

Continued Dispensing Arrangements

Tasmanian legislative requirements for Pharmacists

February 2023

Tasmanian pharmacists are able to supply certain restricted substances (i.e. certain Schedule 4 medicines) to a patient through continued dispensing without a prescription in specified circumstances outlined in regulation 48 of the *Tasmanian Poisons Regulations 2018*. From 6 March 2023 the number of medicines eligible for continued dispensing under regulation 48 has increased.

The Tasmanian legislation including the *Poisons Act 1971* and *Poisons Regulations 2018* are published at [Tasmania's consolidated legislation online](#)¹

What is changing?

Schedule 4 medicines eligible under regulation 48 of the *Poisons Regulations 2018* for continued dispensing in certain circumstances by a pharmacist without a prescription were previously limited to those included in Schedule I of the Australian Government's *National Health (Continued Dispensing) Determination 2022*.²

From 6 March 2023, all Schedule 4 medicines with exception of declared restricted substances (also known as Schedule 4D medicines), have been included in the continued dispensing provisions of regulation 48.

Eligibility requirements for continued dispensing will be included in the amended regulation. These requirements are intended to be largely consistent with the patient safety provisions provided for in Part 3 of the *National Health (Continued Dispensing) Determination* without limiting the application to medicines supplied in accordance with section 89A(3) of the *National Health Act 1953*.

Additionally, a provision has been added to regulation 48 which allows a prescriber after considering the clinical safety of a patient, to specify on an individual prescription that continued dispensing must not occur for that medicine.

Continued dispensing requirements

Eligibility:

A pharmacist may supply through continued dispensing a Schedule 4 medicine (except declared restricted substances) based on a previous prescription, without a current prescription if the pharmacist is satisfied of all the following:

- A valid prescription is unavailable.
- The usual prescriber is unable to be contacted or is unable to provide an electronic prescription.
- The patient has previously been supplied the Schedule 4 medicine from a valid prescription.

¹ www.legislation.tas.gov.au

² www.legislation.gov.au

- The patient's therapy is stable.
- The patient has been taking the Schedule 4 medicine regularly for an uninterrupted period, and since the start of that period, the prescriber has assessed the patient's condition and decided that there is a need for ongoing treatment with the Schedule 4 medicine.
- The patient had a valid prescription for the last supply of the Schedule 4 medicine to the patient before the requested supply.
- The patient has not been supplied with the Schedule 4 medicine by continued dispensing in the 12 months before the requested supply.

Quantity:

Regulation 48 specifies that the quantity of a Schedule 4 medicine which can be supplied by continued dispensing is the quantity that was supplied in accordance with the previous prescription.

Practically this is usually a month's supply but may be greater than a one month supply for some medicines or formulations.

Recording:

If a Schedule 4 medicine is supplied via continued dispensing, the pharmacist is required to:

- Ensure that the patient or their agent signs a declaration acknowledging they are being supplied with the Schedule 4 medicine without the presentation of a valid prescription.
- Make a written record of the supply including the information the pharmacist used to support their decision to supply the medicine through continued dispensing.
- Provide information to the usual prescriber that the substance was supplied, including particulars of the supply, within seven days of the supply has occurred.
- This information must include a statement that:
 - Conditions specified in regulation 48 have been met; and
 - The pharmacist is satisfied the Schedule 4 medicine was required to be supplied to the patient to facilitate continuity of treatment.

Declared restricted substances

Declared restricted substances are also known as Schedule 4D medicines or substances to which section 36 of the *Poisons Act 1971* applies. Declared restricted substances are not able to be supplied by continued dispensing.

In general, declared restricted substances are medicines with potential for misuse and have a higher risk of preventable harms. These medicines are subject to extra controls to protect the patient and public.

A current list of declared restricted substances is contained in the *Poisons (Declared Restricted Substances) Order 2017* which is available online at [Tasmania's consolidated legislation online](#)

Schedule 8 medicines

Schedule 8 medicines cannot be supplied to a patient via continued dispensing.

Prescriber instructions

A prescriber, after considering the clinical safety of a patient, may choose to specify on an individual prescription that continued dispensing must not occur for that medicine. If this is specified on a prescription a pharmacist must not supply the medicine without a prescription via continued dispensing.

This provision allows the prescriber to ensure that timely consultation with a patient occurs where reassessment and review of a treatment regimen may be required.

Professional practice considerations

A pharmacist must use their own professional judgement in deciding to supply a Schedule 4 medicine via continued dispensing to ensure that supply meets legislative requirements, follows professional practice standards and published guidelines, and is safe and appropriate for the patient.

The [Pharmaceutical Society of Australia](#)³ (PSA) publishes 'Guidelines for the Continued Dispensing of Eligible Prescribed Medicines by Pharmacists'.

Cost of medicines provided by continued dispensing

The *National Health (Continued Dispensing) Determination 2022* gives effect to the Australian Government continued dispensing funding arrangements. Currently this determination contains a list of certain Schedule 4 medicines which are eligible for funding of continued dispensing supplies under the Pharmaceutical Benefits Scheme (PBS).

The cost of medicines provided by continued dispensing which are not funded under PBS arrangements is a matter between the dispensing pharmacy and patient and would generally be charged to the patient following the pharmacy's process for 'private' non-PBS prescriptions.

The Australian Government have [further information](#)⁴ online regarding PBS continued dispensing funding arrangements.

Contact us:

For further enquiries regarding Tasmanian legislative requirements please contact Pharmaceutical Services Branch, Department of Health via:

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Email: pharmserv@health.tas.gov.au

³ www.psa.org.au

⁴ www.pbs.gov.au/info/general/continued-dispensing