

Halal Medical Tourism and Reproductive Care and Services: An Overview of Malaysian Marketplace

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Abstract: Medical Tourism is one of the most significant industries in a country. It attracts medical tourists due to the successful and effective medical technologies as well as cost-effective healthcare system of a given country. However, a significant need lies in channelling medical facilities to “Halal” or “Sharia-complaint” medical care and services especially when we speak about reproductive care and services (RCS), a sensitive and private aspect in a Muslim’s life since a Muslim’s life should be regulated on Islamic guidelines. Hence, the need of Halal Medical Tourism (HMT) is echoed and efforts are being made for its establishment and realization. This study focuses on providing an overview of Halal Medical Tourism (HMT) constituents and HMT’s role in rendering Halal or Sharia-complaint Reproductive Care and Services (RCS). This paper utilizes qualitative analysis in collecting the contents related to Halal medical tourism studies. The contents have been gathered based on library research. The contents are analyzed further, and the results show that Halal Medical Tourism is an integral aspect covering tangible (*Halalan Tayyiban*) elements of medicine from medical ingredients (pharmaceuticals), and medical devices to intangible (Sharia-compliant) aspects related to hospital (non-medical) services and facilities. This paper proposes that the processes of a certain medical care or service must also be directed for Halal or Sharia-compliance (i.e. shariah permitted processes and treatment) to build a robust structure of Halal Medical Tourism. RCS, if made sharia-compliant, can be one significant medical domain for the improvement and fast-growth of Halal Medical Tourism in Malaysia.

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1. Introduction

A data provided by International Medical Travel Journal (IMTJ) states that Malaysia has been recorded as one of the most popular medical tourism destinations in recent times followed by countries such as Thailand, Turkey, South Korea and Dubai, Russia, USA, Spain, Germany etc. It is stated that Malaysia received over 1.1 million medical tourists in 2019 (IMTJ, 2019; Cooper, 2023). This demonstrates Malaysia's plan to champion as medical tourism destination. This is further strengthened by Malaysia's future plan to establish Halal Medical Tourism (HMT) (HIMP, 2020), an industry believed to be very significant since Muslims all over the world seek to find Halal or Sharia-complaint treatments as well as care and services.

While there have been many studies on what constitutes a halal industry and the importance of medical tourism in Malaysia's Halal industry, there is a need to state what constitutes Halal Medical Tourism (HMT). To address this, there is a need to discuss what serves to prepare the ground for HMT. Also, it is important to realize the significant medical domains for HMT in Malaysia so that these can be made sharia-complaint resulting in more influxes of medical tourists to seek medical care and services. In order to highlight this, the study proposes the field of reproductive care and services (RCS) since due to the advancements in medical technologies and the capacities of genetic and genomics in the modern time, it can be seen that extensive reproductive practices and associated medical tourism by both patients and physicians are taking place to alleviate human reproductive suffering (Bennett & Pangetsu, 2017; Jacobson, 2020). Hence, the study urges a significant need to establish sharia-compliant reproductive care and services taking Malaysia' HMT to a whole new level.

2. Halal Medical Tourism (HMT)

With the aim to be the global leader of the Halal Industry, Malaysia is advancing towards the development of Halal industry and industry infrastructures. With the vision to achieve such a target by 2030, it has designed the Halal Industry Master Plan 2030 (HIMP, 2020). One of the most emerging sectors of Halal Industry which is undergoing immediate focus and initiatives is Halal Medical Tourism (HMT). Medical tourism in Malaysia is rapidly expanding due to Malaysia's initiatives and steps in offering medical treatments at a lower cost, with facilities and infrastructure that are Sharia-compliant (HIMP, 2020) and hence, that has been the slogan of HMT.

Before delving into the overall picture of HMT, it is necessary, at first, to understand what HMT stands for. There have been various attempts to define the term "Halal Medical Tourism". In an effort to define HMT, some studies stated that HMT involves a short-term journey of individuals outside their home countries to seek health benefits at hospitals that provide their health services in line with Islamic principles (Rahman *et al.*, 2021; Ula & Ikhsanul, 2022). A work written by Zawawi and Othman (2018) provided another term named "Sharia-compliant Healthcare Services" instead of using Halal Medicine (HM) or HMT touching on the aspects of medical products and services. The similar line of statement

is echoed by Dr. Noriah Ramli who addresses that it is the Sharia-compliant or Muslim-friendly medical products and services that make a country like Malaysia a destination for Halal Medical Tourism (HMT) (Ramli, 2022). Another term coined by a group of researchers is “Islamic Medical Tourism,” tailored to facilitate a medical system covering medical practices and facilities in line with Islamic principles and standards (Kamassi *et al.*, 2021).

From the above definitions on HMT, it is evident that HMT and Sharia-compliant Medical Tourism or Muslim-friendly Hospitals have been used interchangeably. However, after going through the Halal Industry Master Plan 2030, it appears that HMT gets coined due to a) Halal products such as Halal pharmaceuticals and Halal medical devices that are directly associated with medical tourism sector and b) Sharia-compliant or Muslim-friendly medical and hospital services provided in the medical tourism sector in Malaysia (HIMP, 2020). The same line of reasoning is reflected in the work by (Medhekar & Haq, 2018). Figure 1 shows the overall view of HMT.

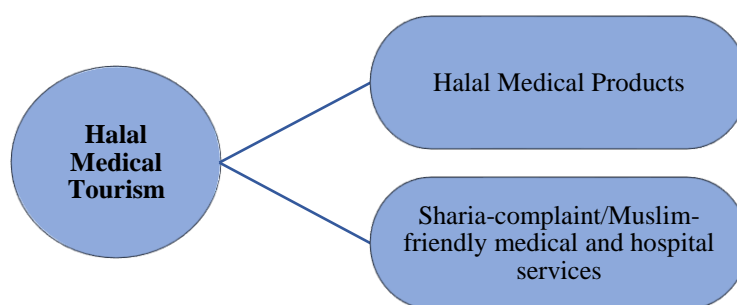


Figure 1: Halal Medical Tourism (Source: HIMP, 2020; Ramli, 2022)

3. Halal Products in HMT: Regulation by Department of Standards Malaysia (DSM)

With regard to Halal products in the HMT market, the Department of Standards Malaysia (DSM) issued in 2012, MS 2424, a standard for Halal pharmaceuticals which has been issued as reference for manufacturing and handling pharmaceutical products that would contain ingredients and substances permitted under the Sharia law. Then, with the first revision in 2019, Malaysia champions globally as a leader in Halal pharmaceuticals (MS 2424: 2019). With such initiatives to produce Halal medicine, Malaysia’s domestic market started embracing Halal certification for pharmaceuticals (HIMP, 2020). The industry growth for Halal pharmaceuticals is predicted to reach RM 19.3 billion in 2025. Again, an indication of increasing awareness for Halal healthcare among local people and Muslim medical tourists.

Then, comes the incorporation of Halal medical devices, a relatively new sector in Halal industry aimed towards producing Halal medical devices (not medicine) in the healthcare for diagnosis, prevention, monitoring or treatment of illness and disability. The Department of Standards Malaysia issued in 2019, MS 2636: 2019, a standard for medical devices in which the ingredients, materials and components used for making medical devices are required to

be permitted under the Sharia law (MS 2636: 2019). An example of devices that are recommended to follow Halal medical device requirements would be, but not necessarily limited to, sutures, haemodialysis solutions and eye drops etc. Malaysia's medical devices market was recorded to be RM 13.3 billion in 2018 and is predicted to increase by 5.6% reaching RM 19.4 billion by 2025 (HIMP, 2020). The top destinations for Malaysia's medical device exports are USA, Germany, Belgium, Japan and China (HIMP, 2020). With Halal medical device production in Malaysia, the country is expected to improve healthcare and receive more medical tourists, contributing to the growth of HMT. Table 1 displays the Halal products of HMT and the existing Malaysian Standards in operation with respect to the products.

Table 1. Halal Products of HMT and its Smooth Process by Malaysian Standards (MS)

Elements	Halal Pharmaceutical	Halal medical devices
Regulations	Products only containing ingredients and substances permitted under the Sharia law.	Ingredients, materials and components used for making medical devices required to be permitted under the Sharia law.
Malaysian Standards	MS 2424: 2019	MS 2636: 2019
Malaysian market	The growth predicted to reach RM 19.3 billion in 2025.	The growth predicted to increase by 5.6% reaching RM 19.4 billion by 2025.

4. Sharia-complaint Services in HMT: Department of Standards Malaysia (DSM)

With regard to Sharia-compliant or Muslim-friendly medical and hospital services for HMT, we can see that a number of standards produced by the Department of Standards Malaysia has worked towards an improved facilitation of Sharia-compliance. For instance, as stated by (Jamaludin *et al.*, 2019), the components of Sharia-compliant or Muslim-friendly medical and hospital services are as follows:

- a) Knowledge and awareness of medical practitioners on how to instruct Muslim clients/patients for Islamic rituals and practices while admission for sickness, the standard issued in 2014, MS 1900: 2014 for Sharia-based Quality Management System caters for such requirements.
- b) Hospital and medical infrastructures and facilities targeting prayer facilities, spiritual supports, Muslim-friendly accommodations are guided by MS 1900: 2014 Sharia-based Quality Management System and MS 2610: 2015 Muslim-friendly Hospitality Services respectively. Halal food and cafe to be arranged and provided in the healthcare are to be guided by MS 1500: 2009 Halal food- Production, Preparation, Handling and Storage.
- c) Sharia-compliance and ethics in the healthcare such as patient consent, covering body and body organs (*awrat*), treatment by the same gender are some examples that are upheld by standards like MS 1900: 2014 Sharia-based Quality Management System and MS 2300: 2009 Value-based Management System. Figure 2 highlights the Sharia-compliant or

Muslim-friendly medical services of HMT and the existing Malaysian Standards in operation with respect to the facilities.

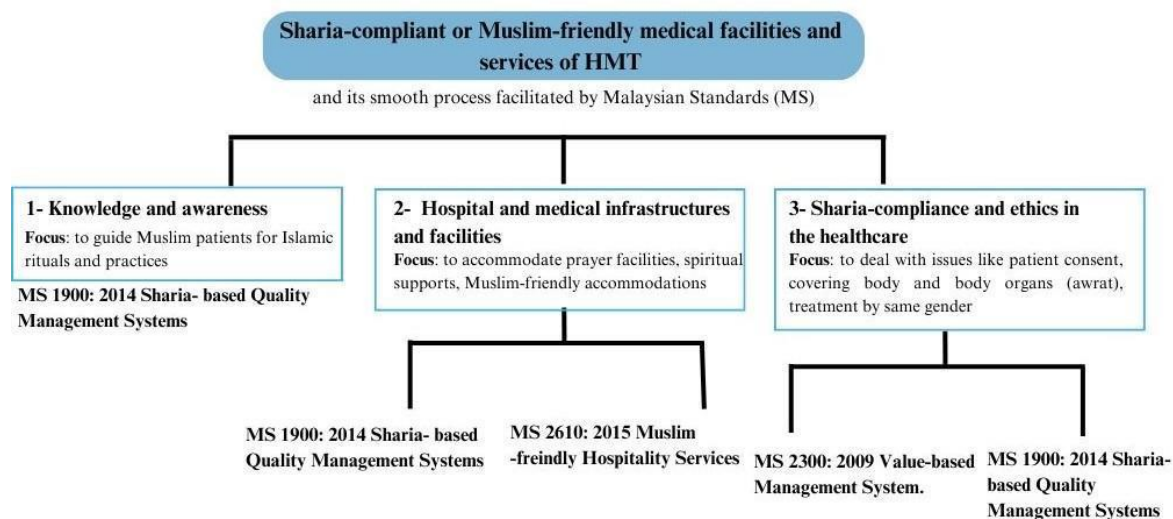


Figure 2. Shariah-compliant or Muslim-friendly Medical Services of HMT and the Existing Malaysian Standards

5. HMT Broadening its Scope: Sharia-compliant Processes to Medical Care and Services

It is evident that all these initiatives and relevant infrastructural progresses in facilitating Halal medical products and Sharia-compliant or Muslim-friendly medical and hospital services paved the way for a booming Halal Medical Tourism (HMT). It is important to note that the relevant academic works as seen in the works of Kamassi *et al.* (2021); Alfarajat (2022) and others mentioned above on discussing Sharia-compliant or Muslim-friendly Medical and Hospital Frameworks have mostly touched on the facilities and healthcare premises to be Sharia-compliant catering for Muslims' daily performance of religious rituals and obligations in general, without specifying, for instance, how a certain medical practice (e.g. any reproductive practice) and/or its processes can be channeled towards Sharia-compliance.

Besides, the Muslim-friendly Hospital Services framework stressed the need for Shariah permitted medical processes and treatments (Jamaludin *et al.*, 2019). Hence, it is important to make sure that Malaysia's Halal Medical Tourism (HMT) goes beyond producing Halal products and Sharia-complaint hospital infrastructural facilities and services by establishing "Sharia-compliant or "sharia permitted" medical processes and treatment through the Halal Industry Master Plan 2030. In its ground preparation for HMT, it had brought other new challenges like milk-bank and reproductive tourism. In order to address the Milk Bank issues and its need for premature infants in Malaysia, a group of academicians from International Islamic University Malaysia has proposed a Sharia-compliant Milk Bank (Daud *et al.*, 2020) which has successfully been introduced in 2022 at Sultan Ahmad Shah Medical Centre,

International Islamic University Malaysia, Kuantan Branch (Sterifeed, 2022). This would presumably attract both locals and foreigners (including medical tourists).

However, one of the major challenges that lies ahead is the modern phenomenon of reproductive tourism and even modern reproductive practices that are practiced by locals. There is no doubt that the development of HMT would attract a great number of reproductive tourists given that a lot of fertility centers are operating in the country (Krishnan, 2022; Murugesan, 2023). Malaysia's existing standards and procedures for carrying out reproductive care and services (RCS) heavily focus towards clinical and safety measures (Asean Insiders, 2021; Murad *et al.*, 2014). The challenge is to make sure that the current Reproductive Care and Services (RCS) provided by various fertility and healthcare providers can be made Sharia-compliant (Asean Insiders, 2021; Medical Development Division, 2012; Murad *et al.*, 2014). Moreover, if there are any existing Sharia-compliant guidelines, they lack ethico-juristic matrices to exhibit a clear set of Sharia parameters for undertaking any RCS as noticeable in the Standards prepared by the Medical Development Division in Malaysia under the Ministry of Health (Medical Development Division, 2012).

Practices such as embryo donation and surrogacy which are inherently impermissible in Islam may be offered by RCS centers to Muslim clients/patients who are unsure or intentionally seek to subscribe to such practice. Sex-selection which is another phenomenon and requires case to case basis Sharia-guidelines may be overlooked if no such Sharia-compliant systems are incorporated in RCS centers. Furthermore, the processes within a particular RCS practice (such as not considering consent of both couples, not flushing embryos if one spouse is dead and many more) can be contradictory to Sharia-compliance.

Therefore, it is imperative to outline a holistic Sharia-compliant system that would facilitate all Reproductive Care and Services (RCS) to be channeled to Sharia guidelines. Currently, there is no Sharia-compliant system that exists to address the current RCS practices in line with Sharia guidelines especially at the current context where robust biomedical technologies are in operation and have the capacities to genetic modification of human lives. The Sharia-compliant system that this study urges to establish is termed Sharia-compliant Reproductive Assurance System (SCRAS) and this is what makes Malaysia's Halal Industry Master Plan 2030 towards providing Halal and Sharia-compliant medical tourism a step ahead for success and here is what future studies can contribute towards.

It is essential to point out that RCS may not be labeled as SCRAS without the incorporation of Halal medicine and Halal medical devices if and when applicable with RCS practices. Future research should make necessary references to Sharia requirements to the facilitation of Halal medicine and Halal medical devices for RCS where relevant. The researcher seeks to build a Sharia guideline as the main focus of a future study on how to conduct RCS practices and hence, Sharia-compliant Reproductive Assurance System (SCRAS) is to be established. Figure 3 demonstrates where in HMT, RCS may be situated.

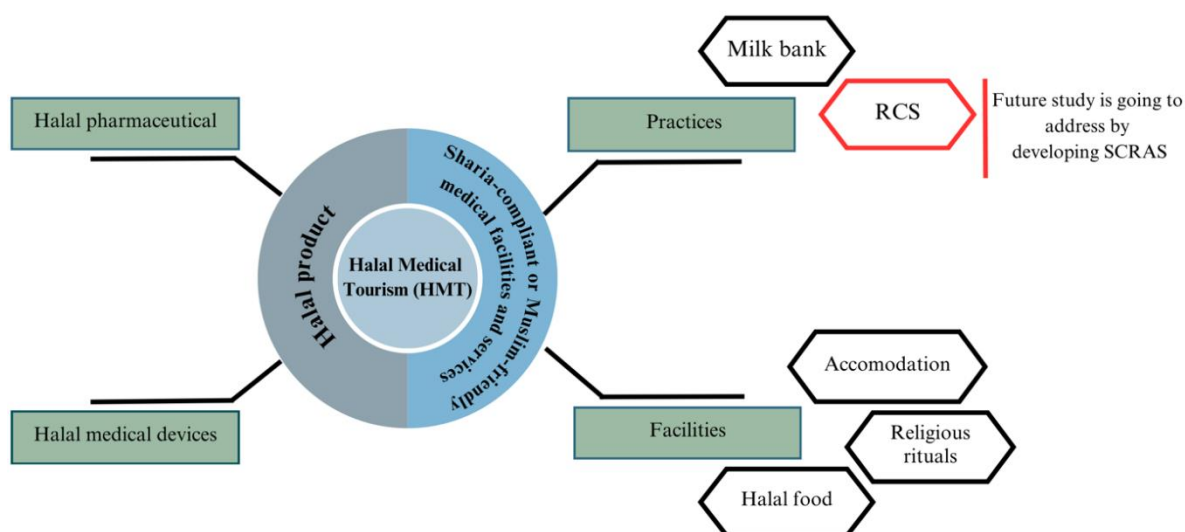


Figure 3: Locating RCS in HMT

6. Conclusion

This work highlighted the constituents of Halal Medical Tourism (HMT) and Malaysia's vision and initiatives in taking HMT to a new level as planned in Malaysia's Halal Industry Master Plan. With full compliance to Sharia and Halal aspects, HMT in Malaysia seeks to provide both *Halal* medical products and Muslim-friendly Hospital services, which serve to be integral mechanism of HMT. Both these aspects are further monitored by standards set by the Department of Standards Malaysia (DSM) to ensure the sharia-compliance in HMT. However, this study argues that HMT in Malaysia can be more well-ordered and strongly developed only when medical processes and treatment for a medical care or need are channelled to sharia-compliance and sharia permissibility. Sharia permitted treatment should be an integral part to make HMT industry attract more Muslim medical tourists coming for treatments. Besides, the study stressed on the need to focus on a particular medical field such as Reproductive Care and Services (RCS) to undergo sharia-compliance since this is one of the massive and significant medical practices and hence, the reasons for extensive modern medical tourism.

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