

## CLAUSE NOTES

### *Poisons Amendment Bill 2021*

The *Poisons Act 1971* provides for the regulation, control and prohibition of the importation, making, refining, preparation, sale, supply, use, possession and prescription of scheduled substances (medicines).

The Poisons Amendment Bill amends the Poisons Act to facilitate Tasmania's implementation of a nationally consistent system of Real Time Prescription Monitoring (RTPM) for certain high-risk prescription medicines. The amendments are needed to allow the system to operate in Tasmania and are largely reflective of provisions in place in other states and territories.

The Poisons Amendment Bill includes provisions mandating the RTPM's use by prescribers (medical practitioners, dentists and other prescribed registered health practitioners with the ability to prescribe medications) and dispensers (pharmacists and other prescribed registered health practitioners with the ability to dispense medications on prescription).

Mandatory use of RTPM systems adopted in other countries has been shown to provide greater reduction in harms from high-risk prescription medicines and represents worldwide best practice. It is also consistent with the approach taken in other states and territories. The inclusion of provisions for this purpose has also been widely supported by stakeholders in Tasmania.

The Poisons Amendment Bill requires all narcotic substances to be reported through the RTPM. Other high risk, restricted substances required to be reported will be as prescribed.

There will be no licensing cost or fee for prescribers and dispensers associated with access to, or use of, the system.

The Poisons Amendment Bill also amends the Poisons Act to:

- include provisions for emergency orders authorising a person to undertake certain activities in relation to certain substances in an emergency;
- clarify when information obtained under the Poisons Act may be released or shared; and
- provide for regulations that permit discretionary decisions, approvals of matters and the issuing of declarations or notices.

Amendments for emergency orders will improve the State's capacity to act quickly to ensure the continued supply of medications without prescription in an emergency.

There are currently no information sharing powers in the Poisons Act. The amendments are needed to provide clarity around when information obtained under the Poisons Act can be released or shared.

Amendments providing authority for regulations to be made that allow for discretionary decisions, approvals of matters and the issuing of declarations or notices will enable a flexible approach to the safe management of scheduled substances. Discretionary decisions to which the amendments will apply include decisions such as approving relevant courses of training for the administration of scheduled substances, determining locations that are suitable to hold first

aid kits, and providing instructions as to when and in what circumstances substances that are usually prescription substances may be supplied without prescription.

The Poisons Amendment Bill will commence on a day or days to be proclaimed. This will enable the commencement of certain provisions, such as provisions mandating use of the RTPM, to be staggered.