



Victoria Government Gazette

No. S 188 Tuesday 7 April 2020
By Authority of Victorian Government Printer

Drugs, Poisons and Controlled Substances Act 1981
PUBLIC HEALTH EMERGENCY ORDER UNDER SECTION 22D
Pharmacist Supply on a Digital Image (PHEO #4)

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**, (Act) make this public health emergency order (Order) in the belief that it is necessary to do so to prevent a serious risk to public health arising from the spread of COVID-19 virus.

The purpose of this Order is:

- (1) to facilitate a registered medical practitioner, nurse practitioner, dentist, authorised midwife, authorised optometrist or authorised podiatrist (practitioner) to obtain and possess, use, sell or supply a Schedule 4 poison (other than a drug of dependence) for a patient who in the opinion of the practitioner is at risk of the COVID-19 virus;
- (2) to enable pharmacists in Victoria to sell or supply a Schedule 4 poison (other than a drug of dependence) on an electronically transmitted digital image of an original prescription transmitted directly to the pharmacist from a practitioner.

For the purposes of this Order a digital image of a prescription means an unaltered photo image and includes an unaltered facsimile image of an original prescription.

By this Order I authorise all pharmacists registered under the Health Practitioner Regulation National Law (Victoria) to practise in the pharmacy profession (other than as a student), to sell or supply a Schedule 4 poison (other than a drug of dependence) without an original prescription to a person (patient) if –

- (a) provided with a digital image of the original prescription transmitted directly from the practitioner (or an employee acting in accordance with the instruction of the practitioner) but not via the patient or any other intermediary, or
- (b) the pharmacist records that the sale or supply was made under this public health emergency order (PHEO #4), and
- (c) the pharmacist retains a copy of the digital image upon which the supply is made for two years, and
- (d) the pharmacist produces a copy of the digital image required to be retained under paragraph (c) at the request of an authorised officer under the Act.

A practitioner who transmits a digital image of an original prescription for the purposes of this Order must –

- (a) record that a digital image of the original prescription was transmitted under this Order (PHEO #4),
- (b) retain the original prescription for two years, and
- (c) produce the original prescription required to be retained under paragraph (a) at the request of an authorised officer under the Act.

This Order comes into effect on 7 April 2020 and continues in force until midnight 6 October 2020 unless earlier revoked.

KYM PEAKE
Secretary to the Department of Health and Human Services

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