

Opinion 8.062, "Sale of Non-Health-Related Goods from Physicians' Offices"

...Physicians should not sell non-health-related goods from their offices or other treatment settings, with the exception noted below.

Physicians may sell low-cost non-health-related goods from their offices for the benefit of community organizations, provided that (1) the goods in question are low-cost; (2) the physician takes no share in profit from their sale; (3) such sales are not a regular part of the physician's business; (4) sales are conducted in a dignified manner; and (5) sales are conducted in such a way as to assure that patients are not pressured into making purchases.

It is important for physicians to limit in-office sales to those that serve the immediate and pressing needs of patients. As with prescription products, if a product is available at a local pharmacy, physicians should avoid selling it from their offices.

In-office sales of health-related products that are available only through physicians and offer a unique benefit to patient health raise particular concerns. Since patients are unable to purchase an equivalent product elsewhere, physicians have a monopoly on the market, and patients are captive consumers. Exclusive arrangements such as these are troublesome because they force patients either to purchase the product from their physician or to forgo the recommended treatment. If a physician strongly believes that a patient needs the product that is available only through physician-distributorship, then he or she should encourage the manufacturer to make the product accessible through alternative existing structures such as pharmacies.

Should it be deemed necessary to sell a health-related product from a physicians office, see also Opinion 8.03, "Conflicts of Interest Guidelines;" Opinion 8.032, "Conflict of Interest: Physician Ownership of Medical Facilities;" Opinion 3.01, "Nonscientific Practitioners;" Opinion 8.20, "Invalid Medical Treatments."

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