

HE302\*

Poisons Act 1964

## Poisons Amendment Regulations (No. 2) 2010

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Poisons Amendment Regulations (No. 2) 2010*.

### 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

### 3. Regulations amended

These regulations amend the *Poisons Regulations 1965*.

### 4. Regulation 38A inserted

After regulation 37 insert:

#### **38A. Prescriptions for poisons included in Schedule 4 for patient discharged from public hospital**

- (1) In this regulation —

*NIMC* means the National Inpatient Medication Chart developed by the Australian Council for Safety and Quality in Health Care.

- (2) An NIMC for a patient who is discharged from a public hospital is to be taken to be a prescription for a Schedule 4 poison that complies with regulation 37 for the purposes of dispensing the Schedule 4 poison at the public hospital on the discharge of the patient if —
- (a) all the details in respect of the patient required by the NIMC have been completed; and
  - (b) a medical practitioner or nurse practitioner has completed, in ink in his or her own hand writing, all the details in respect of the Schedule 4 poison required by the NIMC; and
  - (c) a medical practitioner or nurse practitioner has written, in ink, an authorisation on the NIMC for the Schedule 4 poison to be dispensed for

discharge, and dated and signed the authorisation.

**5. Regulation 41D amended**

In regulation 41D(2) delete “(a) by” and insert:

(c) by

**6. Regulation 51 amended**

(1) Delete regulation 51(1B)(b) and insert:

(b) processed on an approved computer program and have the information referred to in subregulation (1)(a)(iii), (iv) and (vi) written in ink in the prescriber’s own handwriting.

(2) After regulation 51(1B) insert:

(1C) In subregulation (1B) —

*approved computer program* means a computer program that —

- (a) complies with the criteria specified in Appendix L; or
- (b) is recommended by the Poisons Advisory Committee and approved in writing by the CEO.

**7. Regulation 51AAA inserted**

After regulation 51 in Subdivision 1 insert:

**51AAA. Prescriptions for poisons included in Schedule 8 for patient discharged from public hospital**

(1) In this regulation —

*NIMC* means the National Inpatient Medication Chart developed by the Australian Council for Safety and Quality in Health Care.

(2) An NIMC for a patient who is discharged from a public hospital is to be taken to be a prescription for a Schedule 8 poison that complies with regulation 51 for the purposes of dispensing the Schedule 8 poison at the public hospital on the discharge of the patient if —

- (a) all the details in respect of the patient required by the NIMC have been completed; and

- (b) a medical practitioner has completed, in ink in his or her own hand writing, all the details in respect of the Schedule 8 poison required by the NIMC; and
- (c) a medical practitioner has written, in ink, an authorisation on the NIMC for the Schedule 8 poison to be dispensed for discharge, and dated and signed the authorisation.

**8. Regulation 53A amended**

Delete regulation 53A(1) and insert:

- (1) A person shall not dispense a prescription for or supply upon a prescription any poison included in Schedule 8 unless —
  - (a) the prescription is issued electronically via an approved electronic prescribing system; or
  - (b) if the prescription is not issued electronically —
    - (i) he or she is familiar with the prescriber's handwriting; or
    - (ii) he or she has verified with the purported prescriber that the prescription was issued by him or her.

Note: The heading to amended regulation 53A is to read:

**Dispensing poisons included in Schedule 8**

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.