



Northern Territory of Australia

Government Gazette

ISSN-0157-833X

No. S42

7 December 2021



Northern Territory of Australia

Medicines, Poisons and Therapeutic Goods Act 2012

**Exemption from Requirement to Hold Schedule 8 Authorisation:
Psychostimulant Medications in Practices Affected by Emergency Directions**

I, Hugh Crosbie Heggie, Chief Health Officer, under section 245(1)(a), (4)(b) and (5) of the *Medicines, Poisons and Therapeutic Goods Act 2012*, exempt each class of authorised health practitioner specified in the Schedule, Part A, from the requirement to hold a Schedule 8 authorisation for dealing with each restricted Schedule 8 substance specified in the Schedule, Part B, for the purpose of therapeutic use for a medical condition, subject to the conditions specified in the Schedule, Part C.

H. C. Heggie
Chief Health Officer

Dated 6 December 2021

Schedule

Part A

- 1 An authorised health practitioner who is working in a group practice.
- 2 An authorised health practitioner who is working as a locum in a group practice.
- 3 An authorised health practitioner working for the Agency in a clinical practice.

Part B

- 1 Dexamfetamine
- 2 Lisdexamfetamine
- 3 Methylphenidate

Part C

- 1 An authorised health practitioner specified in Part A, items 1 and 2 may prescribe a restricted Schedule 8 substance specified in Part B to a person if:
 - (a) the person is a patient of the group practice where the authorised health practitioner is working; and
 - (b) the patient is in the care of another authorised health practitioner (the ***absent practitioner***) working in the group practice who is absent from the group practice because of complying with:
 - (i) any directions made under section 52 of the *Public and Environmental Health Act 2011* to take action to alleviate the public health emergency in the Territory, declared by instrument entitled "Declaration of Public Health Emergency", dated 18 March 2020; or
 - (ii) any determination made under section 477(1) of the *Biosecurity Act 2015* (Cth) during a human biosecurity emergency period; or

- (iii) any directions (including a direction to close a place or road) made under section 24 of the *Emergency Management Act 2013* during a state of emergency or disaster declared under that Act; and
- (c) the absent practitioner holds a Schedule 8 authorisation; and
- (d) the authorised health practitioner prescribes the substance and the dosage regime to the patient that the absent practitioner is authorised to prescribe by the absent practitioner's Schedule 8 authorisation; and
- (e) the authorised health practitioner prescribes the substance to the patient in accordance with any conditions attached to the absent practitioner's Schedule 8 authorisation.

Note for item 1(e)

Section 143(1) of the Medicines, Poisons and Therapeutic Goods Act 2012 provides that it is a condition of a Schedule 8 authorisation to comply with conditions stated in Part 3.2, Division 3 of the Act and conditions prescribed by the Schedule 8 substances: Code of Practice made under the Act.

- 2 An authorised health practitioner specified in Part A, item 3 may prescribe a restricted Schedule 8 substance specified in Part B to a person if:
- (a) the person is a patient of the clinical practice where the authorised health practitioner is working; and
 - (b) the patient is in the care of another authorised health practitioner (the **absent practitioner**) working in the clinical practice who is absent from the clinical practice because of complying with:
 - (i) any directions made under section 52 of the *Public and Environmental Health Act 2011* to take action to alleviate the public health emergency in the Territory, declared by instrument entitled "Declaration of Public Health Emergency", dated 18 March 2020; or
 - (ii) any determination made under section 477(1) of the *Biosecurity Act 2015* (Cth) during a human biosecurity emergency period; or
 - (iii) any directions (including a direction to close a place or road) made under section 24 of the *Emergency Management Act 2013* during a state of emergency or disaster declared under that Act; and

- (c) the absent practitioner holds a Schedule 8 authorisation; and
- (d) the authorised health practitioner prescribes the substance and the dosage regime to the patient that the absent practitioner is authorised to prescribe by the absent practitioner's Schedule 8 authorisation; and
- (e) the authorised health practitioner prescribes the substance to the patient in accordance with any conditions attached to the absent practitioner's Schedule 8 authorisation.

Note for item 2(e)

Section 143(1) of the Medicines, Poisons and Therapeutic Goods Act 2012 provides that it is a condition of a Schedule 8 authorisation to comply with conditions stated in Part 3.2, Division 3 of the Act and conditions prescribed by the Schedule 8 substances: Code of Practice made under the Act.

- 3 It is a condition of this exemption that an authorised health practitioner must not issue a prescription for the supply of a restricted Schedule 8 substance specified in Part B to a person for a period of supply exceeding 30 days.
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