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**HEALTH**

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HE301

Health (Miscellaneous Provisions) Act 1911  
Medicines and Poisons Act 2014

**Health Regulations Amendment  
Regulations 2018**

Made by the Governor in Executive Council.

**Part 1 — Preliminary****1. Citation**

These regulations are the *Health Regulations Amendment Regulations 2018*.

**2. Commencement**

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 December 2018.

**Part 2 — *Health (Skin Penetration Procedure) Regulations 1998* amended****3. Regulations amended**

This Part amends the *Health (Skin Penetration Procedure) Regulations 1998*.

**4. Regulation 3 amended**

In regulation 3 in the definition of *nurse* delete “and midwifery”.

**Part 3 — Medicines and Poisons Regulations 2016 amended**

**5. Regulations amended**

This Part amends the *Medicines and Poisons Regulations 2016*.

**6. Regulation 3 amended**

In regulation 3(1) in the definition of *structured administration and supply arrangement (SASA)* paragraph (a) delete “an authorised health” and insert:

a health

**7. Regulation 33 amended**

(1) In regulation 33(2):

- (a) in paragraph (b)(i) delete “authorised”;
- (b) in paragraph (b)(iii) delete “an authorised health” and insert:

a health

(2) In regulation 33(3) delete “authorised”.

**8. Regulation 37 amended**

(1) In regulation 37 delete the definitions of:

*endorsed midwife*

*enrolled nurse*

*midwife*

*nurse practitioner*

*paramedic*

*registered nurse*

(2) In regulation 37 insert in alphabetical order:

*endorsed midwife* means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the midwifery profession whose registration is endorsed under section 94 of that Law;

**enrolled nurse** means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the nursing profession whose name is entered on Division 2 of the Register of Nurses kept under that Law as an enrolled nurse;

**medic** —

- (a) means a person who provides emergency health services, including ambulance services, in a location other than a hospital, and who is covered by one or more of the following —
  - (i) the person is employed by a medical practitioner to provide the services;
  - (ii) the person is employed, or engaged under a contract for services, by a health organisation to provide the services;
  - (iii) the person is under the supervision of a health organisation in respect of the provision of the services;

but

- (b) does not include a paramedic;

**midwife** means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the midwifery profession;

**nurse practitioner** means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the nursing profession whose registration under that Law is endorsed as nurse practitioner;

**paramedic** means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the paramedicine profession;

**registered nurse** means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the nursing profession whose name is entered on Division 1 of the Register of Nurses kept under that Law as a registered nurse;

## 9. Regulation 38 amended

In regulation 38 delete paragraph (d) and insert:

- (d) medics;

**10. Part 7 Division 9A inserted**

After Part 7 Division 9 insert:

**Division 9A — Authorisation of medics****62A. Medic prescribed for s. 25(1)(a)**

Medic is prescribed as a class of health professional for the purposes of section 25(1)(a).

**62B. Authorisation of medics**

- (1) For the purposes of section 25(1)(b), a medicine that is a Schedule 2 or 3 poison is a medicine that a medic, acting in the lawful practice of their profession, may supply.
- (2) For the purposes of section 25(1)(b), a medicine that is a Schedule 4 or 8 poison is a medicine that a medic, acting in the lawful practice of their profession, may —
  - (a) administer; or
  - (b) possess; or
  - (c) supply.
- (3) The supply by a medic of a medicine is subject to the condition that the supply is in the circumstances identified in a SASA that applies to the medic in respect of the medicine.
- (4) The administration by a medic of a medicine that is a Schedule 4 or 8 poison is subject to the condition that the administration —
  - (a) is on a direction given under regulation 15(1); or
  - (b) is in the circumstances identified in a SASA that applies to the medic in respect of the medicine.
- (5) The possession by a medic of a medicine that is a Schedule 4 or 8 poison is subject to the condition that the possession is for the purpose of administering or supplying the medicine in accordance with this regulation.

R. KENNEDY, Clerk of the Executive Council.

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