



New South Wales

Poisons and Therapeutic Goods Amendment (Prescription Requirements) Regulation 2022

under the

Poisons and Therapeutic Goods Act 1966

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Poisons and Therapeutic Goods Act 1966*.

BRAD HAZZARD, MP
Minister of Health

Explanatory note

The objects of this Regulation are to—

- (a) require the patient's date of birth to be included on prescriptions for restricted substances and drugs of addiction, and
- (b) further provide for the information to be recorded in the monitored medicines database, and
- (c) make provision for the secure storage of propofol on hospital wards, and
- (d) reduce the minimum age at which a person may receive certain vaccines from a suitably qualified pharmacist from 16 years of age to 12 years of age.

Poisons and Therapeutic Goods Amendment (Prescription Requirements) Regulation 2022

under the

Poisons and Therapeutic Goods Act 1966

1 Name of Regulation

This Regulation is the *Poisons and Therapeutic Goods Amendment (Prescription Requirements) Regulation 2022*.

2 Commencement

- (1) This Regulation commences on the day on which it is published on the NSW legislation website, except as provided by subsection (2).
- (2) Schedule 1.2 commences on 1 November 2022.

Schedule 1 Amendment of Poisons and Therapeutic Goods Regulation 2008

1.1 Amendments commencing on publication

[1] Clause 30 Storage of prescribed restricted substances in hospital wards

Insert “or propofol” after “drugs of addiction” in clause 30(1).

[2] Clause 30(3)

Omit the subclause.

[3] Clause 48A Supply by pharmacists of certain vaccines

Omit clause 48A(1A)(d). Insert instead—

- (d) a SARS-CoV-2 (COVID-19) vaccine,
- (e) human papillomavirus vaccine,
- (f) meningococcal vaccine.

[4] Clause 48A(1B) and (1C)

Omit the subclauses.

[5] Clause 48A(1AA)(a)

Omit “16 years of age”. Insert instead “12 years of age”.

[6] Clause 58 Administration by persons employed at hospitals and managed correctional centres

Omit clause 58(2). Insert instead—

- (2) A direction must be—
 - (a) written and given in person, or
 - (b) given in another manner approved by the Secretary.

[7] Clause 75 Storage in hospital wards

Insert “or propofol” after “prescribed restricted substances” in clause 75(1).

[8] Clause 120 Administration by persons employed at hospitals and managed correctional centres

Omit clause 120(2). Insert instead—

- (2) A direction must be—
 - (a) written and given in person, or
 - (b) given in another manner approved by the Secretary.

[9] Clause 174D Recording of information by prescribers

Omit clause 174D(2)(e). Insert instead—

- (e) healthcare identifier,
- (f) other relevant information approved by the Secretary.

[10] Clause 174D(3)(b)(iii)–(v)

Omit clause 174D(3)(b)(iii). Insert instead—

- (iii) the healthcare identifier for the practice if available,
- (iv) practice name and address,
- (v) other relevant practice information approved by the Secretary.

[11] Clause 174E Recording of information by pharmacists

Omit clause 174E(2)(a)(v). Insert instead—

- (v) healthcare identifier,
- (vi) other relevant information approved by the Secretary,

[12] Clause 174E(2)(b)(iii)

Omit “if available.”.

[13] Clause 174E(2)(b1)

Insert after clause 174E(2)(b)—

- (b1) the following information about the business from which the monitored medicine was supplied—
 - (i) healthcare identifier,
 - (ii) business name and address,
 - (iii) other relevant information approved by the Secretary,

[14] Clause 174E(2)(c)(ii)

Omit the subparagraph.

1.2 Amendments commencing on 1 November 2022

[1] Clause 35 Form of prescription

Insert “, date of birth” after “name” wherever occurring in clause 35(1)(b)(i) and (1A)(b).

[2] Clause 39 Prescriptions may be filled only if in proper form

Insert after clause 39(2)(a)—

- (a1) the prescription fails to specify the patient’s date of birth, or

[3] Clause 39(2A)

Omit the subclause. Insert instead—

- (2A) This clause does not prevent a pharmacist from supplying a substance on a medication chart prescription that otherwise complies with clause 35(1A) merely because—
 - (a) the prescription fails to specify the maximum number of times the substance may be supplied, or
 - (b) the prescription fails to specify the patient’s date of birth.

[4] Clause 80 Form of prescription

Insert “, date of birth” before “and address of the patient” in clause 80(1)(b).

[5] Clause 85 Pharmacists may supply drugs of addiction on prescription

Insert at the end of clause 85(2)(b)—

- , or
- (c) the prescription fails to specify the patient’s date of birth.

[6] Clause 174E Recording of information by pharmacists

Insert after clause 174E(1)—

- (1A) A pharmacist who supplies a monitored medicine must, for the purposes of the database, record the following information about the person who is supplied the medicine—
- (a) full name,
 - (b) date of birth,
 - (c) street address.

[7] Clause 174E(2)(a)(i)–(v)

Omit the subparagraphs. Insert instead—

- (i) gender,
- (ii) healthcare identifier,
- (iii) other relevant information approved by the Secretary,