Australian Capital Territory

Medicines, Poisons and Therapeutic Goods (Temporary Authority – Supply of a substitute medicine by pharmacists) CHO Standing Order 2020 (No 3)

made under the
***Medicines, Poisons and Therapeutic Goods Act 2008*, section 20(b)**
Medicines, Poisons and Therapeutic Goods Regulation 2008, section 70)

1 Name of instrument

This instrument is the *Medicines, Poisons and Therapeutic Goods (Temporary Authority - Supply of a substitute medicine by pharmacists) CHO Standing Order 2020 (No 3).*

2 Commencement and Duration

This instrument commences on the day of signing and remains in force for the period ending on the day the declared emergency (as extended or further extended) ends, unless it is earlier revoked.

3 Standing Order to prevent or mitigate a public health emergency

The ACT has declared a public health emergency in response to the COVID-19 pandemic. The COVID-19 emergency represents a risk to the supply of medicines as some medicines may be unavailable due to a serious medicines shortage nationally or internationally.

This Standing order is made to adopt the Therapeutic Goods Administration's Serious Shortage Medicine Substitution Protocol (the Protocol) as a way of reducing the impact of a serious medicines shortage in the ACT and to prevent or mitigate any resulting public health harms.

This Standing Order therefore serves to enable the supply of a substitute medicine by a pharmacist where the Therapeutic Goods Administration has published a Serious Shortage Medicine Substitution Notice (Notice).

4 Standing Order terms and conditions

Pursuant to this CHO Standing Order, pharmacists are authorised to supply a person with a substitute medicine subject to the conditions in Schedule 1 of this Standing Order.

Dr Kerryn Coleman
Chief Health Officer
/ May 2020

Schedule 1 – Supply of a medicine under a Serious Shortage Medicine Substitution Notice

1. The pharmacist may supply a medicine (a substitute medicine) to a person in accordance with a Serious Shortage Medicine Substitution Notice (Notice) published by the Therapeutic Goods Administration if:

   a. the person has provided the pharmacist with a valid prescription from an authorised prescriber,

   b. the pharmacist is unable to obtain the prescribed medicine; and

   c. the person consents to the supply of the substitute medicine.

2. The pharmacist must inform the authorised prescriber that an alternative medicine has been supplied as soon as practicable and no later than three days.

3. A written record[1] of the following information is to be retained by the pharmacist:

   a. a copy of the prescription for the prescribed medicine,

   b. the date the substitute medicine is supplied;

   c. the substitute medicine's approved name and brand name;

   d. the reference number of the Notice that is applicable to the substitute medicine; and

   e. the form, strength and quantity of the substitute medicine.

[1] ***Written*** includes in electronic form.