



Queensland

Health (Drugs and Poisons) and Radiation Safety Amendment Regulation (No. 1) 2008

Subordinate Legislation 2008 No. 422

made under the

Health Act 1937

Radiation Safety Act 1999

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Health (Drugs and Poisons) and Radiation Safety Amendment Regulation (No. 1) 2008*.

Part 2 Amendment of Health (Drugs and Poisons) Regulation 1996

2 Regulation amended in pt 2

This part amends the *Health (Drugs and Poisons) Regulation 1996*.

3 Amendment of s 58A (Enrolled nurses)

(1) Section 58A(1)(b)(i) ‘nurse practitioner’—

omit, insert—

‘nurse practitioner, physician’s assistant’.

(2) Section 58A(3)(b)(i), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

4 Amendment of s 59A (Indigenous health workers)

Section 59A(b), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

[s 5]

5 Amendment of s 62 (Midwives)

Section 62(d)(i), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

6 Amendment of s 64 (Pharmacists)

Section 64(1)(e), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

7 Insertion of new s 64AA

After section 64—

insert—

‘64AA Physician’s assistants

‘To the extent necessary to perform duties under a practice plan developed for a physician’s assistant, the physician’s assistant acting under the supervision of his or her supervising medical officer is authorised to—

- (a) possess a controlled drug at the place where the physician’s assistant practices; or
- (b) administer, prescribe or supply a controlled drug; or
- (c) give someone who may administer or supply a controlled drug an oral or written instruction to administer or supply the drug.’.

8 Amendment of s 66 (Queensland Ambulance Service)

Section 66(4)(c)(i), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

9 Amendment of s 67 (Registered nurses)

(1) Section 67(1)(b)(i) and (3), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

(2) Section 67(2)(c)—

omit, insert—

‘(c) administer or supply a controlled drug to a person—

(i) on the oral or written instruction of a doctor, nurse practitioner or physician’s assistant; or

(ii) under a drug therapy protocol.’.

10 Amendment of s 68 (Certain registered nurses at rural hospitals)

Section 68(1), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

11 Amendment of s 79 (Prescribing controlled drugs)

(1) Section 79(4)(h), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

(2) Section 79(4)(i), ‘nurse practitioner’—

omit, insert—

‘nurse practitioner, physician’s assistant’.

12 Amendment of s 81 (Oral prescription)

Section 81, ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

[s 13]

13 Amendment of s 82 (Conditions of dispensing)

Section 82(2)(a), after ‘nurse practitioner’—

insert—

‘or physician’s assistant.’

14 Amendment of s 97 (Oral instruction must be put in writing)

Section 97, ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

15 Amendment of s 121 (Controlled drugs not to be obtained unless information disclosed to dentist, doctor, nurse practitioner or surgical podiatrist)

(1) Section 121, heading, from ‘to dentist’—

omit.

(2) Section 121(1), ‘nurse practitioner’—

omit, insert—

‘nurse practitioner, physician’s assistant’.

16 Amendment of s 162 (Enrolled nurses)

Section 162(1)(b)(i) and (3)(b)(i), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

17 Amendment of s 164A (Indigenous health workers)

Section 164A(b), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

18 Amendment of s 167 (Midwives)

Section 167(1)(d)(i), ‘doctor or nurse practitioner’—
omit, insert—
‘doctor, nurse practitioner or physician’s assistant’.

19 Amendment of s 171 (Pharmacists)

Section 171(1)(e), ‘doctor or nurse practitioner’—
omit, insert—
‘doctor, nurse practitioner or physician’s assistant’.

20 Insertion of new s 171A

After section 171—
insert—

‘171A Physician’s assistants

‘To the extent necessary to perform duties under a practice plan developed for a physician’s assistant, the physician’s assistant acting under the supervision of his or her supervising medical officer is authorised to—

- (a) possess a restricted drug at the place where the physician’s assistant practices; or
- (b) administer, prescribe or supply a restricted drug; or
- (c) give someone who may administer or supply a restricted drug an oral or written instruction to administer or supply the drug.’.

21 Amendment of s 174 (Queensland Ambulance Service)

Section 174(2A)(c)(i), ‘doctor or nurse practitioner’—
omit, insert—
‘doctor, nurse practitioner or physician’s assistant’.

[s 22]

22 Amendment of s 175 (Registered nurses)

(1) Section 175(1)(b)(i) and (4)(b)(i), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

(2) Section 175(2)(c)—

omit, insert—

‘(c) administer or supply a restricted drug to a person—

(i) on the oral or written instruction of a doctor, nurse practitioner or physician’s assistant; or

(ii) under a drug therapy protocol.’.

23 Amendment of s 176 (Certain registered nurses at rural hospitals)

Section 176(1), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

24 Amendment of s 190 (Prescribing restricted drugs)

(1) Section 190(2)(h), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

(2) Section 190(2)(i), after ‘nurse practitioner’—

insert—

‘, physician’s assistant’.

25 Amendment of s 192 (Oral prescription)

Section 192(1) and (2), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

26 Amendment of s 193 (Conditions of dispensing)

Section 193(2)(a), ‘optometrist’—

omit, insert—

‘optometrist, physician’s assistant’.

27 Insertion of new s 258A

After section 258—

insert—

‘258A Physician’s assistants

‘(1) To the extent necessary to perform duties under a practice plan developed for a physician’s assistant, the physician’s assistant acting under the supervision of his or her supervising medical officer is authorised to—

(a) administer, prescribe or supply an S2 or S3 poison; or

(b) give someone who may administer or supply an S2 or S3 poison an oral or written instruction to administer or supply the poison.’.

28 Amendment of s 263 (Registered nurses)

Section 263(3), ‘doctor or nurse practitioner’—

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

29 Amendment of s 263A (Certain registered nurses at rural hospitals)

Section 263A(1), ‘doctor or nurse practitioner’—

[s 30]

omit, insert—

‘doctor, nurse practitioner or physician’s assistant’.

30 Amendment of appendix 9 (Dictionary)

Appendix 9—

insert—

‘physician’s assistant means a person appointed by the chief executive, and employed by the department, as a physician’s assistant.

practice plan, for a physician’s assistant, means a document that—

- (a) is developed and signed by a physician’s assistant and his or her supervising medical officer; and
- (b) states the circumstances and conditions for a physician’s assistant to use a controlled drug, restricted drug or poison; and
- (c) is in a form approved by the chief executive.

supervising medical officer, for a physician’s assistant, means a person who—

- (a) is registered to practice medicine under the *Medical Practitioners Registration Act 2001*; and
- (b) supervises the work performed by the physician’s assistant in his or her employment with the department.’.

Part 3 Amendment of Radiation Safety Regulation 1999

31 Regulation amended in pt 3

This part amends the *Radiation Safety Regulation 1999*.

32 Insertion of new s 39B

Part 8A—

insert—

‘39B Physician’s assistants authorised under practice plans—Act, s 41

‘A physician’s assistant is authorised to request a diagnostic procedure stated in schedule 3A, part 1, column 1 if—

- (a) the practice plan developed for the physician states that the physician’s assistant may request the diagnostic procedure; and
- (b) the physician’s assistant requests the diagnostic procedure under the supervision of his or her supervising medical officer; and
- (c) the supervising medical officer is authorised under section 39A to request the diagnostic procedure stated in schedule 3A, part 1, column 1.’.

33 Amendment of sch 6 (Dictionary)

Schedule 6—

insert—

‘physician’s assistant means a person appointed by the chief executive, and employed by the department, as a physician’s assistant.

practice plan, for a physician’s assistant, means a document that—

- (a) is developed and signed by a physician’s assistant and his or her supervising medical officer; and
- (b) states the circumstances and conditions for a physician’s assistant to request a specified diagnostic procedure; and
- (c) is in a form approved by the chief executive.

supervising medical officer, for a physician’s assistant, means a person who—

[s 33]

- (a) is registered to practice medicine under the *Medical Practitioners Registration Act 2001*; and
 - (b) supervises the work performed by the physician's assistant in his or her employment with the department.'
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ENDNOTES

- 1 Made by the Governor in Council on 11 December 2008.
- 2 Notified in the gazette on 12 December 2008.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Health.

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