

CONDITIONS OF DISPENSING REGARDING CONTROLLED DRUGS PRESCRIPTIONS

This circular is provided as an addendum to the fact sheet, **Legislative and regulatory update - information for pharmacists**, sent out in March 2011, in relation to the recent amendments to the *Health (Drugs and Poisons) Regulation 1996* (the Regulation). The circular offers an advisory about the timeframes and validity relating to when a controlled drug prescription can be dispensed.

Introduction

Amendments, effective from 28 January 2011, have been made to the *Health (Drugs and Poisons) Regulation 1996* (**the Regulation**). These amendments ensure the continued effective and efficient operation of the Regulation and have resulted in the removal of some unnecessary or unduly onerous requirements from the Regulation.

The following information (including reference/s to the relevant section/s) applies to pharmacists working in community pharmacies and/or institutions eg. Hospitals.

Guidance

Section 82 (2) – Conditions of dispensing of the Regulation states, Also, a dispenser must not dispense a controlled drug on a prescription if—
(f) it appears to have been prescribed more than 6 months before the date it is presented to the dispenser.

The explanatory note for amendments to the Regulation explains the provision now prohibits a controlled drug from being dispensed more than six (6) months (instead of 12 months) after the prescription for the drug has been issued ie. the date the prescription is made which appears on the prescription [s.79 (4)(b) – Prescribing controlled drugs refers].

This amendment was made for consistency and alignment with other states and territories' drugs and poisons legislation.

Furthermore, the amendment which was given legal effect on 28 January 2011, only applies the requirement from 28 January 2011 onwards. Thus, prescriptions dated prior to this date (the date the prescription is made), would not fall under the new legislative requirement.

The dispensing of repeat prescriptions, and the intervals at which they may be repeated (where applicable), within the period of 12 months, you have been applying, now applies within a six month period.

Examples

The following examples have been provided to assist pharmacists:

1. A controlled drug prescription is written on 17 January 2011 and presented for dispensing at the pharmacy on 1 February 2011.

Question: Is the prescription valid for 6 months or 12 months?

Discussion: The prescription was written before the amendment was given legal effect but presented and dispensed after the amendment was given legal effect.

Answer: The prescription is valid for 12 months.

2. A controlled drug prescription is written on 1 February 2011 and presented for dispensing at the pharmacy 3 February 2011. The script has three repeats.

Question: Is the script valid for 6 months or 12 months?

Discussion: The prescription was written after the amendment was given legal effect and presented and dispensed after the amendment was given legal effect.

Answer: The prescription is valid for 6 months.

Question: Are the repeats valid for 6 months or 12 months each time they are dispensed and medicines obtained?

Answer: There is a 6 month timeframe for the expiry of all repeats, not 6 months for each repeat.



Further Information

1. Copies of the Amendment Regulation and the Regulation may be accessed electronically from the Queensland Government legislation websites detailed below:
 - *Health (Drugs and Poisons) Amendment Regulation (No. 1) 2011*
www.legislation.qld.gov.au/LEGISLTN/SLS/2011/11SL004.pdf
 - *Health (Drugs and Poisons) Regulation 1996*
www.legislation.qld.gov.au/LEGISLTN/CURRENT/H/HealDrAPoR96.pdf
2. Information about medicines and poisons, as it applies to health practitioners, industry and the public can be found on Queensland Health webpages detailed below:
 - Pharmaceutical and Medicines
www.health.qld.gov.au/health_professionals/medicines
 - Poisons and Pest Management
www.health.qld.gov.au/industry/poisons_pest
 - Pharmacy Ownership
www.health.qld.gov.au/health_professionals/pharmacyownership.asp
3. Contact your local Queensland Health Public Health Unit (PHU) if you have any further questions regarding legislative requirements (PHU contact details below or visit www.health.qld.gov.au/cho).

Queensland Health Public Health Units – Environmental Health

Office	Phone No.	Email
Brisbane Northside	3624 1111	EH_BrisbaneNorth@health.qld.gov.au
Brisbane Southside	3000 9148	EH_BrisbaneSouth@health.qld.gov.au
Bundaberg – Wide Bay	4150 2780	EH_WideBay@health.qld.gov.au
Cairns	4226 5555	EH_Cairns@health.qld.gov.au
Gold Coast	5668 3700	EH_GoldCoast@health.qld.gov.au
Hervey Bay – Wide Bay	4184 1800	EH_HerveyBay@health.qld.gov.au
Ipswich – West Moreton	3413 1200	EH_WestMoreton@health.qld.gov.au
Logan	3412 2989	EH_Logan@health.qld.gov.au
Longreach – Central West QLD	4652 6000	EH_CentralQueensland@health.qld.gov.au
Mackay	4911 0400	EH_Mackay@health.qld.gov.au
Mt Isa & Gulf	4744 9100	EH_CentralQueensland@health.qld.gov.au
Redcliffe – Moreton Bay	3142 1800	EH_MoretonBay@health.qld.gov.au
Rockhampton – Central QLD	4920 6989	EH_CentralQueensland@health.qld.gov.au
Charleville – South West QLD	4656 8100	EH_DarlingDowns@health.qld.gov.au
Sunshine Coast	5409 6600	EH_SunshineCoast@health.qld.gov.au
Toowoomba – Darling Downs	4631 9888	EH_DarlingDowns@health.qld.gov.au
Townsville	4753 9000	EH_Townsville@health.qld.gov.au
Torres Strait & Northern Peninsula	4069 0400	EH_Cairns@health.qld.gov.au

4. For enquiries relating to PSE or information you may have concerning the inappropriate prescribing or supply of PSE or other scheduled medicines subject to diversion or misuse, such as performance enhancing substances, please contact the PSE enforcement taskforce, located within the Drugs and Poisons Policy and Regulation Unit.
5. For enquires about controlled drug (CD) forged and fraudulent prescriptions, sending CD scripts to Queensland Health, CD Doctor shopping enquiries or monitoring/approval of methadone and buprenorphine program patients within the Queensland Opioid Treatment Program, please contact the Drugs of Dependence Unit (DDU) [contact details below].

Drugs and Poisons Policy and Regulation Unit

Environmental Health Branch

QUEENSLAND HEALTH

Post PO Box 2368

Fortitude Valley BC 4006

Phone +61 7 3328 9310

Fax +61 7 3328 9354

Email dppr@health.qld.gov.au

Website www.health.qld.gov.au/ph/ehu/drugs_poisons.asp

Drugs of Dependence Unit

Harm Reduction Branch

QUEENSLAND HEALTH

Post Locked Bag 21

Fortitude Valley BC 4006

Phone +61 7 3328 9890 (24/7 enquiry service)

Fax +61 7 3328 9821

Email ddu@health.qld.gov.au

Website www.health.qld.gov.au/atod/ddu.asp