

Pharmacy Business Ownership Bill 2023

Submission No: 31
Submitted by: Helen Owen
Publication: Making the submission and your name public
Attachments: See attachment
Submitter Comments:

Committee Secretary
Economics and Governance Committee
Parliament House
George Street
Brisbane Qld 4000

Via: EGC@parliament.qld.gov.au

16 January 2024

Dear Sir,

RE: Inquiry into the Pharmacy Business Ownership Bill 2023

My name is Helen Owen, a community pharmacist and the proud owner of four pharmacies in Queensland:

- Cains Pharmacy, Pittsworth (In Partnership)
- Lockyer Valley Pharmacy, Gatton (In Partnership)
- Rainbow Beach Pharmacy, Rainbow Beach (In Partnership)
- Dalby Wholelife Pharmacy & Healthfoods, Dalby

With a professional tenure spanning over five decades, my endeavours as a pharmacist have been dedicated to serving our communities, optimizing health outcomes and providing employment opportunities for over 1000 Queenslanders. Presently, our employment proudly comprises approximately 75 staff.

Following a comprehensive review of the proposed bill, I am broadly supportive of its overarching goals. However, I want to draw some attention to certain intricacies in the drafting that, if not addressed, could introduce ambiguity and potential loopholes contrary to the legislation's intent.

Community pharmacies provide a personalized approach to patient care. They are often viewed as community healthcare hubs, providing not just medications but also health advice, preventive services and a close relationship with patients. They are contributing to the local economy by employing local staff, purchasing from local suppliers and supporting community initiatives.

Pharmacists value the autonomy to make decisions based on professional and community needs. Corporate structures have the potential to compromise the professional autonomy of pharmacists by imposing centralized policies that prioritize financial considerations and shift the focus away from community minded healthcare services. Profits diverted to corporate shareholders are drained from the local ecosystem and not reinvested in the local community.

Contrary to the potential repercussions of corporate ownership, community pharmacies, driven by the ethos of small businesses, are dedicated to achieving better clinical outcomes, improved community health and fostering the prosperity of the community, particularly in rural areas. In stark contrast, the profit-driven motives of corporate entities could compromise the reinvestment of time, professionalism and money into local production, negatively impacting the very essence of community pharmacy in Australia.

The current legislative framework, as outlined in the Pharmacy Business Ownership Act (PBOA) 2001, has faced challenges from certain pharmacy groups within Queensland. These groups exploit proxies,

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intricate accounting and pseudo-legal structures to maintain proprietary and pecuniary interests in their businesses. Unfortunately, the previous Act and administration by Queensland Health falls short of upholding the legislative intent by not clearly determining the true financial and managerial control of pharmacies, as highlighted by the 2018 Queensland Audit Office (QAO) report.

The existing administration by Queensland Health for pharmacy registrations is being circumvented by corporate entities, masking the true ownership. Utilizing complex contracts and financial strategies, these entities channel profits away from the business to undisclosed owners. The legitimacy of these strategies as market-competitive business transactions remains challenging to ascertain without adequate industry expertise.

To fortify the intent of the PBOA, proposed amendments to the legislation include:

Primarily:

1. A Queensland Pharmacy Council (QPC) equipped with **majority** pharmacy owners, ample resources and a published license holder list.
2. To adopt a broader definition of 'core pharmacy services' as 'pharmacy services' to include clinical functions of pharmacy services.
3. To provide a contemporary definition of a supermarket & digital health providers within a digital environment
4. To broaden the definition of 'interest' to include the words 'legal' and 'beneficial':
5. Implement significant enough penalties to ensure compliance of third parties contracts to prevent revenue syphoning.

Yours sincerely

Helen Owen

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