



Speech By  
**Hon. Shannon Fentiman**


**MEMBER FOR WATERFORD**

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Record of Proceedings, 19 March 2024

**PHARMACY BUSINESS OWNERSHIP BILL**

**Second Reading**

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Health, Mental Health and Ambulance Services and Minister for Women) (12.52 pm): I move—

That the bill be now read a second time.

I want to acknowledge the work of the Cost of Living and Economics Committee in conducting its inquiry into the bill and I thank the committee for its report tabled on 8 March 2024. The committee made one recommendation: that the bill be passed, and I appreciate the committee's support for the bill. I also want to thank all of the passionate organisations and individuals who made submissions to the committee, participated in the public hearing and contributed to the development of the bill.

Pharmacists are internationally recognised healthcare providers who play a critical role in providing collaborative patient care in a range of community and hospital-based settings. There is no doubt community pharmacies are an essential pillar of our healthcare system and play a vital role in providing quality care to Queenslanders closer to home. Community pharmacies are more than just a place where medications are dispensed; they are the trusted hubs of health care, serving as accessible points of contact between the community and the healthcare system.

Today we have a vast array of medications available to treat countless medical conditions. Each medication comes with its own set of potential benefits and risks, and finding the best treatment requires specialist knowledge and expertise. Pharmacists are uniquely positioned to provide this expertise. They undergo years of rigorous education and training to understand the intricacies of pharmacology. Their level of clinical acumen is absolutely key to ensuring patients receive optimal care.

The Miles Labor government strongly believes in the importance of maintaining the 'community' in community pharmacy, which is why we are dedicated to maintaining pharmacy ownership restrictions and establishing a robust regulatory council to continue to support the sector. This bill establishes a contemporary regulatory framework to govern the ownership of pharmacy businesses in Queensland. This bill will replace the Pharmacy Business Ownership Act 2001, which has been in force for more than two decades and is no longer adequate to safeguard the interests of community pharmacies. The bill will maintain existing ownership restrictions requiring pharmacy businesses in Queensland to remain under the ownership of pharmacists or pharmacist controlled corporations. Additionally, it will ensure that entities like the Mater and certain friendly societies can continue to own pharmacy businesses as allowed under the current regulation. These limitations help to ensure pharmacies operate with a primary focus on the health and welfare of customers and the broader community—prioritising those interests over purely commercial ones.

Pharmacies are not ordinary retail outlets; they are entrusted with the dispensing of medications that can profoundly impact people's health. By restricting ownership to those prescribed in the bill we ensure pharmacies are owned and managed by those who prioritise patient safety above all else. The

bill also retains the existing limits on how many pharmacy businesses a person or entity may own. A person or entity may own only a maximum of five pharmacy business. The Mater and permitted friendly societies may own a maximum of six. This ensures proprietors can maintain an active interest in each of their pharmacy businesses.

In submissions to the Cost of Living and Economics Committee and during the committee's public hearing the Queensland Aboriginal and Islander Health Council expressed concern that the bill does not permit Aboriginal health services to own and operate a pharmacy located within the service. This concern was shared by other stakeholders including the AMA Queensland and the Royal Australian College of General Practitioners, and I thank them for their feedback on this issue. The committee's report recognised the specific needs of Aboriginal and Torres Strait Islander communities and the important role that Aboriginal and Torres Strait Islander community controlled health organisations play in enhancing the provision of health services; however, the committee did not recommend amendments to the current ownership restrictions within the bill.

Our government is committed to closing the gap and improving health care for First Nations peoples, and we acknowledge the compelling evidence provided to the committee about the need for access to culturally appropriate pharmacy services; however, further work and consultation is required to ensure we understand the practicalities and possible consequences of legislating this proposal, and that includes consultation with the Queensland Aboriginal and Islander Health Council and our First Nations health services. Given the complex interactions also with Commonwealth legislation regarding the Pharmaceutical Benefits Scheme and pharmacy location rules, we also need to consult with the Commonwealth.

We know that our Aboriginal and Torres Strait Islander health services generally have established relationships with their local community pharmacy. Careful consideration is needed to understand the impacts on existing community pharmacies in the region. Given these complexities, it is clear that this proposal does require further detailed consideration. To ensure that barriers and impacts can be fully understood, I consider that one of the first priorities of the newly created council should be to provide advice to the health minister on this matter. I intend to recommend to Governor in Council that the council's membership include a First Nations member who is able to advise and support the council in considering these issues.

In the past, Queensland Health has overseen the regulation of pharmacy business ownership; however, this no longer aligns with the approaches in jurisdictions such as New South Wales, Victoria, South Australia and Western Australia. In these jurisdictions an independent regulatory authority handles the task of regulating pharmacy business ownership, and these bodies are primarily funded through industry fees and comprise a diverse range of members. During consultation, many stakeholders strongly advocated for a regulatory approach similar to other states, and these stakeholders felt that a council with practical experience in the pharmacy industry would be better placed to regulate pharmacy business ownership in Queensland.

This bill will bring Queensland into line with those other jurisdictions by establishing the Queensland Pharmacy Business Ownership Council. The council will serve as a regulatory entity responsible for enforcing and administering the ownership restrictions on pharmacy businesses in Queensland. The council must have at least five members appointed based on recommendations from the minister. Persons eligible for council membership include an owner of a licensed pharmacy business or director of a corporate owner, a practising pharmacist employed by a licensed pharmacy business, or an individual with expertise or qualifications in areas such as accounting, business, financial management, law or pharmacy business operations. Additionally, the minister may recommend the appointment of a consumer representative to the council or another member who the minister considers is appropriate or beneficial to the performance of the council's functions.

I now turn to the licensing framework which is intended to ensure the council can efficiently and effectively supervise pharmacy business ownership in Queensland. The bill will require owners to obtain a licence for each of their businesses with an annual renewal process. This will help to ensure the safety and quality of healthcare services provided to the public. It will also help to regulate the pharmacy industry by ensuring pharmacies meet specific premise standards, adhere to relevant legislative requirements and maintain high levels of professionalism.

The Pharmacy Business Ownership Bill aims to promote professional and safe pharmacy services by pharmacy businesses. Through maintaining ownership restrictions, establishing a regulatory council and requiring appropriate oversight over pharmacy businesses we can ensure Queenslanders can continue to receive quality health care closer to home. The bill is not just about maintaining the community pharmacy model; it is about protecting the health and safety of everyone who walks through the doors of a pharmacy. In every neighbourhood in every town, pharmacies offer

health services that extend far beyond simply filling prescriptions. We recognise and we celebrate the contributions of pharmacies and pharmacists to the health and wellbeing of our communities. By requiring that pharmacies are primarily owned and operated by pharmacists we are ensuring that patient centred care, clinical expertise and professional integrity are upheld. I commend the bill to the House.