Part 2.4, Division 2, sections 87 – 91 of the Medicines, Poisons and Therapeutic Goods Act (MPTGA) deals with the issuing of prescriptions.

**What is a legal prescription?**

A legal prescription according to section 19 of the MPTGA is a written instruction authorising the supply of a Scheduled substance for administration to a particular person or animal.

The Medicines, Poisons and Therapeutic Goods Regulations contain regulations for the requirements for a valid prescription. Separate regulations have been included to make it clearer that there are different requirements for:

- health practitioner prescriptions (Regulation 8);
- veterinarian prescriptions (Regulation 9); and
- Schedule 8 prescriptions (Regulation 10).

**Is an electronic prescription legal?**

Section 5 of the MPTGA defines written as including in an electronic form. This means that electronic prescriptions are legal.

**Can Scheduled substances be supplied from a hospital medication chart?**

Section 92 (1) (b) (i) provides for a pharmacist to supply of Scheduled substances to a patient on their discharge from hospital. However, the supply must comply with the Regulations under section 92 (2).

Regulation 14 sets out these requirements and conditions for the supply.

Schedule 8 substances ordered on a hospital medication chart may be supplied according to the code of practice.

**Can Scheduled substances be supplied to a resident of an aged care facility without a prescription?**

The 5th Community Pharmacy Agreement of 2010 – 2015 includes an initiative allowing pharmacists to supply Scheduled substances to residents of nursing homes from the patients medication chart. Regulation 15 of the Regulations provides for this.

**How long is a prescription valid for?**

Section 88 of the MPTGA states the period a prescription is valid for:

- for Schedule 4 substances – 12 months
- for Schedule 8 substances – 6 months, unless another period has been prescribed in the code of practice
Are the requirements for the content of a prescription different for ‘rural’ prescriptions?

The requirements for a ‘rural’ prescription are no different to the requirements for any prescription. However, the format of a prescription is not regulated.

Section 87 (1) (a) of the *MPTGA* allows for the requirements for a prescription to be prescribed by regulation. Regulation 8 covers what the content of the prescription must include.

Regulation (8) (o) requires the prescriber to sign the prescription in writing. Hand written and computer generated printed prescriptions need to be signed. These are not an electronic system which includes password protection to log onto the server. The requirement for a hand written signature is to reduce fraudulent prescriptions.

‘Rural’ prescriptions use an electronic system which has inbuilt security thus negating the need for a prescriber to sign a prescription.

For further information please contact:

**Medicines and Poisons Control**

**Phone:** (08) 8922 7341

**Fax:** (08) 8922 7200

**Email:** poisonscontrol@nt.gov.au