



Victoria Government Gazette

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Drugs, Poisons and Controlled Substances Act 1981

PUBLIC HEALTH EMERGENCY ORDER UNDER SECTION 22G

Pharmacist Supply on a Digital Image (PHEO #4 as Amended)

I, Kym Peake, Secretary to the Department of Health and Human Services, pursuant to section 22G of the **Drugs, Poisons and Controlled Substances Act 1981** (Act), amend public health emergency order PHEO#4 published in the Victoria Government Gazette on 7 April 2020, 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. This Order (PHEO #4 as amended) incorporates PHEO #4 and the amendments and can be read as a standalone Order.

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;
- (3) to amend PHEO #4 to clarify the requirement for the provision of the practitioner's digital handwritten signature on an original prescription transmitted by digital image to a pharmacist and to clarify the process for pharmacists to retain a repeat authorisation form where repeat supply is authorised on a prescription.

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 (including repeats) 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) as amended, 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.

Where the original prescription includes directions for repeat supply the pharmacist receiving the digital image of the original prescription transmitted directly from the practitioner (or an employee acting in accordance with the instruction of the practitioner) should generate and retain a repeat authorisation form so that the repeat supply can be dispensed at the same pharmacy.

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) as amended, and
- (b) retain the original prescription for two years, and

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- (c) produce the original prescription required to be retained under paragraph (a) at the request of an authorised officer under the Act.

For the purposes of this Order an original prescription must include the handwritten signature of the practitioner except where it is not possible for the prescription to include the handwritten signature due to operation of telehealth, the practitioner may –

- (a) include a digital image of their handwritten signature; or
(b) give access to the digital image of their handwritten signature to an employee, where the employee acts in accordance with the instruction of the practitioner to apply the digital image of the practitioner’s signature to the original prescription.

This Order comes into effect on 11 May 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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