

IMPORTING GENERIC HIV ANTIRETROVIRAL MEDICATION

a guide to consumers

Getting access to antiretroviral medication (ARV) can be very difficult and expensive for people living with HIV (PLHIV) in Australia who don't have a Medicare card. PLHIV without a Medicare card often seek other ways of getting treatments.

One way to access treatment is to import medication. Low-cost generic ARV medication has helped many people in resource-limited countries around the world to access treatment. Unfortunately, complex legal frameworks exist around producing and accessing these medications, both in Australia and internationally.

In Australia, the Therapeutic Goods Administration (TGA) is responsible for the regulation of pharmaceutical goods and medical devices. The TGA has a Personal Import Scheme for unapproved medicines that are for personal use. This means that the Personal Import Scheme allows PLHIV to buy ARV from outside Australia for their own use, as long as they have the correct Australian prescription. In Australia, only a doctor with the authority to prescribe Section 100 pharmaceuticals can write a prescription for ARV medication.

Not all drugs are available

Services that sell ARV medication online provide generic versions of ARV. There are not the same numbers of drugs being manufactured by generic manufacturers and many of these drugs tend to be older ARV, some of which are no longer commonly used in Australia (such as D4T). Newer ARV still covered by patents may not be available at all or may be much more expensive to purchase if they are available. The reduced range of ARV that are available can have serious implications for some PLHIV, e.g. some PLHIV can have serious side effects or develop resistance to first line therapies.

Dealing with Customs and Quarantine

All parcels imported into the country must go through the Australian Customs Service. Any medication imported into Australia without the correct Australian prescription may be confiscated and destroyed. People using offshore pharmaceuti-

Key Points:

- You are allowed to bring in HIV drugs for your own use
- Order the items off the internet (maximum 3 months supply)
- You must have a credit or debit card
- You may need to fax a copy of your scripts to the website.
- Keep copies of your scripts in case customs need to see them

cal providers **MUST** get an Australian prescription regardless of whether the service selling the ARV requires a prescription or not.

If your package is inspected and all documentation is not in order, the Australian Quarantine and Inspection service may issue the importer with a seizure notice. You may then have to make contact with the Quarantine service and provide documentation (e.g. your Australian prescription). Once the inspection is finished you can choose to either have the package delivered OR collect the package from the Quarantine office. You may be charged fees for the cost of the inspection. If you do not reply to the seizure notice the package will be held for 30 days and then destroyed.

The Australian Customs Service may charge 'Import fees' in Australia if the value of the drugs being imported is more than \$1000. The package will still be delivered to your address by the freight transporter and you will be invoiced by Customs for the import charges. This may add 5-10% to the cost.

Problems with suppliers/websites

Unfortunately, the biggest problem experienced by people using offshore pharmaceutical suppliers is reliability. As the suppliers are offshore (and usually internet-based) there is no guarantee that medication will be delivered, or delivered on time. Some services that were considered reliable become unreliable. If you import medication you run the risk

of losing your money from unreliable suppliers and being left without ARV medication for periods of time. Websites/suppliers often sell in US dollars, so any changes in the exchange rate can affect the cost of medications. The price of ARV medication may change from site to site, so it is a good idea to check more than one site to compare prices. Delivery charges and delivery times may vary and should also be taken into account.

The legal situation

The Australian Therapeutic Goods Administration's information page on the "personal import scheme for unapproved medicines" can be found at: <http://www.tga.gov.au/hp/access-personal-import-scheme.htm> (accessed 19 November 2012).

In summary, you may get a three month supply (at the maximum dose recommended by the manufacturer) of unapproved medicines into Australia in any one importation without approval by the TGA provided that:

1. the goods are for the treatment of you or your immediate family; and
2. you do not supply (sell or give) the medicine to any other person; and
3. the goods do not contain a controlled substance listed in Appendix A or Appendix B of the Consumer Product Information (CPI) Regulations; and
4. the goods are not injections that contain material of human or animal origin (except insulin); and
5. the total quantity of the medicine imported within 12 months is less than 15 months supply of the drug (at the maximum dose recommended by the manufacturer); and
6. if the goods (and most HIV medicines are) are in Schedule 4 or 8 of the Standard for the Uniform Scheduling of Drug and Poisons, a prescription from a doctor is held for the goods.

Where can I purchase the ARV?

To assist you in finding a supplier, we have provided below a short list of some websites that sell ARV medication.

We do not recommend any particular website or supplier and cannot guarantee their current reliability. You may find other better sites for price, reli-

ability and/or ARV range. Always do your research and ask questions of the supplier(s). Purchasing ARV overseas is a personal choice.

In the past, patients at The Albion Centre have successfully used:

<http://www.inhousepharmacy-europe.com/> and
<http://www.inhousepharmacy.biz/>
www.aids-drugs-online.com
www.emcure.co.in

Other sites we are aware of are:

www.medrx-one.com
www.aclepsa.com

This information sheet is based on our experience at The Albion Centre in assisting PLHIV to access medications using the TGA's Personal Importation Scheme, and on an article by Jason Appleby published in the HIV Australia, (Vol 6, No 4), which is the magazine of the Australian Federation of AIDS Organisations.

***DISCLAIMER:** This information sheet is intended as general information only. It cannot take into account all your personal circumstances. If you choose to use personal importation as a way of accessing medication it is your own personal independent decision and all liability and risk rests with yourself.