

“No substitution” / “No sub” messages

Advertisers may indicate that prescribers can write “no sub” on a prescription in promotional material. However, such presentations should not suggest that writing “no sub” on a prescription can ensure that patients will receive the prescribed brand name product. There are various reasons for why a patient may not receive the prescribed brand name product, including the patient opting for a generic product and conditions for reimbursement.

Following a formal healthcare professional complaint, statements similar to “Help make sure that your patients receives Brand X by writing “no sub” on their prescriptions” will not be accepted. “Make sure” suggests a guarantee and has absolute implications, the addition of “help” notwithstanding. An acceptable alternative is “Help your patients receive Brand X by writing “no sub” on their prescriptions”. A disclaimer indicating limitations and conditions should be included as copy-specific fair balance. An example of such a disclaimer is “Some insurers limit full-cost coverage for higher-cost interchangeable drugs to patients who meet certain criteria and that, in some instances, documentation from the prescriber is required. There is a possibility that the patient may need to contribute out-of-pocket where those conditions are not met”.