



Victoria Government Gazette

No. S 570 Wednesday 19 October 2022
By Authority of Victorian Government Printer

Drugs, Poisons and Controlled Substances Act 1981

PUBLIC HEALTH EMERGENCY ORDER UNDER SECTION 22D

I, Professor Euan Wallace, Secretary to the Department of Health, pursuant to section 22D of the **Drugs, Poisons and Controlled Substances Act 1981**, make this public health emergency order (PHEO #22) in the belief that it is necessary to do so in order to prevent a serious risk to public health by enabling persons impacted by floods to obtain necessary medicines. The purpose of this Order is to enable persons in Victoria to obtain a Schedule 4 poison directly from a **pharmacist**, in certain circumstances, for the duration of this Order.

By this Order, I authorise all pharmacists to sell or supply a Schedule 4 poison without a prescription to a person ('the patient') in an emergency if –

- (a) the pharmacist considers that the sale or supply is necessary to ensure continuity of treatment; and
- (b) the pharmacist is satisfied that –
 - (i) there is an immediate need for the poison and it is impracticable for the patient to obtain a prescription in time to meet that need; and
 - (ii) treatment with the poison has previously been provided for by a prescription issued, or a chart instruction written, for the patient by a prescriber; and
 - (iii) the patient, or an agent of the patient, or a person who has the care of the patient, or a person who is assisting in the care of the patient, is aware of the appropriate dose of that poison for that patient; and
- (c) the quantity of the poison supplied does not exceed –
 - (i) for a poison that is on the Pharmaceutical Benefits Scheme, the standard Pharmaceutical Benefits maximum quantity; or
 - (ii) for a poison that is not on the Pharmaceutical Benefits Scheme, the quantity that is contained in the smallest commercially available pack; and
- (d) the pharmacist records that the sale or supply was made under this Order.

Definitions

pharmacist means a pharmacist registered under the **Health Practitioner Regulation National Law** to practise in the pharmacy profession (other than as a student).

prescriber means a medical practitioner, nurse practitioner, dentist, authorised midwife, authorised optometrist or authorised podiatrist registered under the **Health Practitioner Regulation National Law (Victoria)** to practise in their profession (other than as a student).

This Order comes into force on the date of publication in the Government Gazette and continues in force until 18 January 2023, unless earlier revoked.

Dated 18 October 2022

PROFESSOR EUAN WALLACE
Secretary to the Department of Health

SPECIAL

ive

The *Victoria Government Gazette* is published by IVE Group Limited with the authority of the Government Printer for the State of Victoria

© State of Victoria 2022

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria
Level 2, 1 Macarthur Street
Melbourne 3002
Victoria Australia

How To Order



**Retail &
Mail Sales**

Victoria Government Gazette
Ground Floor, Building 8,
658 Church Street,
Richmond 3121



Telephone

(03) 8523 4601

email

gazette@ivegroup.com.au

Price Code A