



## EXPLANATORY NOTES

Victorian legislation makes it a requirement for medical practitioners and nurse practitioners to hold a permit to prescribe Schedule 8 poisons under certain circumstances. The following table summarises the requirements of the legislation as it relates to the treatment of drug dependent persons. The department has also developed a policy that governs the issue of Schedule 8 permits. Generally, the department will only issue permits for opioid substitution therapy to suitably trained practitioners, or to practitioners deputising for or under the supervision of a suitably trained practitioner. A copy of this policy is available on request from the Drugs and Poisons Regulation Group, or at [www.health.vic.gov.au/dpu](http://www.health.vic.gov.au/dpu).

## SUMMARY OF LEGISLATED REQUIREMENTS

### (i) Permit required BEFORE treating a drug dependent person

The Act requires a practitioner to hold a permit BEFORE prescribing any Schedule 8 poison to a drug dependent person, except in certain exempt circumstances.

### (ii) General exemptions

Practitioners are not required to hold a permit where the patient:

- is an in-patient in a hospital;
- is in an aged care service;
- is a prisoner being treated in prison or for a period not exceeding 7 days after release from prison;

A practitioner working in a multiple practitioner clinic may prescribe without holding a permit if:

- the treatment is provided at the multiple practitioner clinic, and
- another practitioner at the clinic already holds a permit to treat the patient with the same drug, and
- the treatment is in accordance with that permit.

**Important note:** These general exemptions also apply to the treatment of drug dependent persons, but the practitioner is still required to make a notification of drug dependence if he or she intends to treat with a drug of dependence.

### (iii) Avoid delays in processing

Applications cannot be processed until all the information required by legislation is provided. Please ensure that ALL details are completed and the form is signed and dated.

## IMPORTANT NOTICE ABOUT PRIVACY

It is a requirement of the *Drugs, Poisons and Controlled Substances Act, 1981* ('the Act') that the information set out on this form is provided to the Department of Human Services (DHS). You are required to inform the patient of the mutual obligations of both medical practitioners and DHS in relation to the collection, storage and use of this information. You are required to generally advise that: The Act requires that this information be provided to DHS to meet statutory notification requirements, and for the issuing of permits as required under the legislation.

The Department discloses the information only:

- to a medical practitioner when necessary to facilitate co-ordination of the patient's drug treatment and safe prescribing of drugs, eg when another medical practitioner applies for a permit or is considering prescribing a drug of dependence, or
- to a pharmacist to facilitate payment of pharmacotherapy dosing fees for eligible persons, and
- when otherwise required by law, and
- in some circumstances when permitted under provisions of *The Health Records Act 2001*.

The patient has a right to gain access to the information held by the department.

Further information about privacy or about Victorian Drugs and Poisons legislation may be obtained by calling the Drugs and Poisons Regulation Group on 1300 364 545 or visiting the DPRG website at [www.health.vic.gov.au/dpu](http://www.health.vic.gov.au/dpu).