological Society  
P O Box 9724  
Newmarket  
AUCKLAND 1149

By email: executiveofficer@audiology.org.nz

Dear Ms Gunn

**Submission on:  
NZAS inquiry into ethical rules re audiologists who dispense hearing aids  
in retail clinics owned by, or linked to, manufacturers of hearing aids.**

1. Thank you for the opportunity to make a submission on this inquiry. This submission is from Consumer NZ, New Zealand's leading consumer organisation. It has an acknowledged and respected reputation for independence and fairness as a provider of impartial, and comprehensive consumer information and advice.

Contact: David Naulls  
Consumer NZ  
Private Bag 6996  
Wellington 6141  
Phone: 04 384 7963  
Email: david@consumer.org.nz

## **2. Comments**

2.1 Consumer NZ believes there is the potential for a serious conflict of interest when audiologists promote products in which they have a financial interest. As the professional body for audiologists, we believe the NZAS should retain the provisions in its code of ethics that guard against this practice.

2.2 Consumers reasonably expect the advice they receive from an audiologist to be based on that person's medical expertise and to be free from commercial bias. We therefore do not believe it is appropriate for audiologists to use their contact with consumers to sell products in which they have a financial interest.

2.3 We would like to draw the association's attention to complaints made to the Health and Disability Commissioner concerning doctors selling products from

which they stand to benefit financially. In 2006, Commissioner Ron Patterson noted:

*... in the context of a doctor-patient relationship, there is an inherent power imbalance, and the doctor's recommendation of products or programmes in which the doctor has a financial interest is likely to be perceived by the patient as coercive. The doctor runs the risk of blurring the boundaries between medical practice and other commercial interests.<sup>1</sup>*

2.4 We believe the Commissioner's comments are equally relevant to the relationship between audiologists and consumers. Where advice is skewed by commercial considerations, there is a very real risk the consumer will be exploited. Our view is that situations where health professionals seek to promote particular products are undesirable.

2.5 The NZAS code of ethics recognises the need for audiologists to maintain their independence from manufacturers and contains clauses that prevent members from dispensing products in which they have a financial interest (i.e., clauses 4.1, 4.2, 4.5). We would like to see these provisions retained.

Thank you for the opportunity to make a submission on this inquiry. If you require any further information, please do not hesitate to contact me.

Yours sincerely

David Naulls  
Deputy Chief Executive

---

<sup>1</sup> Paterson, Ron. 2006. "Peddling products to patients". Retrieved 20 September 2011 from <http://www.hdc.org.nz/publications/other-publications-from-hdc/articles/2006/peddling-products-to-patients>