

# Emergency arrangements and options to facilitate telehealth and patient access to medicines during COVID-19 pandemic

Updated April 2022

## Existing regulatory arrangements

### Supplying medicines under the 3 day emergency supply provision without a prescription

In an emergency where a pharmacist considers that the supply of a Schedule 4 medicine is necessary to ensure continuity of treatment a pharmacist may supply 3 days' supply or, if it is not practical to supply a quantity required for 3 days, the smallest commercially available pack. Before doing so, a pharmacist must be satisfied that there is an immediate need for the medicine and that it is impracticable for the patient to obtain a prescription in time to meet that need. The pharmacist must also be satisfied that the patient has previously been prescribed the medicine and ensure that the patient, or person caring for the patient, is aware of the appropriate dose of the medicine.

Note: a pharmacist must not supply a Schedule 4 medicine that would continue treatment that has already been continued by supplying under this exception.

### Emergency directions from a prescriber

Medical practitioners and other suitably registered health practitioners may issue verbal instructions to a pharmacist to supply a Schedule 4 or a Schedule 8 medicine if, in the opinion of the practitioner, an emergency exists (Regulation 25). The practitioner who issues verbal instructions **must**, as soon as practicable, send written confirmation (most commonly in the form of a prescription) to the pharmacist.

#### Note:

- A pharmacist **cannot** supply, merely on the basis of a faxed or digital copy of a prescription (unless a specific Public Health Order indicates otherwise)
  - An image of a prescription may be requested as a means of confirming details of a prescription but the prescriber must provide verbal directions for lawful supply to occur.
- It is the responsibility of the prescriber to ensure that an 'owed' prescription is provided to the pharmacist.
  - Relying on a patient to deliver an 'owed' prescription to the pharmacy can be unwise.

The usual arrangements for the supply of Schedule 8 medicine remain. A pharmacist may dispense Schedule 8 medicine in accordance with a verbal instruction from the prescriber in an emergency. The pharmacist can confirm the patient's current medication details with the prescriber, or a prescriber may direct a pharmacist to supply a medicine to a patient in an emergency, by providing a telephone order. The prescriber must forward a paper prescription to the pharmacy as soon as practicable, confirming the instruction.

### Continued dispensing of selected PBS medicines

When a pharmacist considers that a supply of a Schedule 4 medicine is necessary to ensure continuity of treatment a pharmacist may supply a Schedule 4 medicine listed in the National Health (Continued Dispensing) Determination 2012 without a prescription if the pharmacist has not previously supplied that medicine to the patient in accordance with this provision during the previous 12 months.

# Electronic prescribing

A prescriber and pharmacist may only issue or dispense an electronic prescription, respectively, if it complies with the criteria specified by the Secretary to the Victorian Department of Health. The criteria mandate the use of **software** listed on the Australian Digital Health Agency's Electronic Prescribing Conformance Register with a current Conformance Identifier.

Prescribers and pharmacists with questions about how the software they are using allows them to comply with their legislative responsibilities, such as whether it is listed on the Australian Digital Health Agency's Electronic Prescribing Conformance Register, or the manner in which electronic prescriptions are retained and produced - should contact their software vendor.

The Australian Digital Health Agency has created training modules on electronic prescribing specifically for prescribers and dispensers. These interactive modules provide easy to understand information on many aspects of electronic prescribing. These training modules are free and available for anyone to complete.

## Training modules

- [Electronic Prescribing in your practice](#)
- [Electronic Prescribing for Dispensers](#)
- [Introduction to Active Script Lists](#)
- [Digital Health for Specialists](#)

## Information for patients

- <https://www.digitalhealth.gov.au/initiatives-and-programs/electronic-prescriptions>

# Public Health Emergency Orders

**PHEO #2 - Public health emergency order ([Gazette No. S 729 Tuesday 21 December 2021](#)) for emergency supply without a prescription to people affected by COVID-19 has been extended until 30 June 2022, unless earlier revoked**

A patient can receive a supply of a Schedule 4 medicine without a prescription, where the pharmacist is satisfied there is immediate need. The medicine must have been previously prescribed, be for continuation of current essential treatment and it is impracticable to obtain a prescription.

The quantity to be supplied is no more than:

- For medicines that are on the Pharmaceutical Benefits Scheme, the standard Pharmaceutical Benefits maximum quantity; or
- For medicines that are not on the Pharmaceutical Benefits Scheme, the quantity that is contained in the smallest standard pack in which the medicine is generally available.

The pharmacist must record: (a) name and address of the patient; (b) name, form, strength and quantity of the medicine; (c) directions for use of the medicine as determined by the pharmacist; (d) name and address of the authorised practitioner who last prescribed that medicine; (e) date of supply; (f) name of the pharmacist by whom the medicine was supplied; and (g) that the medicine was supplied under the public health emergency order. The medicine must be labelled as for a dispensed medicine.

Schedule 8 medicine may NOT be supplied under this public health emergency order.

**PHEO #4 - Public health emergency order ([Gazette No. S 197 Thursday 14 April 2022](#)) for supply on a digital image of an original paper prescription transmitted by the prescriber has been amended and extended until 14 October 2022, unless earlier revoked**

PHEO #4 has been amended to reflect changes to the Commonwealth's COVID-19 pharmaceutical benefits (National Health (COVID-19 Supply of Pharmaceutical Benefits) Special Arrangements 2020. The Order now limits transmission of digital images of a paper prescription to medicines supplied by a pharmacist working for an approved hospital authority under section 94 of the *National Health Act 1953*.

Imaged based prescribing can no longer be utilised in the community setting for dispensing by a community pharmacy. However, a repeat authorisation may be dispensed from the same pharmacy which received the digital image of the original paper prescription in accordance with prior versions of the public health emergency order.

A pharmacist working for an approved hospital authority can supply Schedule 4 and Schedule 8 medicines on a digital image of an original paper prescription transmitted by the prescriber. The digital image of the paper prescription must be an unaltered photo image or unaltered facsimile image of an original paper prescription. Forms of transmission of the digital image from the prescriber to the pharmacist may include email, SMS, facsimile or other means of electronic transmission.

The digital image of the original prescription must be transmitted directly from the prescriber (or an employee acting in accordance with the instruction of the practitioner) but not via the patient or any other intermediary.

The pharmacist must: (a) retain a copy of the digital image upon which the supply is made for 2 years; (b) record that the sale or supply was made under this public health emergency order (PHEO #4); (c) produce a copy of the digital image if requested by an authorized officer.

A pharmacist is not required to obtain the original paper prescription, as the prescriber is required to retain the original paper prescription for 2 years.

*The original prescription must include the handwritten signature of the prescriber except where it is not possible for the prescription to include the handwritten signature due to operation of telehealth, the prescriber may include a digital image of their handwritten signature or give access to the digital image of their handwritten signature to an employee, where the employee acts in accordance with the instruction of the prescriber to apply the digital image of the prescriber's signature to the original prescription.*

## Further information available from the Commonwealth Department of Health

The Commonwealth Department of Health has issued 'prescriptions via telehealth' prescribing factsheets:

- [National Health Plan – prescriptions via telehealth – a guide for pharmacists](#)
- [National Health Plan – prescriptions via telehealth – a guide for prescribers](#)

To receive this publication in an accessible format phone 1300 364 545, using the National Relay Service 13 36 77 if required, or email [dpchs@health.vic.gov.au](mailto:dpchs@health.vic.gov.au)

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