

HE302\*

Poisons Act 1964

## **Poisons Amendment Regulations (No. 4) 2007**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Poisons Amendment Regulations (No. 4) 2007*.

## 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. The regulations amended

The amendments in these regulations are to the *Poisons Regulations 1965*.

## 4. Regulation 36AA amended

Regulation 36AA(6) is amended by inserting after “health service,” —  
“ signed, ”.

## 5. Regulation 36AAB inserted

After regulation 36AA the following regulation is inserted —

“

### **36AAB. Provision of “psychiatric emergency packs” by certain registered nurses**

- (1) In this regulation —

“**approved name**” has the meaning given in regulation 35C;

“**Community Emergency Response Team**” means a service, provided by a public hospital, that —

- (a) is provided in the metropolitan region; and
- (b) responds to psychiatric emergencies in the community; and
- (c) is designated by the CEO for the purposes of this definition;

“**metropolitan region**” has the meaning given in section 4 of the *Planning and Development Act 2005*;

“**psychiatric emergency pack**” means a pack, approved by the CEO for the purposes of this regulation and prepared by a pharmaceutical chemist, containing a quantity of a poison included in Schedule 4 that —

- (a) if the poison is supplied in prepacked individual packs — is one individual standard pack; or
- (b) if the poison is a liquid — is the smallest pack of the poison available from the manufacturer; or
- (c) otherwise — does not exceed 3 days worth of medication of the poison;

**“Rural Community Mental Health Team”** means a service, provided by a public hospital, that —

- (a) is provided outside the metropolitan region; and
- (b) responds to psychiatric emergencies in the community; and
- (c) is approved by the CEO for the purposes of this definition;

**“team medical practitioner”** means a medical practitioner who is a member of a Community Emergency Response Team or a Rural Community Mental Health Team;

**“team psychiatrist”** means a psychiatrist who is a member of a Community Emergency Response Team or a Rural Community Mental Health Team;

**“team registered nurse”** means a registered nurse who is a member of a Community Emergency Response Team or a Rural Community Mental Health Team.

- (2) A team registered nurse may give a psychiatric emergency pack to a patient, other than an in-patient, if instructed to do so by a team psychiatrist or a team medical practitioner, who need not be present with the nurse at the time of giving the instruction.
- (3) The instruction may be given orally.
- (4) The psychiatrist or medical practitioner must not give the instruction unless satisfied that the patient is in need of urgent psychiatric intervention and it is not practical for the patient to obtain the medication contained in the pack in any other way.
- (5) For the purposes of subregulation (4), the psychiatrist or medical practitioner may rely on the information given by the nurse about the patient’s condition.
- (6) Before giving the psychiatric emergency pack to the patient the nurse must —
  - (a) ensure that the pack has been labelled in accordance with subregulation (9); and
  - (b) record in the Emergency Pack Supply Book the information required by subregulation (11).
- (7) Within 72 hours of giving the instruction the psychiatrist or medical practitioner must give the nurse, or another team member, signed, written confirmation of the instruction including —
  - (a) the name of the psychiatrist or medical practitioner; and

- (b) the name of the nurse to whom the instruction was given; and
  - (c) the name of the patient; and
  - (d) the date and time when the instruction was given; and
  - (e) details of the psychiatric emergency pack; and
  - (f) any directions for use that were to be given to the patient; and
  - (g) any other information that the psychiatrist or medical practitioner considers relevant.
- (8) A person in charge of a Community Emergency Response Team or a Rural Community Mental Health Team must —
- (a) keep all written confirmations given under subregulation (7) for at least 2 years; and
  - (b) produce them on demand to any person authorised under the Act to demand production of such records.
- (9) A psychiatric emergency pack must be labelled in English with —
- (a) the words “keep out of reach of children”; and
  - (b) the name of the patient; and
  - (c) the name and address of the Community Emergency Response Team or the Rural Community Mental Health Team; and
  - (d) in relation to the poison in the psychiatric emergency pack —
    - (i) the approved name and strength or amount of the poison; or
    - (ii) if the brand name uniquely identifies the strength of the poison — that brand name;
- and
- (e) the total quantity of each medication contained in the psychiatric emergency pack; and
  - (f) the date on which the psychiatric emergency pack was given to the patient; and
  - (g) any directions for use given by the psychiatrist or medical practitioner; and
  - (h) the number referred to in subregulation (11)(f) identifying the relevant entry in the Emergency Pack Supply Book; and
  - (i) any relevant cautionary or advisory statements set out in Appendix K to the SUSDP.

- (10) A person in charge of a Community Emergency Response Team or a Rural Community Mental Health Team must —
- (a) maintain an Emergency Pack Supply Book for that Team consisting of handwritten records in a book with sequentially numbered pages; and
  - (b) keep the Emergency Pack Supply Book for at least 2 years after the last entry is made in it; and
  - (c) produce the Emergency Pack Supply Book on demand to any person authorised under the Act to demand production of such records.
- (11) The information to be recorded in the Emergency Pack Supply Book is —
- (a) the name and address of the patient; and
  - (b) in relation to the poison in the psychiatric emergency pack —
    - (i) the approved name and strength or amount of the poison; or
    - (ii) if the brand name uniquely identifies the strength of the poison — that brand name;
- and
- (c) the date and time at which the psychiatric emergency pack is to be given to the patient; and
  - (d) the name of the psychiatrist or medical practitioner who gave the instruction; and
  - (e) any directions for use given by the psychiatrist or medical practitioner; and
  - (f) a unique number identifying the entry in the Book; and
  - (g) the nurse's name and signature.

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By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.