



Queensland

# Medicines and Poisons (Monitored Medicines Database Testing) Regulation 2020

## Subordinate Legislation 2020 No. 59

made under the

*Medicines and Poisons Act 2019*

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## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Medicines and Poisons (Monitored Medicines Database Testing) Regulation 2020*.

### 2 Commencement

This regulation commences on 1 May 2020.

### 3 Purpose

The purpose of this regulation is to facilitate the establishment and testing of the monitored medicines database using information given and recorded under the *Health Act 1937*.

### 4 Definitions

In this regulation—

**authority** see the *Health (Drugs and Poisons) Regulation 1996*, appendix 9.

**controlled drug** see the *Health (Drugs and Poisons) Regulation 1996*, appendix 9.

**dispenser** see the *Health (Drugs and Poisons) Regulation 1996*, appendix 9.

**monitored medicine treatment activity** means an activity—

- (a) performed by the holder of an authority or a relevant approval; and
- (b) equivalent to prescribing or supplying a monitored medicine for the treatment of a person.

**opioid treatment program** means a program carried out in Queensland under the *National Health Act 1953* (Cwlth), section 100 for the treatment of persons who are dependent on

opioids, including a program that was in effect before the commencement.

**prescriber** see the *Health (Drugs and Poisons) Regulation 1996*, appendix 9.

**relevant approval** means—

- (a) an approval mentioned in the *Health (Drugs and Poisons) Regulation 1996*, section 78(1)(a), if the approval is given for the treatment of a particular person; or
- (b) an approval given under the *Health (Drugs and Poisons) Regulation 1996*, section 122, if the approval is given for the treatment of a class of persons.

## Part 2 Monitored medicines database

### 5 Monitored medicines—Act, sch 1

For schedule 1 of the Act, definition *monitored medicine*, a controlled drug is prescribed to be a monitored medicine.

### 6 Departmental information for database—Act, s 225

- (1) For section 225(1) of the Act, the following information is prescribed—
  - (a) relevant health information that—
    - (i) is given to, or recorded by or on behalf of, the chief executive under the *Health Act 1937* on or after the commencement; and
    - (ii) is kept electronically by the chief executive;
  - (b) relevant registration information for a monitored medicine treatment activity performed under an opioid treatment program that—

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- (i) was given to, or recorded by or on behalf of, the chief executive under the *Health Act 1937* at any time before the commencement; and
  - (ii) is kept electronically by the chief executive.
- (2) In this section—

***relevant health information*** means the following information—

- (a) information in relation to a monitored medicine treatment activity;
- (b) information in relation to a relevant approval;
- (c) information kept, from time to time, on a register under the Health Practitioner Regulation National Law for a prescriber or dispenser who holds an authority or a relevant approval;
- (d) personal information to identify a prescriber or dispenser for accessing or using the monitored medicines database;
- (e) information recorded in relation to a prescriber's or dispenser's access to, or use of, the monitored medicines database.

***relevant registration information***, for a monitored medicine treatment activity performed under an opioid treatment program, means information about the registration of particular persons in the program.

## 7 Users of database—Act, s 227

For section 227(4) of the Act, definition *user*, each of the following entities is prescribed to be a user—

- (a) a prescriber;
- (b) a dispenser;
- (c) a person employed by the chief executive.

**8 Purposes for disclosure—Act, s 227**

For section 227(2) of the Act, each of the following purposes is prescribed—

- (a) for a user who is a prescriber or dispenser—testing the monitored medicines database;
- (b) for a user who is a person employed by the chief executive—establishing or testing the monitored medicines database, including training about using the database.

Endnotes

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ENDNOTES

- 1 Made by the Governor in Council on 30 April 2020.
- 2 Notified on the Queensland legislation website on 1 May 2020.
- 3 The administering agency is Queensland Health.

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