DRAFT SECOND READING SPEECH

HON JEREMY ROCKLIFF MP

Poisons Amendment Bill 2021

Mr Speaker

The primary purpose of this Bill is to amend the *Poisons Act 1971* to support Tasmania's adoption of a nationally consistent real-time prescription monitoring, or RTPM, system for certain high-risk medicines.

The Bill also amends the Poisons Act to clarify when information obtained under the Act can be released or shared, to provide for emergency orders authorising a person to undertake certain activities in relation to certain substances in an emergency, and to provide for the making of regulations that permit discretionary decisions.

On 13 April 2018, the now disbanded Council of Australian Governments Health Council agreed to progress a national system to enable prescribers and pharmacists to access a patient's medication history before prescribing specific high-risk drugs. All jurisdictions committed to develop, or adapt local systems to connect to, and interface with the Australian Government's National Data Exchange to achieve a national solution.

Tasmania pioneered Australia's first RTPM system, known as DORA, in 2009. DORA is a clinical decision support tool that records the dispensing of Schedule 8 medicines and Schedule 4 opioids by prescribers, pharmacists and the Department of Health in real-time.

DORA set the precedent for use of RTPM systems in Australia and has been instrumental in reducing morbidity and mortality associated with the prescribing and dispensing of these high-risk medicines in Tasmania. .

Tasmanian data has shown that DORA, and the clinical-regulatory approach to authorising the prescribing of narcotic prescription medicines in Tasmania, in collaboration with Tasmania's medical practitioners and pharmacists, has achieved a population level reduction in authorised opioid doses prescribed over the past 15 years. It is of note, in particular, that Tasmania experienced a much lower percentage increase in the rate of unintentional prescription drug poisoning deaths per capita compared with the rest of Australia between 2001 and 2018.

The nationally consistent RTPM system has been developed to securely integrate with existing clinical workflows for clinicians using their prescribing and dispensing software. The contemporary technology underpinning the national system will enable real-time pop-up notifications to be presented to prescribers and pharmacists through their practice software at the time of prescribing or supply.

These notifications can be used to directly access the Health Practitioner Portal of the national RTPM system to enable a seamless user experience and facilitate timely access to relevant clinical and regulatory information.

Access will also be available for those who handwrite prescriptions via the Health Practitioner Portal, like DORA. The national system will also allow for secure access to the Health Practitioner Portal via a mobile or tablet device.

This Bill amends the Poisons Act to facilitate Tasmania's implementation of the nationally consistent RTPM system. 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 Bill also includes provisions mandating the national RTPM system's use by prescribers and pharmacists. Mandatory use ensures both integrity of the data within the RTPM system for all users and will maximise the benefits of such a system to patient and health professionals.

Mandatory use of RTPM systems adopted in other countries has 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 concept of RTPM is not new in Tasmania, and key stakeholders, including the Tasmanian Branches of the Australian Medical Association, the Royal Australian College of General Practitioners, the Pharmaceutical Society of Australia and the Pharmacy Guild of Australia, are supportive of both the national RTPM system and of this Bill.

The Poisons Act does not currently include information sharing powers. Amendments are needed to provide clarity around when information obtained under the Poisons Act can be released or shared. This is important given the sensitive nature of the information that is collected by the Department in its administration of the Act.

Amendments to allow for the making of emergency orders are needed to improve the State's capacity to act quickly to ensure the continued supply of essential medicines without prescription in an emergency.

Medications can only be supplied without prescription in an emergency in Tasmania if this is permitted under the regulations. While the regulations enable emergency supply in relevant circumstances, they are inflexible, and it has been necessary in the past to make legislative amendments at very short notice to accommodate previously unanticipated emergency scenarios.

For example, the Poisons Regulations were amended in 2020 to allow for the emergency supply of certain substances without a prescription when an emergency declaration is in force, either under the *Public Health Act 1997* or the *Emergency Management Act 2006*. The amendments were made in response to COVID-19 and were progressed urgently to provide flexibility during the pandemic.

In contrast, Poisons Legislation in place in New South Wales, Victoria, South Australia and the Australian Capital Territory provides discretion to the relevant Minister, Secretary or Chief Health Officer to make orders enabling emergency supply of prescription medicines. Queensland's *Medicines and Poisons Bill 2020* similarly enables the Chief Executive to make emergency orders authorising the supply of certain substances without prescription in an emergency.

The Bill amends the Poisons Act to enable the Secretary to make an emergency order authorising a person to possess, sell or supply a scheduled substance without a prescription in certain circumstances.

Amendments providing authority for the Governor to make regulations that allow for discretionary decisions, approvals of matters and issuing of declarations or notices are necessary to enable a flexible approach to the safe management of scheduled substances.

Discretionary decisions to which the amendments would apply include decisions such as approving relevant courses of training for the administration of scheduled substances, determining locations that are suitable to store scheduled substances, and providing instructions as to when and in what circumstances substances that are normally prescriptions substances may be supplied without prescription.

I note that the inclusion of provisions in the Poisons Act for these purposes have been widely supported by key stakeholders in Tasmania.

I commend the Bill to the House.