



Queensland

Health (Drugs and Poisons) Amendment Regulation (No. 3) 2020

Subordinate Legislation 2020 No. 161

made under the

Health Act 1937

Contents

		Page
1	Short title	2
2	Regulation amended	2
3	Amendment of s 82 (Conditions of dispensing)	2
4	Amendment of s 84 (Dealing with paper prescriptions and particular written instructions)	2
5	Amendment of s 84A (Dealing with electronic prescriptions)	3
6	Amendment of s 93 (Dealing with purchase orders)	3
7	Amendment of s 193 (General conditions of dispensing)	3
8	Amendment of appendix 9 (Dictionary)	4

1 Short title

This regulation may be cited as the *Health (Drugs and Poisons) Amendment Regulation (No. 3) 2020*.

2 Regulation amended

This regulation amends the *Health (Drugs and Poisons) Regulation 1996*.

3 Amendment of s 82 (Conditions of dispensing)

(1) Section 82(1)(b), ‘by electronic means’—

omit, insert—

electronically in the way

(2) Section 82(6)(b)—

omit, insert—

(b) if the prescription is a paper prescription—

(i) keep the prescription; and

(ii) send an acceptable electronic copy of the prescription to the chief executive within 14 days after cancelling the prescription; and

(c) if the prescription is an electronic prescription—notify the chief executive of the cancellation, in an approved electronic form, within 14 days after cancelling the prescription.

4 Amendment of s 84 (Dealing with paper prescriptions and particular written instructions)

Section 84(3)(b), ‘means’—

omit, insert—

communication

5 Amendment of s 84A (Dealing with electronic prescriptions)

Section 84A(3), ‘by electronic means’—

omit, insert—

electronically in the way approved by the chief executive

6 Amendment of s 93 (Dealing with purchase orders)

Section 93(1)(c)(ii) and (2)(d)(ii), ‘means’—

omit, insert—

communication

7 Amendment of s 193 (General conditions of dispensing)

(1) Section 193(1)(b), ‘by electronic means’—

omit, insert—

electronically in the way

(2) Section 193(6)(b)—

omit, insert—

(b) if the prescription is a paper prescription—

(i) keep the prescription; and

(ii) send an acceptable electronic copy of the prescription to the chief executive within 14 days after cancelling the prescription; and

(c) if the prescription is an electronic prescription—notify the chief executive of the cancellation, in an approved electronic form, within 14 days after cancelling the prescription.

8 Amendment of appendix 9 (Dictionary)

- (1) Appendix 9, definitions *approved electronic form*, *electronic means* and *electronic prescription*—
omit.
- (2) Appendix 9—
insert—

approved electronic form means—

- (a) for a prescription—
 - (i) an entry in an approved prescription exchange system for the prescription;
or
 - (ii) an electronic form approved by the chief executive for the prescription; or
- (b) for another document or information—an electronic form approved by the chief executive for the document or information.

approved prescription exchange system, for a prescription, means an electronic system for recording or transferring prescriptions, or information in prescriptions, that is—

- (a) approved by the chief executive for prescriptions of the same kind; and
- (b) provided by another entity.

electronic prescription means a prescription that is—

- (a) in an approved electronic form; and
- (b) capable of transfer electronically in the way approved by the chief executive.

receive, in relation to a prescription in an approved prescription exchange system, means the prescription, or information in the prescription, is entered into the system and is available for downloading or other retrieval.

send, in relation to a prescription in an approved prescription exchange system, means enter the prescription, or information in the prescription, into the system.

- (3) Appendix 9, definition *electronic communication*, ‘data or text’—

omit, insert—

data, images or text

ENDNOTES

- 1 Made by the Governor in Council on 27 August 2020.
- 2 Notified on the Queensland legislation website on 28 August 2020.
- 3 The administering agency is Queensland Health.

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