



Queensland

Health Legislation Amendment Regulation (No. 4) 2007

Subordinate Legislation 2007 No. 143

made under the

Chiropractors Registration Act 2001

Dental Technicians and Dental Prosthetists Registration Act 2001

Health Act 1937

Health Services Act 1991

Pest Management Act 2001

Pharmacists Registration Act 2001

Contents

		Page
Part 1	Preliminary	
1	Short title	3
Part 2	Amendment of Chiropractors Registration Regulation 2002	
2	Regulation amended in pt 2	3
3	Amendment of sch 1 (Qualifications for general registration).	3
Part 3	Amendment of Dental Technicians and Dental Prosthetists Registration Regulation 2002	
4	Regulation amended in pt 3	3
5	Amendment of sch 1 (Qualifications for general registration).	4
Part 4	Amendment of Health (Drugs and Poisons) Regulation 1996	
6	Regulation amended in pt 4	4
7	Replacement of s 62 (Midwives)	4
	62 Midwives.	4
8	Amendment of s 84 (Dealing with paper prescriptions and certain written instructions)	5
9	Amendment of s 122 (Approval needed for treating drug dependent person with controlled drugs)	5

Health Legislation Amendment Regulation (No. 4) No. 143, 2007
2007

10	Amendment of s 167 (Midwives)	5
11	Amendment of s 235 (Wholesale and retail sales by manufacturers and wholesalers)	6
12	Amendment of s 255 (Midwives)	6
13	Insertion of new s 256B	6
	256B Persons with certain asthma management training . .	6
14	Amendment of s 277 (Sale of S3 poisons)	7
Part 5	Amendment of Health Regulation 1996	
15	Regulation amended in pt 5	7
16	Omission of pt 7 (Maltreatment of children)	7
Part 6	Amendment of Health Services Regulation 2002	
17	Regulation amended in pt 6	7
18	Amendment of s 34C (Disclosure for purposes relating to health services—Act, s 62H(b))	8
Part 7	Amendment of Pest Management Regulation 2003	
19	Regulation amended in pt 7	8
20	Amendment of s 3D (Exemption for dengue mosquito prevention, control or eradication—Act, s 10)	8
Part 8	Amendment of Pharmacists Registration Regulation 2001	
21	Regulation amended in pt 8	9
22	Amendment of sch 1 (Qualifications for general registration) . . .	9

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Health Legislation Amendment Regulation (No. 4) 2007*.

Part 2 Amendment of Chiropractors Registration Regulation 2002

2 Regulation amended in pt 2

This part amends the *Chiropractors Registration Regulation 2002*.

3 Amendment of sch 1 (Qualifications for general registration)

Schedule 1—

insert—

‘Bachelor of Chiropractic

Murdoch University’.

Part 3 Amendment of Dental Technicians and Dental Prosthetists Registration Regulation 2002

4 Regulation amended in pt 3

This part amends the *Dental Technicians and Dental Prosthetists Registration Regulation 2002*.

5 Amendment of sch 1 (Qualifications for general registration)

Schedule 1, part 1, entry for *Diploma of Dental Health Work (Dental Technology)*—

omit, insert—

‘Advanced Diploma of Dental Prosthetics	Southbank Institute of Technology
Diploma of Dental Technology	Southbank Institute of Technology’.

Part 4 Amendment of Health (Drugs and Poisons) Regulation 1996

6 Regulation amended in pt 4

This part amends the *Health (Drugs and Poisons) Regulation 1996*.

7 Replacement of s 62 (Midwives)

Section 62—

omit, insert—

‘62 Midwives

‘To the extent necessary to practise midwifery, a midwife is authorised to—

- (a) obtain a controlled drug; and
- (b) possess a controlled drug at the place where the person practises midwifery; and
- (c) administer a controlled drug to the person for whom it has been dispensed under the instructions stated by the dispenser; and
- (d) administer or supply a controlled drug—

- (i) on the oral or written instruction of a doctor or nurse practitioner; or
- (ii) under a drug therapy protocol.’.

8 Amendment of s 84 (Dealing with paper prescriptions and certain written instructions)

Section 84(11) and (12), ‘(1)(b)(ii)’—

omit, insert—

‘(2)(a)’.

9 Amendment of s 122 (Approval needed for treating drug dependent person with controlled drugs)

- (1) Section 122(5) and (6), ‘use’—

omit, insert—

‘give an oral or written instruction to supply’.

- (2) Section 122(8)—

omit, insert—

- ‘(8) A relevant practitioner to whom a written or oral approval has been given under subsection (5) or (6) must not administer, dispense, prescribe, supply, or give an oral or written instruction to supply a controlled drug to the person or persons other than under the approval.

Maximum penalty—60 penalty units.’.

10 Amendment of s 167 (Midwives)

Section 167(1)—

omit, insert—

- ‘(1) To the extent necessary to practise midwifery, a midwife is authorised to—
- (a) obtain a restricted drug; and
 - (b) possess a restricted drug at the place where the person practises midwifery; and

- (c) administer a restricted drug to the person for whom it has been dispensed under the instructions stated by the dispenser; and
- (d) administer or supply a restricted drug—
 - (i) on the oral or written instruction of a doctor or nurse practitioner; or
 - (ii) under a drug therapy protocol.’.

11 Amendment of s 235 (Wholesale and retail sales by manufacturers and wholesalers)

Section 235(2)—

insert—

- ‘(d) selling S3 salbutamol or S3 terbutaline to a person mentioned in section 252C for use for first aid.’.

12 Amendment of s 255 (Midwives)

Section 255(2)—

omit, insert—

- ‘(2) To the extent necessary to practise midwifery in a rural hospital or an isolated practice area, a midwife is authorised to supply an S2 or S3 poison to or for a person requiring treatment at the rural hospital or in the isolated practice area.’.

13 Insertion of new s 256B

After section 256A—

insert—

‘256B Persons with certain asthma management training

- ‘(1) To the extent necessary to perform first aid at a workplace or community event, a person who has completed an asthma management course approved by the chief executive is authorised to administer S3 salbutamol or S3 terbutaline.
- ‘(2) In this section—
community event includes a sporting or recreational event.’.

14 Amendment of s 277 (Sale of S3 poisons)

Section 277(7)—

omit, insert—

- '(7) Subsections (1)(b) and (2) to (6) do not apply to the sale of—
- (a) S3 salbutamol or S3 terbutaline to a person mentioned in section 256B for use for first aid; or
 - (b) an S3 poison to a ship's master for use for first aid on the ship.'

Part 5 Amendment of Health Regulation 1996

15 Regulation amended in pt 5

This part amends the *Health Regulation 1996*.

16 Omission of pt 7 (Maltreatment of children)

Part 7—

omit.

Part 6 Amendment of Health Services Regulation 2002

17 Regulation amended in pt 6

This part amends the *Health Services Regulation 2002*.

18 Amendment of s 34C (Disclosure for purposes relating to health services—Act, s 62H(b))

(1) Section 34C(1) and (2)—

omit, insert—

‘(1) For section 62H(b) of the Act, the following are prescribed entities for evaluating, managing, monitoring or planning health services—

(a) the University of Queensland for collecting data about a relevant trauma patient for use in the Queensland Trauma Registry;

(b) Hardes and Associates Pty Ltd ACN 079 150 940 for reviewing patterns of health services delivery and projecting the future demand for, and supply of, health services;

(c) Medicare Australia for maintaining the Australian Childhood Immunisation Register.’

(2) Section 34C(3)—

renumber as section 34C(2).

Part 7 Amendment of Pest Management Regulation 2003

19 Regulation amended in pt 7

This part amends the *Pest Management Regulation 2003*.

20 Amendment of s 3D (Exemption for dengue mosquito prevention, control or eradication—Act, s 10)

Section 3D(3), definition *exempted officer*—

omit, insert—

‘*exempted officer* means—

- (a) either of the following who is also an authorised person appointed under the *Public Health Act 2005*, section 377(1)—
 - (i) a medical entomologist;
 - (ii) an indigenous environmental health coordinator; or
- (b) any 1 of the following who is also an authorised person appointed under the *Public Health Act 2005*, section 377(1) or (2)—
 - (i) an environmental health officer;
 - (ii) an environmental health worker;
 - (iii) a vector control officer.’

Part 8 Amendment of Pharmacists Registration Regulation 2001

21 Regulation amended in pt 8

This part amends the *Pharmacists Registration Regulation 2001*.

22 Amendment of sch 1 (Qualifications for general registration)

Schedule 1—

insert—

‘Master of Pharmacy	University of Newcastle
Bachelor of Pharmacy (Rural)	University of Sydney
Master of Pharmacy	University of Canberra
Bachelor of Pharmacy	La Trobe University’.

ENDNOTES

- 1 Made by the Governor in Council on 28 June 2007.
- 2 Notified in the gazette on 29 June 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Health.