



Requirements of the Western Australian poisons legislation

Information for pharmacists

Introduction

The legislative controls over the storage and supply of medicines in Schedules 2, 3, 4 and 8 in Western Australia (WA) are contained in the *Poisons Act 1964* and the associated Poisons Regulations 1965. The WA legislation is available on the [State Law Publisher](#) website.

WA adopts the Schedules of the nationally developed *Standard for the Uniform Scheduling of Medicines and Poisons (SUSMP)* into state legislation. The SUSMP is available electronically on the [Federal Register of Legislative Instruments](#) (FRLI).

There are minor variations between the jurisdictions in relation to the legislative controls over medicines. It is the responsibility of every pharmacist who either practises in WA or holds a poisons licence for a WA located pharmacy to be familiar with the requirements in this state. Licence holders should ensure all policies and procedures used in their pharmacy provide for compliance with the WA legislation.

Pharmacist with overall responsibility

The pharmacy licence under the Poisons Act 1964 will be only be issued to the pharmacist nominated to the Pharmacy Registration Board of WA as the pharmacist with overall responsibility under the Pharmacy Act 2010, section 56.

A copy of the current pharmacy licence should be forwarded to all medicines wholesalers used by the pharmacy.

Schedule 8 safe

The safe for storage of Schedule 8 (S8) medicines in a pharmacy must comply with Appendix M of the Poisons Regulations 1965. Essentially all pharmacies must have a safe weighing at least 500 kg. If the safe weighs less than 1000 kg it must be bolted to a concrete floor. Although the legislation still allows floor safes to be used, these are not recommended due to workplace health and safety concerns. A grandfathering provision exists for safes installed prior to 1993 but is only applicable until the pharmacy changes ownership.

The quantities of S8 medicines held in pharmacies mean that motion detectors are also required. The motion detectors must be able to detect interference with the safe, the detection device(s) and the control panel for the detection device(s).

CCTV is recommended as a crime prevention method. CCTV recordings must be of a reasonable quality to be useful to the WA Police.

Schedule 8 Register

All transactions involving S8 medicines must be recorded in a register of a type approved by the CEO of Health. For manual recording, the only approved register for use in pharmacies is designated HA176 and is available from pharmaceutical wholesalers located in WA.

If the pharmacy is requested to supply a S8 register for a patient care area such as a medical practice or residential aged care facility, the correct register is designated HA14. This Register includes appropriate columns for recording administration of doses to patients.

A number of electronic registers for use in pharmacies have also been approved for use in WA. Please contact the Pharmaceutical Services Branch for advice about which electronic registers are approved.

Monthly inventory of Schedule 8 medicines

Pharmacists must take and record an inventory of all S8 medicines in the pharmacy at a minimum of monthly intervals. The inventory must be recorded in the S8 Register on the day that the inventory is made. The stock on hand for each different S8 item held should be recorded on the relevant page of the S8 Register. It is not adequate to simply record that an overall inventory was made.

When a pharmacy changes ownership, an inventory must also be completed.

Reporting loss or theft of Schedule 8 medicines

Unexplained loss or theft of S8 medicines must be reported to the Police.

Any discrepancies found at inventory or resulting from loss or theft of S8 medicines must be reported to the Pharmaceutical Services Branch.

Forged prescriptions

When a forgery is suspected, the document should be retained by the pharmacist. Forgeries must be reported to both the Police and the Pharmaceutical Services Branch.

The Pharmaceutical Services Branch regularly emails bulletins to pharmacies about circulating forgeries and stolen prescription pads/forms.

Special requirements for Schedule 8 prescriptions

Verification with prescriber

The WA legislation requires that where a pharmacist is unfamiliar with the prescriber's handwriting and/or signature, they must contact the prescriber (for example, by telephone) to verify the prescription prior to dispensing. Where the prescription is otherwise compliant but the prescriber cannot be contacted (such as after hours), up to two days supply of the S8 medicine may be provided to the patient.

Additional information on prescription

All prescriptions for S8 medicines must include the patient's date of birth and any repeats must include a specific dispensing interval. It is not sufficient for the pharmacist to calculate the dispensing interval based on the quantity and dose. In addition, the prescriber must include precise directions including both the dose and the dosing interval.

S8 medicines only on the prescription

Prescriptions for S8 medicines must not include a prescription for a separate Schedule 4 (S4) medicine. For example, an antibiotic and a S8 medicine cannot be written on the same prescription.

If presented with such a prescription, it is recommended that the pharmacist contact the prescriber and obtain a new prescription for both the S8 and the S4 items. The prescriber should be advised to supply the new prescriptions directly to the pharmacy, not to the patient. Provided the prescription has been verified with the prescriber, the full prescribed quantity of all items can be supplied under the emergency supply provisions.

A S8 prescription can contain multiple dosage forms of the same S8 medicine. For example, morphine SR tablets and morphine mixture can be written on the same prescription.

Combination preparations such as Targin[®] and Suboxone[®] are classified as S8 medicines. The naloxone in these preparations is not separate to the S8 component. These preparations are not considered to breach the requirement that S8 substances are written on a separate prescription.

Retention of repeats

Repeats for S8 medicines must be retained at the pharmacy at which they were originally dispensed. Repeats can only be transferred to another pharmacy (for example, if a patient moves from the city to the country) with the approval of the CEO of Health. The [prescription transfer form](#) on the Pharmaceutical Services Branch website should be completed and forwarded to the Branch for processing.

Who can write a prescription for a Schedule 8 medicine?

Medical practitioners, dentists, veterinary surgeons, nurse practitioners and endorsed podiatric surgeons are all authorised to write prescriptions for S8 medicines. Each individual prescriber is responsible for only writing prescriptions for the S8 medicines for which they are authorised. For example, endorsed podiatric surgeons may only write prescriptions for ten oxycodone 5mg immediate release tablets.

A nurse practitioner can only write a S8 prescription if he or she has these medicines on his/her clinical practice guidelines (CPGs). All CPGs must be approved by the Department of Health and are available via the [Nursing and Midwifery](#) website.

Dentists are only authorised to prescribe up to seven days treatment with a S8 medicine. Dentists are also limited to only prescribing S8 medicines that are dental Pharmaceutical Benefits Scheme (PBS) items.

A vet may prescribe any quantity of any S8 medicine but cannot write repeats. Veterinary prescriptions need not include the date of birth of the animal but must include the name and address of the person caring for the animal.

All S8 prescriptions are only valid for six months from the date of prescribing.

Dispensing Schedule 8 prescriptions written in other states or territories

Generally, prescriptions for S8 medicines written by a medical practitioner practising in another state/territory can be dispensed, once the prescription has been verified as genuine. Exceptions are prescriptions for stimulants (dexamphetamine and methylphenidate) and opioid pharmacotherapy (methadone and buprenorphine for drug dependent people). Please contact the Pharmaceutical Services Branch for advice if you are asked to supply stimulants or opioid pharmacotherapy on an interstate prescription.

Use of locked cupboard or drawer for daytime storage of Schedule 8 medicines

Whilst the pharmacy is open, S8 medicines may be stored in a locked cupboard or drawer. All S8 medicines (even if awaiting collection or awaiting packaging into dose administration aids) must be returned to the safe for overnight and/or after hours storage.

Staged supply of Schedule 8 medicines

Where a prescription is dispensed through the dispensing software in full and then supplied to the patient in stages (for example daily or weekly), the stock remaining in the pharmacy must be accounted for in the S8 Register. It is recommended that a separate page is created in the S8 Register and a record made each time a portion of the dispensed medicine is handed to the patient.

Monthly report of Schedule 8 medicines dispensed or supplied to Department of Health

A monthly report of all S8 medicines dispensed or supplied on an order (including doctor's bag orders) must be provided to the Pharmaceutical Services Branch by the seventh day of the month. These reports are to be provided in an electronic format. Your dispensing software vendor will be able to advise on how to generate a S8 report for WA. The report should be emailed to poisons@health.wa.gov.au

Participation in the Community Program for Opioid Pharmacotherapy

In order to dispense methadone and buprenorphine preparations to patients participating in the Community Program for Opioid Pharmacotherapy (CPOP), pharmacies must be authorised by the Department. All pharmacists dispensing CPOP medicines must complete the online training module available via the Drug and Alcohol Office (DAO) website.

Authorised pharmacies receive free stock from wholesalers of the CPOP medicines. Your participation in the CPOP is encouraged. A [CPOP Application Form](#) is available on the Pharmaceutical Services Branch website.

Storage of Schedule 2 and Schedule 3 medicines

In WA, all medicines in Schedules 2 and 3 must be stored in the pharmacy in a way which ensures they can only be accessed by pharmacy staff. They must not be stored so that customers can self select products without a pharmacy staff member. They must also be stored separately to foodstuffs and beverages to prevent contamination.

Supply of Schedule 3 medicines

Schedule 3 (S3) medicines must be sold under the personal supervision of the pharmacist as the safe use of these medicines requires professional advice. The pharmacist is required to make an assessment of therapeutic need for the S3 medicine as part of the decision to supply these medicines to consumers.

Recording Schedule 3 pseudoephedrine sales

The only approved recording method for S3 pseudoephedrine sales in WA is Project STOP. The purchaser's name and address must be included in the Project STOP entry to ensure compliance with Regulation 35A.

Labelling Schedule 3 pseudoephedrine sales

All S3 pseudoephedrine products must be supplied to the consumer with a label showing the name and address of the pharmacy and the unique identifying number generated by Project STOP when the sale is recorded.

Retaining records of Schedule 4 and Schedule 8 medicines

All records of transactions involving Schedule 8 medicines, including the Schedule 8 Register, must be kept for **seven years** from the date of the last entry. Records of Schedule 4 medicines must be kept for **two years**.

Providing imprest medicines to residential aged care facilities (RACF)

A pharmacist licence issued under the Poisons Act 1964 only entitles the licence holder to procure and store medicines at the pharmacy premises address shown on the licence. If the pharmacy is contracted to supply medicines to RACF and the RACF wishes to have quantities of medicines on hand for the urgent treatment of residents, the facility must have a poisons permit (usually issued to the registered nurse in charge of the facility).

The intention of these imprest stocks, as distinct from medicines dispensed for individual patients, is to provide a range of medicines which may be urgently required when the pharmacy service is not available. An alternative would be to provide an after hours on-call service.

Wholesaling of medicines

Pharmacies are not licensed to supply medicines by wholesale. This includes routinely transferring medicines from one pharmacy business to another. Wholesalers must be licensed and comply with the *Australian Code of Good Wholesaling Practice for Medicines*. The Code includes stringent requirements for temperature monitoring, reporting/record keeping and management of recalls of therapeutic goods.

Filling orders for medical supplies for vessels

The Poisons Regulations 1965 provide for pharmacies to supply medicines in order that vessels may complete their mandatory medical equipment. There are regulations covering supply to registered ships, smaller state managed fishing and passenger vessels and yachts participating in offshore races. The relevant regulations cover supplies of both Schedule 4 and Schedule 8 medicines. See the guidance note on [Supply of Scheduled Medicines to Vessels](#) for more detail.

New pharmacies in country areas – cancellation of nearby Schedule 2 retail licences

Where there is no pharmacy service available, local businesses can apply for a Schedule 2 retail licence. In country towns which have not previously had a pharmacy, it is common for one or more businesses to hold this type of licence. Once a pharmacy opens, any Schedule 2 retail licences within 25 km of the pharmacy will generally be cancelled. Licensees will usually be given at least three months to clear any remaining stock.

Needle and syringe program

The Pharmacy Registration Board of WA holds approval to allow supply of pre-packaged injecting equipment kits (needles, syringes, swabs, disposal receptacle etc) from all pharmacies in WA. The Needle and Syringe Program (NSP) is run by the Sexual Health and Blood-borne Virus Program as a harm minimisation initiative. Enquiries about the NSP should be directed to (08) 9388 4841 or email NSP@health.wa.gov.au

Pharmacists should not supply syringes and needles to non-diabetic patients other than as NSP pre-packs. The only exception is where the pharmacist has dispensed a prescription for an injectable medicine to the patient.

Supply of ethanol (alcohol)

The Australian Taxation Office (ATO) levies excise duty on alcohol. The alcohol supplied to pharmacies is excise free and cannot be sold to customers. It can only be used in the pharmacy.

Supply of chemicals for non-therapeutic purposes

Requests for the supply of chemicals should be considered carefully, particularly where such supply is outside the usual expertise of the pharmacist. Any poison in Schedule 5 or 6 must be packaged and labelled in compliance with the SUSMP, including all warning statements and first aid information. Schedule 7 poisons cannot generally be supplied to consumers.

Pharmacists are also reminded that some chemicals are restricted as illicit drug precursors or auxiliary reagents for drug manufacture by the Misuse of Drugs Regulations 1982.

Specified drugs

These are S4 medicines which may be subject to misuse but which are not 'drugs of addiction'. Examples are anabolic steroids (including testosterone), human growth hormone, dextropropoxyphene, anorectics, and erythropoietins.

Specified drugs are controlled by both the Poisons Act 1964 and the Misuse of Drugs Act 1981, which is administered by the WA Police. Correct labelling of all S4 medicines supplied to patients makes it easier for police to ascertain whether the person is legitimately in possession of a specified drug.

As with S8 medicines, prescribers cannot prescribe specified drugs for themselves.

The current specified drug list is available in the [WA Government Gazette](#) of 14 September 2001 (with an amendment Order published on 13 August 2002).

For further information

Pharmaceutical Services Branch website www.health.wa.gov.au/pharmacy

Email correspondence should be directed to poisons@health.wa.gov.au

If you need to telephone the Pharmaceutical Services Branch please call (08) 9222 6883 and follow the prompts. The Branch is open between 8.30 am and 4.30 pm Monday to Friday.

Note: this information does not cover every aspect of the WA Poisons legislation relevant to pharmacy practice.

Version current April 2014