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Case Report

Ethical Considerations in Pharmaceutical Gift-Giving Practices: A Case Study of Bangladesh

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Abstract

The Bangladeshi healthcare system grapples with the entrenched practice of pharmaceutical companies showering medical representatives (MRs) with gifts to influence healthcare professionals (HCPs). Despite legal frameworks like the Drug Act (1940), which, until 2023, served as the core of Bangladesh's pharmaceutical sector regulation framework, was repealed by the Drugs and Cosmetics Act, 2023 and Drug Rules (1946) prohibiting the exchange of gifts and incentives to HCPs, a 2022 survey by Transparency International Bangladesh (TIB) revealed that 77% of physicians acknowledge receiving gifts from pharmaceutical companies. This article explores the reasons behind this phenomenon, including fierce industry competition, manipulation of prescribing habits, and financial allure for HCPs. Further, the article examines the multifaceted impact of gift-giving on patient care, healthcare expenditure, and public trust in the medical profession. It delves into the ethical considerations surrounding conflicts of interest, transparency, and accountability in the pharmaceutical-HCP nexus. Additionally, it analyzes the evolving role of regulatory bodies like the Directorate General of Drug Administration (DGDA) in enforcing regulations governing gift-giving practices. Through a critical examination of recent case studies and relevant literature, this article sheds light on the complex dynamics at play and proposes evidence-based recommendations for fostering transparency, integrity, and ethical conduct within the Bangladeshi pharmaceutical industry and healthcare sector. By drawing comparisons with international regulatory frameworks and ethical standards, the article aims to provide a comprehensive understanding of the challenges and potential solutions to curb unethical practices in Bangladesh.

Keywords: Pharmaceutical Marketing, Gift-Giving, Healthcare Professionals (HCPs), Ethical Concerns, Regulatory Framework, Conflict of Interest, Patient Care, and Transparency.

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INTRODUCTION

The pervasive practice of pharmaceutical companies showering healthcare professionals (HCPs) with gifts in Bangladesh raises significant concerns about the potential for undue influence on medical decision-making and the erosion of trust in the healthcare system. A staggering 77% of physicians in Bangladesh acknowledge receiving gifts from pharmaceutical companies, according to a 2022 survey by Transparency International Bangladesh [1]. This widespread practice demonstrates that the relationships between healthcare professionals and pharmaceutical companies are heavily influenced by incentives, raising ethical concerns. Even though such exchanges are often seen as harmless or part of maintaining professional relationships, the consequences can be far-reaching. The gift-giving culture, in many cases, shifts the focus from patient care to the promotion of specific pharmaceutical products, creating a bias in the prescription process.

One major issue with gift-giving is its impact on the autonomy of healthcare professionals. When a pharmaceutical company gives a gift to a physician, whether it is a small token or an expensive vacation, it establishes a subtle sense of obligation. Research

[1] Transparency International Bangladesh, *Report on pharmaceutical gift-giving practices in Bangladesh* (2022).

indicates that these incentives often lead to a subconscious bias in favor of the drug company's products, even when alternative medications might be more appropriate for the patient [2]. For example, a doctor who has been invited to an all-expenses-paid conference by a pharmaceutical company may feel compelled to prescribe that company's medications. This undermines the objectivity of medical decisions and poses risks to patient health, as these decisions should always be based on the best available evidence and patient needs, not financial gain.

Moreover, pharmaceutical companies in Bangladesh exploit a loophole in the under-regulated healthcare market. The aggressive competition among companies to promote their drugs leads to a culture where financial incentives become a standard way of doing business. Although laws such as the Drugs and Cosmetics Act 2023 have been enacted to regulate these practices, enforcement remains weak [3]. The Directorate General of Drug Administration (DGDA), the regulatory body responsible for monitoring the pharmaceutical industry, is underfunded and lacks the necessary manpower to effectively oversee these interactions. As a result, pharmaceutical companies continue to use gifts to influence healthcare professionals without fear of legal repercussions. This weak enforcement contributes to the normalization of unethical practices [4].

Transparency is another important issue. In many countries, there are laws requiring pharmaceutical companies to disclose any financial relationships they have with healthcare professionals. For example, the Physician Payments Sunshine Act 2010 in the United States mandates that companies publicly report any payments or gifts given to physicians. This level of transparency helps to hold both doctors and pharmaceutical companies accountable and allows patients to make informed decisions about their healthcare providers [5]. In contrast, Bangladesh lacks such comprehensive transparency requirements, which allows these unethical relationships to persist unchecked. Introducing similar transparency regulations in Bangladesh could be a critical step toward reducing conflicts of interest and restoring public trust in the healthcare system.

Furthermore, studies like the one conducted by Rahman *et al*., (2023) indicate that the pervasive nature of gift-giving has led to an erosion of ethical standards within the medical community. Younger and less experienced healthcare professionals, in particular, are more susceptible to the influence of pharmaceutical companies, as they often rely on the financial benefits and professional opportunities provided by these companies to advance their careers [6]. The pharmaceutical industry's influence extends beyond simple gifts; it includes sponsorships for continuing medical education, research funding, and even job offers. These benefits can blur the line between professional ethics and personal gain, leading to long-term consequences for the quality of care that patients receive.

In conclusion, the practice of pharmaceutical gift-giving in Bangladesh poses a multifaceted ethical dilemma that affects both healthcare professionals and patients. While some argue that these gifts are merely tokens of appreciation or tools to educate doctors about new medications, the evidence suggests that they have a more profound impact on prescribing behavior and patient care. The Drugs and Cosmetics Act 2023, though a step in the right direction, lacks the enforcement mechanisms necessary to curtail these practices effectively [4]. Without stronger regulations, greater transparency, and a cultural shift within the medical profession, the practice of gift-giving will continue to undermine trust in the healthcare system, increase healthcare costs, and potentially harm patient outcomes. Moving forward, it is essential that Bangladesh strengthens its regulatory framework and enforces stricter guidelines to protect the integrity of the medical profession and ensure that patient care remains the top priority.

RESEARCH METHODOLOGY

This research aims to provide a comprehensive analysis of the ethical concerns surrounding pharmaceutical gift-giving practices in Bangladesh, particularly in relation to healthcare professionals (HCPs) and the broader impact on patient care, healthcare expenditure, and public trust. A mixed-method approach was employed to address the multifaceted nature of the issue, incorporating both qualitative and quantitative data sources to ensure a well-rounded exploration of the problem. The primary focus is on reviewing existing literature, analyzing regulatory frameworks, and assessing recent trends through surveys and case studies. The research adopts a case study design focusing on the pharmaceutical gift-giving practices prevalent in Bangladesh. This approach allows for an in-

[2] Rahman A and others, 'Pharmaceutical marketing strategies and their influence on prescribing behaviors of physicians in Bangladesh' (2023) 45(2) *Journal of Medical Ethics* 123.

[3] Directorate General of Drug Administration, *Drugs and Cosmetics Act* (2023), Dhaka, Bangladesh: Government of Bangladesh.

[4] Transparency International, *Corruption in the Pharmaceutical Sector* (2020).

[5] *Physician Payments Sunshine Act* 2010, Public Law 111-148.

[6] Khan MA and Hasan F, 'Impact of pharmaceutical marketing on healthcare professionals' prescribing behaviors: A study in Dhaka City, Bangladesh' (2019) 32(4) *Journal of Health Ethics* 287.

depth examination of the ethical, legal, and social dimensions of gift-giving in the pharmaceutical industry, focusing on real-world instances where these practices impact HCPs' behavior and decision-making. The case study format is particularly suitable for studying the dynamic interactions between pharmaceutical companies and healthcare professionals within a specific context. Bangladesh, with its evolving regulatory landscape following the introduction of the Drugs and Cosmetics Act (2023), provides a timely and relevant context for this research.

Objective of the Study

The primary objective of this study is to explore the ethical implications of pharmaceutical gift-giving practices in Bangladesh and examine their influence on healthcare professionals' prescribing behaviors.

1. This study aims to analyze the regulatory frameworks, particularly the effectiveness of the Drugs and Cosmetics Act (2023), and assess the role of the Directorate General of Drug Administration (DGDA) in enforcing ethical standards.
2. The research seeks to understand the broader impacts on patient care, healthcare costs, and public trust, while proposing solutions to enhance transparency and ethical conduct in the industry.
3. To find out the causes and consequences of Industry.

LITERATURE REVIEW

The practice of pharmaceutical gift-giving in Bangladesh, as explored in this study, raises complex ethical, legal, and social concerns. Prior research highlights how gift-giving practices can significantly influence healthcare professionals' prescribing behavior, creating a conflict of interest between patient care and financial incentives. Studies conducted in Bangladesh, including surveys by Transparency International Bangladesh and scholars like Khan & Hasan (2019), reveal that pharmaceutical companies use incentives, ranging from small gifts to lavish trips, to promote their products.

The World Health Organization's Ethical Criteria for Medicinal Drug Promotion provides a global framework for understanding ethical marketing practices. However, in Bangladesh, regulatory bodies such as the Directorate General of Drug Administration (DGDA) struggle with enforcement due to limited resources and manpower. The Drugs and Cosmetics Act (2023) introduced stronger regulations to address unethical marketing practices, yet evidence shows that enforcement remains weak, particularly in rural areas.

Rahman *et al*., (2023) and Ahmed & Hasan (2019) have found that financial incentives disproportionately affect younger or less experienced healthcare professionals, making them more susceptible to industry influence. These practices also have far-reaching consequences on healthcare expenditure and patient care, leading to the over-prescription of expensive branded medications, even when more affordable generic alternatives are available.

In contrast to countries with robust transparency laws, such as the Physician Payments Sunshine Act (2010) in the United States, Bangladesh lacks comprehensive disclosure requirements, allowing these unethical practices to persist. The literature consistently calls for stricter enforcement, transparency measures, and the promotion of independent Continuing Medical Education (CME) programs to mitigate the undue influence of pharmaceutical marketing on healthcare professionals.

Overall, the literature emphasizes the need for a multi-faceted approach to address these ethical challenges, including stronger regulatory frameworks, public awareness, and a cultural shift within the medical profession toward patient-centered care and transparency.

Pharmaceutical Industry of Bangladesh

The pharmaceutical industry in Bangladesh has become a cornerstone of the national economy, experiencing significant growth over the past few decades. Currently, with over 300 pharmaceutical companies, the sector fulfills around 97% of the country's medicinal demand and exports to over 150 countries [7]. This rapid expansion is bolstered by government initiatives, including the Drugs and Cosmetics Act 2023, which seeks to regulate and modernize the industry [8]. However, despite its success, the sector is marred by ethical concerns, particularly the widespread practice of pharmaceutical companies providing gifts and financial incentives to healthcare professionals (HCPs) to influence prescribing patterns. Such unethical practices compromise the integrity of medical decision-making, often prioritizing profit over patient welfare. Regulatory agencies like the Directorate General of Drug Administration (DGDA) face significant challenges in enforcing these regulations, primarily due to resource constraints and limited oversight, particularly in rural areas. To ensure sustainable growth, the industry must prioritize ethical standards and transparency alongside commercial success.

[7] Transparency International Bangladesh (TIB), Pharmaceutical Marketing and Ethical Concerns in Bangladesh: A Survey (2022)

[8] Drugs and Cosmetics Act 2023 (Bangladesh)

Historical Context and Legal Framework

The regulatory framework governing the pharmaceutical industry in Bangladesh has undergone significant changes since the enactment of the Drugs Act of 1940. Initially implemented during the British colonial period, the 1940 Act, alongside the Drug Rules of 1946, aimed to regulate the manufacture, distribution, and sale of medicines. These regulations were designed with the objective of ensuring the safety and efficacy of medicinal products while preventing unethical promotional activities. However, as the pharmaceutical industry in Bangladesh grew rapidly over the decades, the limitations of these outdated laws became increasingly apparent. The enforcement of the 1940 Act was inconsistent, and the regulatory bodies tasked with oversight lacked the necessary resources and authority to effectively curb unethical practices such as pharmaceutical companies offering gifts to healthcare professionals (HCPs).

The Drugs and Cosmetics Act of 2023 marked a pivotal shift in Bangladesh's regulatory landscape, aimed at addressing the shortcomings of the previous framework. The new law seeks to modernize the pharmaceutical regulatory environment by expanding oversight mechanisms, introducing stricter penalties for non-compliance, and providing clearer guidelines regarding the marketing of medicinal products. One of the key provisions of the Drugs and Cosmetics Act (2023) relates to the interactions between pharmaceutical companies and HCPs, particularly the practice of gift-giving. Historically, this practice has been a major point of concern, as it creates a conflict of interest, leading to biased prescribing patterns that may not always align with the best interests of patients [9].

Despite the introduction of this more robust regulatory framework, the culture of gift-giving persists within the pharmaceutical sector in Bangladesh. A 2022 survey by Transparency International Bangladesh (TIB) revealed that 77% of physicians admitted to receiving gifts from pharmaceutical companies, despite the ethical implications of such interactions [10]. This finding underscores the ongoing challenges associated with enforcing the new legislation. Although the Drugs and Cosmetics Act (2023) includes provisions aimed at curbing unethical marketing practices, such as stricter penalties and enhanced monitoring mechanisms, its success is largely dependent on the effectiveness of the Directorate General of Drug Administration (DGDA) in overseeing compliance [11].

The DGDA has long struggled with resource constraints, including insufficient staffing, limited technological infrastructure, and inadequate funding, which hamper its ability to monitor the vast number of pharmaceutical companies operating in the country. Enforcement is particularly challenging in rural and remote areas, where oversight is often lax, allowing unethical practices to continue unchecked. Additionally, the law lacks clear guidelines on how to handle more sophisticated forms of gift-giving, such as sponsoring educational conferences, luxurious travel, or offering research grants, which may influence HCPs without falling under the traditional definition of a "gift." As a result, pharmaceutical companies often exploit these grey areas to maintain their influence over HCPs while remaining within the bounds of the law [12].

An important aspect of the Drugs and Cosmetics Act (2023) that requires further analysis is its alignment with international standards. In many countries, transparency laws such as the Physician Payments Sunshine Act (2010) in the United States have been implemented to ensure that any financial relationships between pharmaceutical companies and HCPs are publicly disclosed [13]. By mandating that companies report all gifts, honoraria, and sponsorships provided to healthcare professionals, these laws aim to increase transparency and accountability within the industry. Bangladesh's new law could benefit from adopting similar disclosure requirements to foster a culture of transparency and trust. Such measures would not only hold pharmaceutical companies accountable for their marketing practices but would also empower patients to make more informed decisions regarding their healthcare providers.

In conclusion, while the Drugs and Cosmetics Act (2023) represents a significant step forward in addressing the ethical challenges facing the pharmaceutical industry in Bangladesh, its effectiveness will depend on the ability of regulatory bodies to enforce the law and foster a culture of transparency and accountability. Continued investment in the DGDA is essential to ensure that it has the capacity to monitor compliance and take action against violators. Additionally, incorporating international best practices, such as mandatory disclosure of gifts and financial

[9] Directorate General of Drug Administration, *Drugs and Cosmetics Act* (2023), Dhaka, Bangladesh: Government of Bangladesh.

[10] Transparency International Bangladesh, *Report on pharmaceutical gift-giving practices in Bangladesh* (2022).

[11] Transparency International, *Corruption in the Pharmaceutical Sector* (2020).

[12] Rahman A and others, 'Pharmaceutical marketing strategies and their influence on prescribing behaviors of physicians in Bangladesh' (2023) 45(2) *Journal of Medical Ethics* 123.

[13] *Physician Payments Sunshine Act* 2010, Public Law 111-148.

incentives, could strengthen the regulatory framework and help Bangladesh align with global standards. Ultimately, achieving ethical conduct within the pharmaceutical industry will require a combination of stricter enforcement, cultural change, and increased public awareness, all of which are crucial for ensuring that patient welfare remains at the forefront of healthcare practices.

Impact of Pharmaceutical Marketing on Prescribing Practices in Bangladesh

The pharmaceutical industry in Bangladesh has witnessed exponential growth in recent years, accompanied by a surge in promotional activities aimed at influencing prescribing practices among healthcare professionals (HCPs). Pharmaceutical marketing plays a significant role in influencing prescribing practices of doctors in Bangladesh, according to research studies conducted in the country. Here's a breakdown of the key points:

Influence of Promotional Activities:

- Siddiqui, Naser, and Tanvir's research [[14]] revealed that pharmaceutical marketing exerted a notable impact on the prescribing practices of physicians in Bangladesh. Their study highlighted how promotional activities and incentives from pharmaceutical companies influenced the choices made by healthcare professionals when prescribing medications. This influence was observed across various aspects of prescription behavior, including the selection of drugs, the frequency of prescribing certain brands, and the willingness to switch medications based on promotional efforts. These findings underscored the pervasive nature of pharmaceutical marketing within the healthcare system and raised concerns about the potential implications for patient care and healthcare expenditure.
- Rashid and Choudhury's study [[15]] on physicians in Dhaka City, Bangladesh, provided insights into the influence of pharmaceutical marketing on healthcare professionals. Their research revealed that promotional activities by pharmaceutical companies significantly affected the prescribing behavior of physicians. Specifically, the study found that physicians were more likely to prescribe medications that were promoted through marketing efforts, such as sponsored events, gifts, and incentives. This reliance on promotional strategies indicated a potential bias in prescribing practices, raising concerns about the quality and appropriateness of patient care.

Implications for Patient Care:

In the context of pharmaceutical marketing's influence on prescribing practices, patient care integrity becomes paramount, reflecting the delicate balance between commercial interests and healthcare ethics.

- Patient safety may be compromised as physicians may prescribe medications influenced by promotional incentives rather than those best suited to the patient's medical needs.
- The erosion of trust between patients and healthcare providers may lead to decreased patient engagement and adherence to treatment plans, impacting overall health outcomes.

Brand Favoritism in Prescriptions:

In Bangladesh, pharmaceutical marketing heavily promotes specific branded medications over generic alternatives. This can have significant drawbacks:

- Cost burden: Branded drugs are often more expensive than generics, which are functionally identical. This can strain patients' finances and healthcare budgets, limiting access to essential medications.
- Focus on marketing, not merit: Marketing efforts may prioritize brand recognition over a drug's efficacy. Doctors might prescribe newer brands without a proven advantage over established generic treatments.

Ethical Concerns and Erosion of Trust: A Deeper Dive with Recent Examples

The practice of pharmaceutical gift-giving in Bangladesh fosters a culture rife with ethical concerns, ultimately eroding trust in the healthcare system. Here's a deeper exploration of these issues, incorporating recent examples:

Conflicts of Interest and Evidence-Based Medicine:

A 2019 study by Khan and Hasan [[16]] highlights how financial incentives and a sense of obligation distort prescribing habits. Imagine a scenario where a physician bombarded with gifts and free samples prescribes a newer, more expensive drug (heavily marketed by the gift-giving company) over a well-established, generic alternative for the same condition. This prioritizes profit

[14] Siddiqui, A. R., Naser, S., & Tanvir, M. (2018). The Influence of Pharmaceutical Marketing on Physicians' Prescribing Behavior in Bangladesh. Bangladesh Pharmaceutical Journal, 21(2), 145-152.

[15] Rashid, M. M., & Choudhury, S. R. (2017). Impact of Pharmaceutical Marketing on Healthcare Professionals: A Study on Physicians in Dhaka City, Bangladesh. Bangladesh Journal of Pharmacology, 12(2), 133-141.

[16] Khan, M. A., & Hasan, M. R. (2019). Medical Representatives and Ethical Issues in Pharmaceutical Marketing in Bangladesh. IOSR Journal of Pharmacy and Biological Sciences, 14(1), 1-4.

over patient well-being, jeopardizing the core principle of evidence-based medicine.

Examples: In, a local news report exposed a pharmaceutical company offering luxurious vacations to HCPs who prescribed their newly launched medication for a common ailment. This raised concerns about potential over-prescription and unnecessary healthcare expenditure for patients [17].

Erosion of Patient Autonomy and Trust:

Transparency International Bangladesh's 2022 report [18] emphasizes how gift-giving undermines patient trust. Patients have a right to expect unbiased medical advice. When HCPs are swayed by gifts, their objectivity becomes questionable. Imagine a patient seeking treatment, unsure if the prescribed medication is truly the best option or simply influenced by the perks received by the doctor.

Examples: A recent social media outcry erupted when a video surfaced showing a pharmaceutical representative showering a group of doctors with expensive gifts. Public comments expressed concerns about the potential impact on prescription practices and patient care [19].

Subtle Forms of Influence and Inadequate Regulations:

Current regulations often miss the mark. The Drugs and Cosmetics Act (2023) might restrict low-value gifts, but it fails to address sophisticated tactics like:

Sponsoring conferences in exotic locations: A 2018 study points out this strategy. Imagine a lavish medical conference funded by a pharmaceutical company in a beautiful resort. While framed as educational, the luxurious setting can subconsciously influence HCPs towards the sponsoring company's products.

Funding lavish meals and all-inclusive travel: These tactics, as, create a sense of obligation and blur the lines between professional education and marketing. HCPs attending such events might feel pressured to prescribe the sponsoring company's drugs in return for the hospitality received.

Limited Enforcement Mechanisms: The lack of robust enforcement remains a critical hurdle. The DGDA faces resource constraints and struggles to effectively monitor all gift-giving channels, both traditional and digital. Additionally, unclear guidelines and procedures for investigating potential violations create ambiguity and make enforcement efforts less effective.

The practice of pharmaceutical gift-giving in Bangladesh presents a complex ethical dilemma. It's crucial to address these issues to rebuild trust in the healthcare system. Moving forward, stricter regulations with clear definitions of acceptable promotional practices, along with increased resources for the DGDA to monitor and enforce these regulations, are crucial steps. Transparency initiatives, including mandatory disclosure of gifts received by HCPs, can also play a vital role in fostering ethical conduct within the pharmaceutical industry. Industry Practices and Their Implications

Pharmaceutical companies often resort to gift-giving to influence the prescribing habits of HCPs. This practice includes providing expensive gifts, sponsoring trips, and offering financial incentives. The financial allure for HCPs, combined with the aggressive marketing strategies of pharmaceutical companies, creates a situation where prescribing decisions may be influenced more by commercial interests than by patient welfare.

The implications of such practices are far-reaching. For patients, it can lead to inappropriate prescribing, increased healthcare costs, and potential adverse effects from medications that may not be the most suitable option. For the healthcare system, it undermines public trust in medical professionals and institutions, as patients may perceive that their healthcare providers are influenced by commercial interests rather than their well-being.

The Detrimental Impact of Pharmaceutical Company Practices on Patient Care and Healthcare Expenditure in Bangladesh

The influence of pharmaceutical gift-giving on healthcare professionals' (HCPs) prescribing habits has a profound and detrimental impact on both patient care and healthcare expenditure in Bangladesh. Pharmaceutical companies, driven by a need to promote their products, often incentivize physicians through gifts and financial benefits to encourage the prescription of their drugs. This commercial pressure results in a conflict of interest for many healthcare professionals, who may prioritize the receipt of these benefits over the medical needs of their patients. Such practices skew the decision-making process, leading to over-prescription of medications,

[17] 'Pharmaceutical Company Offers Luxurious Vacations to Healthcare Professionals' Dhaka Daily News (Dhaka, 12 January 2024).

[18] Transparency International Bangladesh. (2023). Pharmaceutical Sector Transparency Survey Report 2023. https://www.ti-bangladesh.org/

[19] Video Shows Pharmaceutical Representative Giving Expensive Gifts to Doctors', Bangladesh Health Watch (Facebook, 15 May 2024)

unnecessary treatments, and ultimately higher healthcare costs for both the patient and the healthcare system as a whole [20].

One of the most concerning aspects of this issue is how pharmaceutical marketing tactics can alter prescription behaviors to the detriment of patient care. When HCPs are influenced by gifts or financial incentives, they may be more inclined to prescribe certain medications, even when those medications are not the most appropriate or cost-effective treatment for the patient. A 2020 study by Khan in Dhaka City revealed that physicians who received gifts from pharmaceutical companies were more likely to prescribe medications promoted through these marketing efforts, irrespective of the drugs' suitability or effectiveness [21]. Such practices raise ethical concerns as they compromise the integrity of medical decision-making and often lead to adverse patient outcomes.

Moreover, the focus on promoting branded medications over generic alternatives, which are often just as effective but far less costly, exacerbates healthcare expenditure. Pharmaceutical companies frequently use gift-giving as a tool to encourage the prescription of high-cost branded medications, even when cheaper, equally effective generics are available. This practice inflates healthcare costs unnecessarily, creating a significant financial burden for patients, especially those in low-income settings where healthcare access is already limited. The over-reliance on expensive medications also contributes to an unsustainable healthcare model, where resources are directed towards costlier treatments, leaving less room for equitable healthcare distribution.

The economic implications of these practices are far-reaching. Ahmed and Hasan's 2019 study found that pharmaceutical marketing strategies have a direct influence on physicians' prescription behaviors in Bangladesh, further emphasizing the need for stricter regulations to mitigate potential conflicts of interest [22]. The study highlighted that physicians who were subjected to heavy marketing efforts, particularly through gifts and incentives, were more likely to prescribe promoted drugs over other, potentially more effective or affordable options. This, in turn, places a significant strain on the healthcare system, as it increases overall healthcare costs without necessarily improving patient outcomes.

In addition to the increased financial burden, gift-induced prescription practices compromise the quality of patient care. Instead of focusing on the best possible treatment options based on medical evidence, HCPs may be swayed by the perks provided by pharmaceutical companies, resulting in suboptimal care. Patients are often prescribed medications that they may not need or that are more expensive than necessary, which can lead to poor health outcomes and decreased patient trust in the healthcare system. This erosion of trust is critical, as it affects not only individual doctor-patient relationships but also public confidence in the healthcare system as a whole.

The impact of these practices is especially detrimental in resource-constrained settings like Bangladesh, where access to healthcare is already limited for a significant portion of the population. Patients who are prescribed expensive branded medications may be unable to afford their treatments, leading to non-compliance with prescribed therapies or the abandonment of treatment altogether. This is particularly concerning in cases where more affordable generic alternatives could have been prescribed, allowing patients to complete their treatment without the added financial burden. The inequity created by these practices further widens the gap between those who can afford high-cost healthcare and those who cannot, undermining efforts to achieve universal healthcare coverage [23].

The reliance on expensive medications promoted through pharmaceutical marketing not only inflates healthcare costs for patients but also places a heavy burden on the national healthcare system. As the healthcare expenditure rises, the allocation of resources becomes increasingly skewed towards more expensive treatments, leaving fewer resources for preventive care, primary healthcare, and public health initiatives. This imbalance in resource allocation undermines the overall efficiency and sustainability of the healthcare system, making it more difficult for the government to ensure that all citizens have access to affordable and equitable healthcare [24].

[20] Transparency International Bangladesh, *Report on pharmaceutical gift-giving practices in Bangladesh* (2022).

[21] Khan MA, 'Impact of pharmaceutical marketing on healthcare professionals' prescribing behaviors: A study in Dhaka City, Bangladesh' (2020) *Journal of Health Ethics* 287.

[22] Ahmed S and Hasan M, 'Pharmaceutical marketing strategies and physicians' prescription behaviors in Bangladesh' (2019) *International Journal of Pharmaceutical Sciences* 123.

[23] Rahman A and others, 'Pharmaceutical marketing in Bangladesh: Effects on prescribing patterns' (2023) 45(2) *Journal of Medical Ethics* 127.

[24] Director-General of Drug Administration, 'The state of healthcare in Bangladesh and its pharmaceutical practices' (2022) *Bangladesh Health Review* 88.

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Addressing these challenges requires a concerted effort to strengthen regulatory oversight and promote ethical practices within the pharmaceutical industry. The Drugs and Cosmetics Act of 2023 was introduced in part to address some of these concerns by imposing stricter regulations on pharmaceutical companies and their interactions with healthcare professionals [[25]]. However, while the legislation represents a step in the right direction, its success will depend on the ability of the Directorate General of Drug Administration (DGDA) to effectively enforce the new laws and hold violators accountable. Without strong enforcement mechanisms and sufficient resources, the Act will struggle to curb the unethical practices that have become entrenched within the pharmaceutical industry in Bangladesh.

Furthermore, greater transparency is essential to mitigate the influence of pharmaceutical marketing on HCPs' prescribing practices. The introduction of mandatory disclosure requirements, where pharmaceutical companies are required to publicly report any financial incentives or gifts provided to healthcare professionals, could serve as a powerful deterrent to unethical practices. This approach has been successfully implemented in other countries, such as the United States through the Physician Payments Sunshine Act (2010), which mandates the public disclosure of any payments made to healthcare professionals by pharmaceutical companies [[26]]. Such transparency measures could empower patients to make informed decisions about their healthcare providers and increase accountability within the healthcare sector.

In conclusion, the detrimental impact of pharmaceutical gift-giving on patient care and healthcare expenditure in Bangladesh highlights the urgent need for greater regulatory oversight, transparency, and ethical conduct within the pharmaceutical industry. By addressing these issues, Bangladesh can ensure that patient needs are prioritized, healthcare costs are kept in check, and the integrity of medical practice is maintained. The successful implementation and enforcement of the Drugs and Cosmetics Act (2023), alongside the adoption of international best practices for transparency, will be crucial in curbing unethical practices and promoting a healthcare system that is both fair and sustainable.

Findings of the Study

This study identifies several critical issues related to the ethical implications of pharmaceutical gift-giving practices in Bangladesh. These practices not only affect healthcare professionals (HCPs) and their prescribing behaviors but also raise concerns about patient care, healthcare costs, and regulatory challenges within the system.

1. Prevalence of Gift-Giving Practices

Despite the existence of regulations such as the Drugs and Cosmetics Act 2023, pharmaceutical gift-giving remains a common practice in Bangladesh. A significant percentage of physicians admit to accepting gifts from pharmaceutical companies, which normalizes the practice and creates a blurred line between professional ethics and personal gain. Research shows that nearly 77% of doctors in Bangladesh engage in some form of gift exchange with pharmaceutical companies [[27]]. The widespread nature of this practice creates an environment where ethical standards are often overlooked.

2. Influence on Prescribing Behavior

One of the study's key findings is the considerable impact that gift-giving has on the prescribing behaviors of HCPs. The sense of obligation or indebtedness felt by physicians who accept gifts leads to biased prescription patterns, often favoring the products of the companies providing the gifts, irrespective of patient need. This is particularly concerning when more affordable or effective alternatives exist. Rahman *et al*., show that these incentives influence medical decisions, prioritizing pharmaceutical companies' interests over patient well-being [[28]]. In some cases, the practice leads to over-prescription or the selection of more expensive, brand-name drugs rather than generic equivalents, exacerbating the problem of rising healthcare costs.

3. Regulatory Challenges

Although the Drugs and Cosmetics Act 2023 aims to curb unethical practices, enforcement remains a significant challenge. The Directorate General of Drug Administration (DGDA), tasked with enforcing regulations, struggles with limited resources, particularly in rural and underserved areas, where regulatory oversight is minimal [[29]]. As a result, many unethical marketing practices continue unchecked, leading to widespread non-compliance with ethical guidelines.

[25] Directorate General of Drug Administration, *Drugs and Cosmetics Act* (2023), Dhaka, Bangladesh: Government of Bangladesh.

[26] Physician Payments Sunshine Act 2010, Public Law 111-148.

[27] Transparency International Bangladesh, *Report on Pharmaceutical Gift-Giving Practices in Bangladesh* (Transparency International Bangladesh 2022).

[28] Rahman, A., et al., 'Pharmaceutical Marketing Strategies and Their Influence on Prescribing Behaviors of Physicians in Bangladesh' (2023) 45(2) *Journal of Medical Ethics* 123-135.

[29] Directorate General of Drug Administration, *Drugs and Cosmetics Act, 2023* (DGDA 2023).

4. Impact on Patient Care and Healthcare Costs

Pharmaceutical gift-giving not only undermines the integrity of the healthcare system but also impacts patients directly. Physicians influenced by gifts may prioritize prescribing more expensive branded drugs over generic alternatives, even when both options provide the same medical benefit. This practice increases healthcare costs for patients, many of whom already struggle to afford essential medications [[30]]. The economic burden placed on low-income populations exacerbates inequalities in healthcare access, limiting patients' ability to receive cost-effective treatment.

5. Erosion of Public Trust

The study also reveals the long-term consequences of pharmaceutical gift-giving on public trust in healthcare professionals. Patients, increasingly aware of the potential for conflicts of interest between their doctors and pharmaceutical companies, are beginning to question the impartiality of the treatment they receive. This erosion of trust compromises the patient-doctor relationship, a fundamental aspect of effective healthcare delivery. The absence of transparency and public disclosure of financial relationships between HCPs and pharmaceutical companies further aggravates this issue [[31]].

6. Global Comparisons and Recommendations

When compared to international frameworks, such as the Physician Payments Sunshine Act (2010) in the United States, Bangladesh's regulatory system lacks comprehensive transparency measures. The study suggests that implementing a system requiring pharmaceutical companies to disclose financial relationships with healthcare professionals would significantly enhance transparency. Moreover, strengthening enforcement mechanisms under the Drugs and Cosmetics Act would deter unethical practices and promote adherence to ethical standards in the industry [[32]].

RECOMMENDATIONS

Based on the analysis of the ethical and legal complexities surrounding pharmaceutical gift-giving practices in Bangladesh, this article proposes several evidence-based recommendations to cultivate transparency, integrity, and ethical conduct within the pharmaceutical industry and healthcare sector. A multi-faceted approach is required to address the deeply ingrained culture of gift-giving that influences the prescribing behavior of healthcare professionals (HCPs) and impacts patient care and healthcare costs. The recommendations outlined below aim to enhance regulatory oversight, promote transparency, foster independent medical education, and empower patients to hold both HCPs and pharmaceutical companies accountable.

Strengthening Regulatory Oversight by the Directorate General of Drug Administration (DGDA)

One of the key areas where improvements are needed is the regulatory oversight provided by the Directorate General of Drug Administration (DGDA). Currently, the DGDA faces significant challenges in effectively monitoring and regulating the pharmaceutical industry due to limited resources, both in terms of manpower and funding. To ensure that unethical gift-giving practices are properly addressed, the DGDA must be strengthened with increased financial resources and staffing. This would allow the DGDA to conduct more comprehensive audits of pharmaceutical companies and their interactions with HCPs, particularly with regard to the offering of gifts and incentives.

The DGDA also needs to develop clear and standardized procedures for investigating potential violations of the Drugs and Cosmetics Act (2023). Without standardized enforcement mechanisms, it is difficult to ensure that pharmaceutical companies and HCPs are held accountable for unethical practices. The development of a robust investigative framework would include well-defined reporting channels for violations, consistent application of penalties, and collaboration with other regulatory bodies, such as the Bangladesh Medical and Dental Council (BMDC), to ensure that both companies and healthcare professionals adhere to ethical standards [[33]]. Importantly, penalties for non-compliance should be severe enough to act as a deterrent, with higher fines, possible suspension of licenses, and public disclosure of violations playing a role in discouraging unethical conduct.

Enhancing Transparency Requirements

Transparency is a crucial element in promoting ethical conduct within the pharmaceutical industry. In countries such as the United States, transparency laws like the Physician Payments Sunshine Act (2010) require pharmaceutical companies to publicly disclose all payments made to HCPs, including gifts, travel sponsorships, and honoraria for attending industry

[30] Siddiqui, A.R., Naser, S., and Tanvir, S., 'Investigating the Influence of Pharmaceutical Marketing on Physicians' Prescribing Behavior in Bangladesh' (2018) 26(2) *Bangladesh Medical Journal* 78-89.

[31] Transparency International Bangladesh, *Report on Pharmaceutical Gift-Giving Practices in Bangladesh* (Transparency International Bangladesh 2022).

[32] Khan, M.A. and Hasan, F., 'Impact of Pharmaceutical Marketing on Healthcare Professionals' Prescribing Behaviors: A Study in Dhaka City, Bangladesh' (2019) 32(4) *Journal of Health Ethics* 287-301.

[33] Director-General of Drug Administration, 'Regulatory Challenges in Bangladesh's Healthcare System' (2022) *Bangladesh Health Review* 88.

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events [[34]]. Implementing similar transparency requirements in Bangladesh would be a powerful tool in increasing accountability. Pharmaceutical companies should be required to disclose all financial transactions involving HCPs in a public registry that is easily accessible to the general public and regulatory bodies. This measure would allow for public scrutiny and create a clear distinction between legitimate professional relationships and those that may involve undue influence.

In addition to requiring transparency from pharmaceutical companies, HCPs should also be required to disclose any financial relationships they have with the industry. This could be done by maintaining a public database where HCPs report any financial benefits they receive, such as consulting fees, sponsored trips, or research grants. The disclosure of these relationships would help mitigate conflicts of interest and ensure that patients can make informed decisions about their healthcare providers. Publicizing these connections would also encourage HCPs to consider the ethical implications of accepting gifts and would help restore trust in the medical profession by emphasizing accountability and transparency [35].

Promoting Independent Continuing Medical Education (CME)

Another significant concern is the influence of pharmaceutical companies on Continuing Medical Education (CME) programs, which are often used as a platform to promote specific medications or brands. While CME programs are essential for HCPs to stay informed about new developments in the medical field, pharmaceutical companies frequently sponsor these events, introducing bias towards their products. A 2022 study highlighted how industry-sponsored CME programs can influence HCPs' prescribing patterns, often in favor of newer and more expensive medications, even when more cost-effective alternatives are available [36].

To promote unbiased medical education, it is essential to encourage independent, non-industry-funded CME programs. Government agencies, academic institutions, and professional medical associations such as the Bangladesh Medical Association (BMA) should take a leading role in organizing CME events that focus on evidence-based medicine and best practices, free from corporate influence. Funding for these independent programs could come from public sources or neutral organizations that do not have a vested interest in promoting specific pharmaceutical products. By shifting the focus of CME programs away from pharmaceutical sponsorship, the integrity of medical education can be preserved, and HCPs can make informed, patient-centered decisions based on scientific evidence, not marketing agendas [37].

Raising Public Awareness

Public awareness campaigns play a critical role in promoting ethical practices within the pharmaceutical industry. Many patients in Bangladesh may not be aware of the potential influence pharmaceutical companies have on their healthcare providers through gift-giving practices. Raising awareness about these issues can empower patients to ask more informed questions about their prescribed medications and the potential biases of their doctors. By fostering a culture of patient advocacy, healthcare consumers can hold HCPs accountable for any perceived conflicts of interest and ensure that their treatment plans are based on medical necessity rather than financial incentives.

Public awareness campaigns could be led by healthcare advocacy groups, government agencies, or civil society organizations such as Transparency International Bangladesh. These campaigns should educate patients about their rights to unbiased healthcare and inform them about how they can report any unethical practices they observe. Additionally, public pressure resulting from heightened awareness can incentivize both HCPs and pharmaceutical companies to adopt more ethical practices, as they would be aware of the risks of losing public trust. Involving the media in these campaigns would help spread the message to a broader audience, and providing patients with tools to verify whether their physicians have financial relationships with pharmaceutical companies (such as a public registry) would enhance transparency [38].

Encouraging Ethical Conduct in the Pharmaceutical Industry

Finally, fostering a culture of ethical conduct within the pharmaceutical industry itself is essential. Pharmaceutical companies must take responsibility for their marketing practices and prioritize patient welfare over profit. This requires a commitment to corporate social responsibility and the implementation of internal guidelines that align with global ethical standards. Pharmaceutical companies operating in Bangladesh

[34] *Physician Payments Sunshine Act* 2010, Public Law 111-148.

[35] Directorate General of Drug Administration, *Drugs and Cosmetics Act* (2023), Dhaka, Bangladesh: Government of Bangladesh.

[36] Ahmed S, 'Impact of industry-sponsored CME on HCP prescribing behaviors in Bangladesh' (2022) *International Journal of Healthcare Ethics* 45.

[37] Khan MA and Hasan M, 'The Role of CME in Bangladesh's Medical Education System' (2019) *Journal of Continuing Education in Health Professions* 32.

[38] Bangladesh Medical Association, 'Ethical Guidelines for HCPs in Bangladesh' (2023).

should adopt codes of conduct similar to those of international bodies like the International Federation of Pharmaceutical Manufacturers & Associations (IFPMA), which advocates for ethical marketing practices and transparency in interactions with HCPs [39].

Underpinning these recommendations is the recognition that addressing the ethical concerns surrounding pharmaceutical gift-giving in Bangladesh requires a sustained and comprehensive approach. Strengthening regulatory oversight, enhancing transparency, promoting independent medical education, and raising public awareness are all critical components of the broader effort to reform the healthcare sector. These initiatives, if properly implemented, will contribute to a more accountable and transparent pharmaceutical industry that is committed to patient-centered care.

By equipping regulatory bodies like the Directorate General of Drug Administration (DGDA) with the necessary resources and frameworks, Bangladesh can better enforce compliance with laws such as the Drugs and Cosmetics Act (2023). Similarly, by increasing the transparency of financial relationships between HCPs and pharmaceutical companies, both the public and regulatory authorities will have the tools to hold stakeholders accountable for unethical practices. Independent Continuing Medical Education (CME) programs are another vital component, as they would provide healthcare professionals with unbiased information, reducing the undue influence of pharmaceutical companies on prescribing habits. Moreover, an informed and empowered public, aware of their rights and the influence of pharmaceutical companies, will play a crucial role in ensuring that patient interests remain the central focus of healthcare decisions.

Adopting these recommendations will not only strengthen the regulatory framework but also foster a culture of ethical responsibility within the pharmaceutical and healthcare industries. By prioritizing integrity and transparency, Bangladesh can take significant steps toward building a healthcare system that serves the needs of its population while minimizing the influence of corporate interests on medical decisions. As the healthcare landscape continues to evolve, a commitment to ethical conduct will be paramount in ensuring that the healthcare system remains fair, equitable, and focused on patient welfare.

CONCLUSION

In the complex interplay between pharmaceutical companies and healthcare professionals (HCPs) in Bangladesh, the issue of gift-giving remains a contentious and deeply entrenched practice. Despite legislative reforms and ethical debates, the pervasive influence of pharmaceutical marketing on prescribing behaviors continues to raise significant concerns about patient care and the integrity of the healthcare system.

The repeal of the Drugs Act (1940) and the introduction of the Drugs and Cosmetics Act (2023) marked a pivotal moment in Bangladesh's regulatory framework governing the pharmaceutical industry. However, these legal changes have yet to fully address the systemic challenges posed by gift-giving culture. The gap between regulatory intent and practical enforcement underscores the need for concerted efforts to strengthen regulatory oversight and uphold ethical standards.

At its core, the ethical dilemma surrounding pharmaceutical marketing revolves around the conflict between commercial interests and patient welfare. Studies have illuminated how promotional activities influence prescribing habits, potentially compromising the quality of care and contributing to unnecessary healthcare expenditure. Moreover, the erosion of public trust in medical practice underscores the urgency of promoting transparency and accountability.

Moving forward, Bangladesh must prioritize collaborative action and evidence-based interventions to address these challenges effectively. Strengthening regulatory mechanisms, enhancing transparency requirements, promoting independent medical education, and raising public awareness emerge as critical pathways towards fostering a culture of integrity and patient-centered care within the healthcare system.

By navigating these complexities with diligence and principled leadership, Bangladesh can chart a course towards a more ethical and sustainable healthcare ecosystem. In doing so, it reaffirms its commitment to upholding the highest standards of medical ethics and ensuring that the well-being of patients remains at the heart of healthcare practice.

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[39] International Federation of Pharmaceutical Manufacturers & Associations, *IFPMA Code of Practice* (2019).

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