

Appendix 1: - Legal Requirements of Completing a Prescription
(including PBS Prescriptions)

When completing prescription (paper or computer generated) please ensure the following:

- The prescription includes the patient's name and address.
- The product's name, quantity to be supplied, number of repeats and route is specified.
- The prescriber handwrites the required quantity and repeats in words and figures for any S8 medications.
- The prescription must be signed and dated by the prescriber.

For PBS Scripts:

- If increased quantities or repeats are needed for a product, beyond the normal PBS limits, then the prescriber must phone PBS and include on the script the authority number, quantity and repeats specified by PBS.
- A PBS streamline code must be included on the script (if relevant).
- The wording 'regulation 24' must be included on the script by the prescriber if all repeats are needed to be supplied on the same day.

When completing a PBS prescription (paper or electronic) the prescriber must not:

- Supply multiple prescriptions of the same PBS product on the same day.
- Supply medications for more than one person on one script.

When writing a paper-script that includes a non-PBS item

- Please ensure that 'Non-PBS' is annotated on the script next to medications that do not fit PBS criteria.
 - Note: this step is not required on an electronic script as the electronic script will automatically write Non-PBS in the comments section for a medication if the patient does not fit PBS criteria.
- If there is **only** Non-PBS items on the paper-script then please cross off the words 'PBS' from the paper-script.

Note:

- When writing a PBS script the Prescriber needs to ensure that they are an authorised PBS prescriber and their prescriber number is nominated on the script. If the prescriber is a dental practitioner, optometrist, authorised midwife or a nurse practitioner then their PBS approval number also needs to be specified.
- Records of prescriptions will be retained by pharmacy for 3 years (with the a minimum of 1yr required to fulfil PBS authority legislation).

Victorian DPCS requirements for lawful prescriptions (available from <https://www2.health.vic.gov.au/about/publications/policiesandguidelines/criteria-lawful-prescriptions>) include;

- Alterations shall not be made to printed prescriptions. A new prescription is required to be generated if any prescribed medication details need to be changed.
- Schedule 8 drugs and drugs of dependence requires additional details to be provided in handwriting including: drug name, strength, quantity and repeats (both to be written in words and figures) and directions.

Schedule 8 Permit Information

Appendix 1: - Legal Requirements of Completing a Prescription
(including PBS Prescriptions)

- A registered medical practitioners/nurse practitioners must not administer, supply or prescribe a Schedule 8 poison to a patient who he or she believes is a drug dependent person unless the practitioner holds a permit. (With some exceptions outlined here: <https://www2.health.vic.gov.au/about/publications/policiesandguidelines/schedule-8-treatment-permits-requirements-vic>)

Other General Legal obligations

A medical practitioner must not issue a prescription for, write a chart instruction for, supply, authorise the administration of or administer Scheduled poison to any person merely for the purpose of supporting the drug dependence of that person.

National Health Act (1953) Related Requirements include:

- BHS employees and BHS agents must not disclose a patient's Medicare number and its expiry date to another party, unless they are permitted to do so under the National Health Act. (ie to obtain or verify an authority prescription).
- It is an offence to permit a person other than a medical practitioner or pharmacist to dispense a pharmaceutical benefit (medication) except under the direct supervision of a medical practitioner or pharmacist
- It is an offence if a person:
 - Allows information on a prescription that is false or misleading; or
 - obtains a pharmaceutical benefit to which they are not entitled; or
 - obtains the issue of a concession/entitlement card to which they are not entitled; or by means of impersonation/false/misleading/fraud obtains or
 - abet another person to obtain a PBS substance or price they are not entitled to.
- It is an offence to dispose of or otherwise deal with a pharmaceutical benefit in a way other than that for which the pharmaceutical benefit was supplied.

Drugs, Poisons and Controlled Substances Act 1981 (Vic) requirements include:

- It is an offence for registered medical practitioners or registered nurses to not comply with schedule 8 permits.
- Registered medical practitioners/nurses must not administer, supply or prescribe a Schedule 8 poison to or for a patient in respect of whom a Schedule 8 permit has been issued other than in accordance with the conditions of a permit.

Drugs, Poisons and Controlled Substances Regulations 2017 (Vic) include:

- A registered prescriber (practitioner) must not issue a prescription for a Schedule 4 poison, Schedule 8 poison unless:
 - the prescription is for the medical treatment of a person other than the practitioner; and
 - that person is:
 - under the practitioner's care; and
 - named in the prescription; and
 - the practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and

Appendix 1: - Legal Requirements of Completing a Prescription
(including PBS Prescriptions)

- the prescription is issued not merely for the purpose of supporting the drug dependence of a person; and
- if the poison is a drug of dependence or a Schedule 8 poison, the practitioner has taken all reasonable steps to ascertain the identity of the person for whose treatment the prescription is issued.
 - This shall be done using three approved patient identifiers according to Patient Identification and Procedure Matching - POL0036