




Speech By
Hon. Dr Steven Miles
MEMBER FOR MURRUMBA

Record of Proceedings, 14 May 2019

MEDICINES AND POISONS BILL

Introduction

 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (11.47 am): I present a bill for an act to regulate activities in relation to particular substances, to repeal the Health Act 1937 and the Pest Management Act 2001, and to amend this act, the Drugs Misuse Act 1986, and the acts mentioned in schedule 2 for particular purposes. I table the bill and explanatory notes. I nominate the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee to consider the bill.

Tabled paper: Medicines and Poisons Bill 2019 [736](#).

Tabled paper: Medicines and Poisons Bill 2019, explanatory notes [737](#).

I also table a draft Medicines and Poisons (Medicines) Regulation 2019 and a draft Medicines and Poisons (Pest Management, Poisons and Other Regulated Substances) Regulation 2019.

Tabled paper: Draft Medicines and Poisons (Medicines) Regulation 2019 [738](#).

Tabled paper: Draft Medicines and Poisons (Medicines) Regulation, explanatory notes 2019 [739](#).

Tabled paper: Draft Medicines and Poisons (Pest Management, Poisons and Other Regulated Substances) Regulation 2019 [740](#).

Tabled paper: Draft Medicines and Poisons (Pest Management, Poisons and Other Regulated Substances) Regulation 2019, explanatory notes [741](#).

Should the bill be passed, the bill will commence by proclamation and the regulations will commence at the same time. New legislation is needed to modernise and streamline the regulation of medicines and poisons, making it easier for industry and the community to understand and apply them.

The Health Act is one of the oldest acts on the statute book and the current medicines and poisons regulation is difficult to apply in practice, outdated and unnecessarily prescriptive. For example, the Health (Drugs and Poisons) Regulation prescribes the exact measurements of bolts that are required when mounting cabinets or above-ground safes to store regulated drugs. This new legislation will establish a modern framework that enhances public safety and simplifies requirements for clinicians, pharmacists, industry and the community.

The creation of two regulations, the medicines regulation and the pest management, poisons and other regulated substances regulation, will ensure clarity for these two distinct areas. This bill will allow Queensland Health to implement a real-time prescription monitoring system. The database will monitor prescribing of certain dependence-forming medicines such as pharmaceutical opioids and other prescription-only medicines.

Mr DEPUTY SPEAKER (Mr Stewart): Order, members. There is too much chatter in the chamber.

Dr MILES: These types of medicines are often associated with abuse and drug-seeking such as sedatives, sleeping tablets and some painkillers. This will help doctors and pharmacists with their clinical decision-making by providing them with access to real-time prescription information before they

prescribe or dispense certain substances. It will provide lifesaving benefits to patients by reducing dependence on potentially harmful prescription drugs, minimising overprescription and reducing doctor shopping.

The Medicines and Poisons Bill also includes a number of tools to ensure Queensland Health is better able to monitor and respond to health risks in the community. The bill enables the chief executive to take immediate action to manage risk of significant harm or illness in an emergency situation by making an emergency order. An emergency order may be made, for example, during an outbreak of an infectious disease. The order would make sure a vaccine or medicine could be easily and quickly distributed to treat infection and help prevent further spread of the disease. The emergency order could also allow for additional authorised persons, who may not ordinarily be authorised, to treat patients and administer the medicine. Other emergencies could be disaster situations, severe weather events or biosecurity threats.

The bill also allows the chief executive to make an emerging risk declaration if there is a belief that an unscheduled substance or device poses a risk of injury or illness, for example, if new evidence emerges that a sports supplement contains substances that could harm human health. This will allow the chief executive to prevent substances that may pose a risk of injury or illness entering the marketplace until their safety can be determined or an alternative means of regulating the unsafe substance is implemented. The bill also allows the minister, chief executive or Chief Health Officer to make a public warning. A public warning may be issued in the public interest to warn or inform the public about anyone who has contravened the Medicines and Poisons Act.

The Palaszczuk government has always been a leader on medicinal cannabis access. The medicines and poisons framework further streamlines the process for prescribing medicinal cannabis in Queensland by enabling non-specialist medical practitioners to prescribe without the need for approval from Queensland Health.

The bill simplifies and streamlines licensing requirements in a number of ways. Manufacturers and wholesalers of medicines and poisons will benefit from automatic recognition of Commonwealth manufacturing licences. This means they will no longer have to hold a separate Queensland licence. Also, manufacturers and wholesalers who have multiple sites across Queensland will be able to obtain a single licence for all sites rather than needing a licence for each site. More flexibility will be introduced by allowing universities, research facilities and other entities to apply for a general approval to cover their employees instead of each individual employee needing their own approval. The bill replaces prescriptive rules with a new requirement for certain authority holders to develop a substance management plan.

Substance management plans will assist authority holders to consider and manage the risks associated with dealing with regulated substances. Substance management plans will be required for manufacturers, wholesalers and entities such as schools, hospitals, prisons and community pharmacies. These types of entities generally already have existing policies and procedures in place that may be used to meet the substance management plan requirements. This will provide industry with greater flexibility in the way compliance is achieved.

This legislation was developed following an extensive review of the existing legislation and significant consultation with a wide range of stakeholders. The bill will ensure that our medicines and poisons framework is contemporary. I commend the bill to the House.

First Reading

Hon. SJ MILES (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (11.53 am): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee

Mr DEPUTY SPEAKER (Mr Stewart): In accordance with standing order 131, the bill is now referred to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee.