

Frequently Asked Questions

What does the Act do?

The *Drugs, Poisons and Controlled Substances Amendment (Supply by Midwives) Act 2012* amended the *Drugs, Poisons and Controlled Substances Act 1981* in order to provide a mechanism for eligible midwives to prescribe scheduled medicines in accordance with a list of approved medicines. The list of approved medicines has been published in the Victorian Government Gazette

Are all registered midwives in Victoria able to prescribe medicines?

No, only midwives who have a Scheduled Medicines Endorsement for Midwives (hereafter Scheduled Medicines Endorsement), under section 94 of the *Health Practitioner Regulation National Law* (the National Law) from the Nursing and Midwifery Board of Australia (NMBA), are authorised to prescribe.

To be an eligible midwife, a midwife must be able to demonstrate all of the following:

- current general registration as a midwife in Australia, with no restrictions on practice
- the equivalent of three years' full-time experience, post initial midwifery registration
- current competence to provide pregnancy, labour, birth and postnatal care to women and their infants
- successful completion of an approved professional practice review program for midwives working across the continuum of midwifery care
- 20 additional hours per year of continuing professional development relating to the continuum of midwifery care
- the successful completion of, or the formal undertaking to complete, an accredited and approved program of study determined by the NMBA

Find out more about the NMBA requirements and processes at: <http://www.nursingmidwiferyboard.gov.au/>

Why have eligible midwives in Victoria been authorised to prescribe?

The Commonwealth's National Maternity Services Plan 2010 (the Plan) has been agreed by all Australian jurisdictions. A key objective of the Plan is to improve access to maternity care for women and their families by promoting better use of registered midwives within an expanded range of collaborative team-based models, while maintaining current high standards of safety and quality in maternity services.

To support the Plan, a number of budgetary measures granted eligible midwives limited access to Medicare Benefit Schedule (MBS) items and the Pharmaceutical Benefits Scheme (PBS) for the practice of midwifery from 1 November 2010.

In support of the Plan, Victoria agreed to amend drugs and poisons legislation to provide prescribing rights for eligible midwives and facilitate access to PBS subsidies for women. With prescribing authority, eligible Victorian midwives now provide a greater range of maternity care services for Victorian women and their families.

Is prescribing by eligible midwives safe?

Yes, prescribing by eligible midwives who have Scheduled Medicines Endorsement is a safe and regulated practice.

Eligible midwives with Scheduled Medicines Endorsement are experienced and well qualified to prescribe medicines for midwifery practice. They have completed postgraduate qualifications approved by the NMBA in midwifery prescribing. The scope of prescribing is limited by the NMBA to medicines appropriate for midwifery practice across pregnancy, labour, birth and post natal care.

A condition of PBS (and MBS) authority is that eligible midwives have collaborative arrangements with nominated medical practitioners or an entity that employs or engages one or more obstetric specified medical practitioners to ensure there are pathways for consultation, referral and admission if required. This is also a condition of the Professional Indemnity Scheme offered by Medical Insurance Group Australia for registered midwives in private practice.

The nature and requirements of a “collaborative arrangement” for PBS purposes are detailed in the *National Health (Collaborative arrangements for midwives) Amendment Determination 2013* under subsection 84 (1) of the *National Health Act 1953*: <https://www.comlaw.gov.au/Details/F2013L01485>

How is prescribing by eligible midwives regulated?

The regulation of prescribing by eligible midwives is shared between the NMBA, Commonwealth agencies (under Commonwealth legislation) and States and Territories (under drugs and poisons legislation).

The NMBA comprehensive national professional practice framework for all registered midwives includes:

- competency standards for registered midwives
- recency of practice registration standard, professional indemnity insurance, eligible midwife notation, scheduled medicines endorsement and continuing professional development
- guidance specific to midwifery practice (home births)
- course accreditation standards for midwifery prescribing courses
- accreditation standards for professional practice review programs
- guidelines for scope of practice decisions
- professional boundaries and professional ethics guidance.

In addition, to be granted Scheduled Medicines Endorsement by the NMBA, an eligible midwife must:

- have completed NMBA approved qualifications in medicine prescribing for registered midwives
- be noted as an “Eligible midwife” by the NMBA
- meet NMBA requirements and registration standards for eligible midwives

Find out more about the NMBA regulatory framework at <http://www.nursingmidwiferyboard.gov.au/>

Commonwealth legislation for the regulation of prescribing by eligible midwives includes:

- *National Health (Collaborative arrangements for midwives) Determination 2010* under subsection 84 (1) of the *National Health Act 1953* which sets out collaborative arrangements for eligible midwives.
- *Health Legislation Amendment (Midwives and Nurse Practitioners) Act 2010* (the Midwives and Nurse Practitioners Act) which provides for new arrangements to enhance and expand the role of midwives, allowing them to take a greater role in providing quality health care.
- *Health Insurance Act 1973* to enable appropriately qualified and experienced midwives to request appropriate diagnostic imaging and pathology services for which Medicare benefits may be paid.

Victorian regulation has been conferred through the *Drugs, Poisons and Controlled Substances Amendment (Supply by Midwives) Act 2012*.

What does scheduled medicines endorsement for eligible midwives mean?

Scheduled Medicines Endorsement for eligible midwives (under section 94 of the National Law) indicates that the eligible midwife is qualified to prescribe Schedule 2, 3, 4 or 8 medicines appropriate for midwifery practice

across pregnancy, labour, birth and post natal care within the meaning of the current Poisons Standard under section 52D of the *Therapeutic Goods Act 1989 (Cwth)* and in accordance with relevant State and Territory legislation.

This endorsement signifies that eligible midwives are qualified to prescribe. Such endorsement however is not an authorisation to prescribe in Victoria. Victorian authorisation is conferred through the *Drugs, Poisons and Controlled Substances Amendment (Supply by Midwives) Act 2012*.

What does “PBS prescribing authority” mean?

Health practitioners with PBS authority or a PBS prescriber number are sometimes referred to as PBS authorised prescribers. When a health professional with PBS authority writes a prescription for a medicine on the PBS list for that health professional group, the PBS rebate applies.

From 1 November 2010, a list of medicines with a PBS rebate (for private patients only) was approved for eligible midwives who apply for and are given PBS authority by Medicare.

To qualify for PBS authority, an eligible midwife must meet the NMBA requirements to be an “Eligible midwife” and must have a collaborative arrangement with a medical practitioner or an entity that employs or engages one or more obstetric specified medical practitioners as required by *National Health (Collaborative arrangements for Midwives) Amendment Determination 2013*.

PBS authority is for rebate purposes only; it is not an authorisation to prescribe. In Victoria, the authorisation for midwifery prescribing is conferred through the *Drugs, Poisons and Controlled Substances Amendment (Supply by Midwives) Act 2012*.

How can you tell which midwives are authorised to prescribe in Victoria?

Eligible midwives who are authorised to prescribe have a Scheduled Medicines Endorsement on their registration certificate and against their name on the public register of all registered midwives maintained by the Australian Health Practitioners Regulation Agency (AHPRA). The endorsement identifies that the eligible midwife has completed approved qualifications and is competent to prescribe in accordance with State/Territory legislation. Any conditions or limitations to the endorsement are also noted on the registration.

Eligible midwives with PBS authority will have a PBS prescriber number that is noted on prescriptions and anyone can check the public register to confirm if an individual has Scheduled Medicines Endorsement at: <http://www.ahpra.gov.au/Registration/Registers-of-Practitioners.aspx>

What medicines are eligible midwives able to prescribe in Victoria?

Prescribing by eligible midwives in Victoria with Scheduled Medicines Endorsement is limited to the list of medicines approved by the Victorian Minister for Health. The list includes Schedule 2, 3, 4 and 8 medicines required for midwifery practice across pregnancy, labour, birth and post natal care and is consistent with contemporary best practice and clinical guidelines.

The list of approved medicines has been published in the Victorian Government Gazette and is available on-line from the Drugs and Poisons Controls in Victoria at:

<http://www.gazette.vic.gov.au/gazette/Gazettes2012/GG2012S410.pdf#page=1>

Why does Victorian have a unique list of medicines for midwifery prescribing?

Each Australian State or Territory has its own legislated act that establishes the scope and parameters of eligible midwifery prescribing. Eligible midwives who work in several States/Territories will need to adhere to the prescribing authority in each jurisdiction. In Victoria prescribing by eligible midwives is limited to the list of scheduled medicines approved by the Victorian Minister for Health.

The list of medicines approved by the Minister for Health in Victoria for eligible midwives was developed in consultation with professional and clinical experts and reflects contemporary, evidence-based midwifery practice and clinical guidelines. The consultation process included a review of the NMBA Prescribing Formulary and the PBS list of approved medicines. Over time, the list may change and more medicines may be included as the safety and efficacy of prescribing by eligible midwives is demonstrated or as best practice changes.

The NMBA Prescribing Formulary was developed as a guide to the scope and capability of prescribing practice by eligible midwives. The NMBA Prescribing Formulary includes some medicines that are not on the PBS list of midwife approved medicines. Similarly there are differences between the authorisations in different jurisdictions.

The PBS list of midwife approved medicines is for PBS rebate purposes. This means that when a privately practising eligible midwife with PBS authority prescribes a medicine from the PBS list to a private patient, the patient is entitled to pay only the rebate amount.

PBS authority means authority to claim a PBS rebate; it is not an authority to prescribe. Prescribing authority is through State and Territory drugs and poisons legislation. An eligible midwife may prescribe medicines that are not on the PBS list if they are authorised under State/Territory legislation to do so (and it is within their scope of midwifery practice), however a PBS rebate would not apply.

Who are eligible midwives able to prescribe medicines for?

Following authorisation from the NMBA and Victoria's *Drugs, Poisons and Controlled Substances Amendment (Supply by Midwives) Act 2012*, eligible midwives providing midwifery services in Victoria are able to prescribe scheduled medicines for patients under their care from the list approved by the Victorian Minister for Health.

PBS rebates apply only to those medicines that are also on the PBS list approved for eligible registered midwives. The PBS list is available at: <http://www.pbs.gov.au/browse/midwife>

What are the benefits of prescribing by eligible midwives for Victoria?

Currently in Victoria, registered midwives can work in private practice and provide a limited range of maternity services, including antenatal education and management, management of the birth episode and post birth care and support. These services are provided mostly in the community, for example in the home.

In Victoria, having eligible midwives with authority to prescribe the medicines associated with maternity care enables women to access a greater range of private midwifery services in collaborative models. Clients of eligible midwives are able to receive a PBS rebate for eligible medicines prescribed as a part of private midwifery practice.

A broader range of midwifery services and models will:

- improve access to an expanded range of birthing options for women close to home
- enable greater continuity of care when prescription medicines are indicated and reduce the pressure on rural medical practitioners
- utilise the skills and knowledge of the midwifery workforce and increase workforce retention.