



**Tasmania**  
Department of Health and Human Services  
Pharmaceutical Services Branch

**Dispensing by medical practitioners and the supply of schedule substances from non-pharmacy premises  
Poisons Act 1971**

The Poisons Act is specific about controls over the supply of schedule 3, 4 and 8 substances. The distribution of these substances is limited to the chain of a licenced manufacturer, a licenced wholesaler, a registered doctor or a registered pharmacist dispensing legal prescriptions written by registered doctors.

If an organisation/person holds a poisons licence under S27 of the Poisons Act (e.g. Zeehan ) substances that can be supplied are limited to certain schedule 2 substances and they are not legally entitled to be supplied with any other classes of substances.

A doctor may only supply these substances to patients and in the course of medical practice and in accordance with the *Poisons Regulations 2008*. (Refer handout '*Labelling and supply of scheduled products by medical practitioners*')

It is acknowledged that dispensing of medicines is not a usual role of a doctor as pharmacy services are generally available in most areas. However, where the doctor takes on the role of medicines supplier, the safety standards that apply in a pharmacy should also apply in the case of medicines supplied by a dispensing doctor.

The requirements relating to the handling and supply of schedule medicines under the *Poisons Act 1971* are completely separate from any reimbursement of dispensed prescriptions by the Health Insurance Commission under the Pharmaceutical Benefits Scheme (PBS).

- The doctor is wholly responsible for the receipt, storage, dispensing and supply of these substances. The Poisons Act does not recognise a role for other persons to undertake this function. There are specific requirements around the storage of schedule 8 medications (Refer '*Recommended Procedures for handling of Schedule 8 Drugs in general practice*').
- A country stores licence enables a facility to supply certain schedule 2 substances. The doctor has no responsibility to supervise this role. This is an entirely separate function from the supply of schedule 3, 4 and 8 substances by the doctor.
- Where unregistered staff are employed to assist in the dispensing and supply process, the doctor is required to exercise direct personal supervision.

- If the unregistered staff are not employed by the doctor, it must be made clear that the staff are under the full control and direction of the doctor when they carry out any activities relating to the handling of schedule 3, 4 and 8 medicines.
- The area where medicines are stored must be secure, separate from other areas and be locked when the doctor is not present. The doctor should personally hold the key to the store of drugs.
- On occasions it may be necessary for another person to hold the key. However, the doctor must ensure that person is trusted and responsible, and acts in accordance with the doctor's direction. The doctor retains ultimate responsibility for safe storage of the scheduled substances.
- If a facility holds a Poisons Licence for purchasing of schedule 2 substances for sale these substances must be kept separate from the purchasing of schedule 3, 4 and 8 substances for use or supply by the doctor at the surgery. They are separate legal entities under the Act. The two wholesaler accounts must be separate.
- The wholesaler account for the doctor must be in the **doctor's name**.
- There must be a clear physical separation between the places where schedule 2 medicines and other scheduled medicines (schedule 3, 4 or 8) are supplied. The schedule 2 medicines are supplied via a shopfront.
- The other medicines are supplied via the doctor's surgery by the doctor. As mentioned above, the storage of these other medicines must be secure and separate from other areas including the shop.
- **The keys to the narcotic substances safe must be held by the doctor. Entries in the narcotic substances register must be signed by the doctor.**
- The legal status of the doctor dispensing prescriptions written by other doctors unclear. The Poisons Act only authorises doctors to supply schedule 4 and schedule 8 substances in the course of medical practice. There is a question as to whether dispensing the prescriptions of other doctors comes within the scope of medical practice. *(It is recommended that prescribers seek their own legal advice about this matter.) It is important to note that the workload of dispensing or supervising the dispensing of a large number of prescriptions to a standard equivalent to that of a pharmacy is likely to be significant.*
- While the obligations outlined above may appear onerous, the Poisons Act does not provide alternatives for medical practitioners as relevant safety standards must be met.

- If a decision is taken to have routine prescriptions dispensed elsewhere, there is nothing in the Poisons Act to prevent a doctor from supplying starter medication to cover the period until a prescription is dispensed.
- Where medication which is less than an amount needed for 3 days treatment is supplied as a starter pack, the Poisons Regulations do not require it to be individually labelled for the patient. However, details of the supply must be recorded in the patient history.
- Once medication has been dispensed by the medical practitioner it can be packaged and sealed ready for delivery to a patient. This package can be placed in a secure area for the patient to collect.
- If a patient requires daily dosing this will need to be supervised by the medical practitioner or alternatively an order written up for administration by the practice nurse.
- If a patient requires rationed supply these supplies need to be similarly packaged and labelled, stored in a secure area for collection by the patient. It is recommended that a record be kept of the medication being collected. Any schedule 8 medications need to be stored in the safe overnight or when the practice is closed.

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