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Tasmanian Government

22 November 2024

Mr Michael Barnier
Committee Secretary
Government Administration Committee B
Inquiry into the assessment and treatment of ADHD and support services
michael.barnier@parliament.tas.gov.au

Dear Mr Barnier

Thank you for your email to the previous Minister for Health, Mental Health and Wellbeing, Hon Guy Barnett MP, regarding questions taken on notice at the Committee's hearing on 18 October 2024. As the new Minister for Mental Health and Wellbeing, I can provide the Committee with the following responses:

1. Section 59E applications for Schedule 8 psychostimulants by decision outcome – number and percentage 14 May 2024 to 14 November 2024:

Decision outcome	Count	Percentage
Approved without staged supply conditions	5909	91.87%
Approved with staged supply conditions	500	7.77%
Supported pending additional information	0	0.00%
Total approved	**6409**	**99.64%**
Refused due to clinical safety concerns	23	0.36%
Total applications	**6432**	**100.0%**

2. How many reviews result in a change to the application decision?

The Department of Health website includes a webpage describing the provisions and process available under Section 59E to prescribers, patients, or carers for the review of decisions made on applications to prescribe Schedule 8 medicines.

This review process has been implemented consistent with the recommendations made by the Ombudsman Tasmania investigation into the administration of s59E of the Poisons Act 1971.

In addition, any correspondence regarding s59E authorities sent to prescribers, patients, or carers includes education regarding the availability of the review process.

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Counts of outcomes for applications for review of a decision on a Section 59E application to prescribe Schedule 8 psychostimulants 14 May 2024 to 14 November 2024

Review Description	Count
Outcome – No change	0
Outcome – Decreased (relaxed) or removed conditions*	13
Outcome – Refused decision reversed and authority issued	0
Outcome – Increased conditions or refusal	0
Total number of applications for review received	13

*Applications for review include the ability for the applicant (prescriber, patient, or carer) to provide a reason for and any additional information the applicant may deem necessary to inform a review. Frequently, these applications include additional relevant information.

3. Access to information regarding a child's parents to assist in making risk assessments and decisions regarding prescribing Schedule 8 medicines to a child:

The dual purpose of the Section 59E authority applications are to protect patients and, in the interests of both patient and public safety, address the risk of illegal diversion, misuse and abuse of the substances.

The Authority Application Form completed by the prescriber requires information identifying the primary parent(s) or carer(s) of the child. This information is used by the Department to facilitate safe custodianship and access to Schedule 8 medicines.

Prescribers who determine a clinical need to prescribe Schedule 8 medicines to children are encouraged to inform both the patient and parent(s) or carer(s) of the legal frameworks that apply to their prescribing of these medicines. This includes informing them of the information that is submitted to and considered by the Department to support patient and public safety; and address the risk of illegal diversion, misuse, and abuse of these substances. This is consistent with the expectations of Good Medical Practice: a code of conduct for doctors in Australia published by the Medical Board of Australia.

Due diligence undertaken by the Department may include review of Departmental records relevant to the prescribing and supply of Schedule 8 medicines, declarations of drug dependence under Section 59E of the Poisons Act 1971, notifications of drug seeking under Section 59B, current or recent history of unsanctioned high-risk substance use, or other factors that indicate there are serious safety concerns regarding access and custodianship of Schedule 8 medicines to a child.

These due diligence checks are undertaken consistent with the provisions of the Personal Information Protection Act 2004 and the Department of Health's Personal Information Protection Statement. Departmental staff are only provided with or have access to the information that is necessary for them to carry out their functions within the Department of Health and all staff are bound by confidentiality requirements.

Yours sincerely

Hon Roger Jaensch MP
Minister for Mental Health and Wellbeing

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