

# ASK A PRACTICE ADVISOR

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Question: "I am practicing as a RN(NP) and have been offered drug samples by a pharmaceutical sales representative. Should I accept the samples to be distributed to my clients?"

The receipt and distribution of drug samples is governed by Section 14 of the federal Food and Drug Act . The act prohibits the distribution of drug samples to any persons except physicians, dentists, veterinary surgeons and pharmacists. The distribution of samples to these professionals is done under strict conditions that apply to both the recipient and the pharmaceutical representative providing the sample. Distribution to any person, other than those listed above, can result in fines of up to \$5000 and three years imprisonment. RN(NP)s cannot receive drug samples.

RN(NP)s should not distribute drug samples to their clients. In fact, the Food and Drug Act prohibits even those professionals listed as legal recipients of samples from distributing them. There are other considerations about distribution of drug samples

that should also be taken into account. First, if a sample is distributed to a client, it would be necessary to ensure that the drug becomes part of their medication profile. This would ensure that other prescribers would have access to the client's complete drug information in the event of urgent or emergent need. Secondly, distributors of any drug need to ensure that the drug has not reached its expiry date before distribution. Finally, many of the drugs provided as samples are new drugs and may not be listed in Schedules I, II or III and therefore could not even be prescribed by RN(NP)s.

Specifically for RNs, there may be some employment situations, such as clinics or physician practices, where RNs may be in contact with pharmaceutical sales representatives. RNs need to be aware that the receipt of drug samples and their distribution is prohibited by federal legislation. RNs should decline to participate in situations in which they are asked to receive and/or distribute drug samples.