

Key legislative requirements for optometrists and orthoptists

Scheduled poisons

This summary has been prepared by the Drugs and Poisons Regulation Group (DPRG) to assist registered optometrists and authorised optometrists in understanding their obligations under the legislation. **Note:** For easier reading and comprehension, this summary does not include the many and varied options that are covered by the legislation; it focuses on circumstances that are applicable to the majority of optometrists. Reference must be made to the Drugs, Poisons and Controlled Substances Act 1981 and Regulations 2006 (at www.legislation.vic.gov.au) for full details.

Registered optometrists

A registered optometrist is authorised to possess those Schedule 4 poisons **approved by the Secretary** (of the Department of Health) that are required in the practice of his or her profession for use in the eyes of patients (regulation 5) but is **not** authorised to supply scheduled poisons.

The Schedule 4 poisons “approved by the Secretary” in relation to registered optometrists are listed on the DPRG website at www.health.vic.gov.au/dpu/approve.htm. Eye drops containing local anaesthetics, tropicamide, cyclopentolate hydrochloride, pilocarpine nitrate or physostigmine salicylate are approved at this time.

Storage requirements for Schedule 4 poisons

Schedule 4 poisons (including professional samples) must be stored in a lockable storage facility (e.g. cupboard, drawer, fridge, filing cabinet or storeroom).

Access to Schedule 4 poisons

Storage facilities for Schedule 4 poisons must be secured to prevent access by all persons **not** specifically authorised under the legislation (i.e. staff members other than registered or authorised optometrists) unless the optometrist is present. Accordingly, keys should not be accessible to unauthorised staff members.

Authorised optometrists

An authorised optometrist is a registered optometrist whose registration is **endorsed** under section 94 of the Health Practitioner Regulation National Law.

An authorised optometrist is authorised to obtain, possess, use or supply any Schedule 2, 3 or 4 poison for ophthalmic use that is **approved by the Minister** (for Health) and specified in his or her endorsement in the lawful practice of his or her profession (section 13 of the Act).

For authorised optometrists, the Minister for Health has approved any Schedule 2, 3 or 4 poison that is in the form of a preparation for topical use in the eye.

Limit of authorisation

An authorised optometrist's authorisation does **not** extend to:

- activities that are unrelated to ocular treatment
- supplying drugs that have been prescribed by a medical practitioner (e.g. for self, spouse or employees); that is the role of a pharmacist
- supplying drugs or poisons by wholesale, this activity requires a wholesale licence.

Self-administration

Self-administration of a Schedule 4 poison is **prohibited** unless the drug has been lawfully prescribed and supplied by a medical practitioner (or other authorised prescriber) or supplied by a pharmacist upon presentation of a prescription from a medical practitioner (or other authorised prescriber) (regulation 48).

Note: This does **not** mean that once a drug is prescribed by another practitioner, an optometrist may continue the treatment with drugs obtained from a wholesale supplier.

Prescribing Schedule 4 poisons

Authorised optometrists must **not** prescribe or supply Schedule 4 poisons other than for the ocular treatment of persons under their care and only after taking all reasonable steps to ensure that a therapeutic need exists (regulation 11). Other **registered optometrists** must not prescribe Schedule 4 poisons.

Prescriptions for Schedule 4 poisons must comply with the provisions of regulation 26 and contain the name, address and telephone number of the prescriber; the name and address of the patient for whom the prescription is intended; the date on which the prescription was written; the signature of the prescriber; full particulars of the medication to be supplied including a statement of the quantity to be supplied; directions for the use and frequency of administration; and the maximum number of times the prescription may be supplied if more than once. The noted components must be in the authorised optometrist's own handwriting or in a manner of writing approved by the Secretary.

Supplying Schedule 4 poisons

Schedule 4 poisons must be **labelled** in accordance with the provisions of regulation 29, including the name of the patient; the date of supply; the name, address and telephone number of the clinic; the name, strength and form (e.g. eye drops) of the medication; and precise directions for use. **Containers** must be impervious to the contents, sufficiently sturdy to prevent leakage and capable of being securely re-closed.

Note: The roles of prescribing and supplying drugs have traditionally been separated, to allow a pharmacist to check for possible contraindications and to assess the safety and appropriateness of prescribed medications.

Pharmacists have well defined standards, including the use of up to 19 ancillary labels, to ensure that medications are labelled in a manner that maximises the likelihood that they will be administered in a safe and effective manner. Authorised optometrists who choose to supply Schedule 4 poisons are advised to do so in a manner that is of a comparable standard to that observed by pharmacists.

Records of transactions in Schedule 4 poisons

Registered and authorised optometrists must make true and accurate records of all Schedule 4 poisons administered (or supplied), retain them for 3 years and produce them, on demand, to an authorised officer.

Patient treatment records (commonly retained for at least 7 years to satisfy other legislative requirements) that show details of Schedule 4 poisons administered (or supplied) may be sufficient.

Schedule 2 and Schedule 3 poisons

Schedule 2 and 3 poisons (labelled Pharmacy Medicine or Pharmacist Only Medicine, respectively) are commonly referred to as “over the counter” medications.

Registered optometrists may use and **authorised optometrists** may use or **supply** Schedule 2 and Schedule 3 poisons, which have been approved by the Minister in accordance with their endorsement, in a similar manner to Schedule 4 poisons, i.e. for the ocular treatment of persons under their care. However, Schedule 2 and Schedule 3 poisons must not be supplied for any other purpose and must not be sold or supplied in an open shop, except by pharmacists.

Orthoptists

An orthoptist practising under the direction of a medical practitioner or an authorised optometrist is authorised to possess and have access to those Schedule 4 poisons that are local anaesthetics and cycloplegics in topical ophthalmic preparations for the use in the eyes of patients (regulation 5).

For further information

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Note: Regulations 5, 11, 14, 25-27, 29, 34, 39, 40, 42, 43-46, 48, 60A, 62 and 70 may relate to authorised optometrists or orthoptists. Current versions of the Drugs, Poisons and Controlled Substances Act 1981 and Regulations 2006 may be examined at www.legislation.vic.gov.au

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