

Drugs, Poisons and Controlled Substances Act 1981

PUBLIC HEALTH EMERGENCY ORDER UNDER SECTION 22D

I, Kym Peake, Secretary to the Department of Health and Human Services, pursuant to section 22D of the **Drugs, Poisons and Controlled Substances Act 1981**, make this public health emergency order in the belief that it is necessary to do so in order to prevent a serious risk to public health by enabling persons impacted by bushfire to obtain necessary medicines.

By this Order I authorise all pharmacists registered under the Health Practitioner Regulation National Law to practise in the pharmacy profession (other than as a student) to sell or supply a Schedule 4 poison without a prescription to a person ("the patient") in an emergency if—

- (a) the pharmacist considers that the sale or supply is necessary to ensure continuity of treatment; and
- (b) the pharmacist is satisfied that—
 - (i) there is an immediate need for the poison and it is impracticable for the patient to obtain a prescription in time to meet that need; and
 - (ii) treatment with the poison has previously been provided for by a prescription issued, or a chart instruction written for the patient by a registered medical practitioner, dentist, nurse practitioner, authorised midwife, authorised optometrist or authorised podiatrist; and
 - (iii) the patient, or an agent of the patient, or a person who has the care of the patient, or a person who is assisting in the care of the patient, is aware of the appropriate dose of that poison for that patient; and
- (c) the quantity of the poison supplied does not exceed—
 - (i) for a poison that is on the Pharmaceutical Benefits Scheme, the standard Pharmaceutical Benefits maximum quantity; or
 - (ii) for a poison that is not on the Pharmaceutical Benefits Scheme, the quantity that is contained in the smallest commercially available pack; and
- (d) the pharmacist records that the sale or supply was made under the public health emergency order.

This order comes into force on 9 January 2020 and continues in force until midnight 1 April 2020 unless earlier revoked.

Dated 9/1/2020



Kym Peake

Secretary to the Department of Health and Human Services