



Circular No. 23 - 17 December 2020

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Chair's message

This year has certainly been a trying year but also one where pharmacists have truly risen to the occasion.

This circular includes information about the release this month of a reference guide to support pharmacists to meet their obligations in the management of Schedule 8 poisons.

Pharmacists are reminded to renew their Ahpra registration by 31 December this year given the significant implications of a lapsed registration on a licensee's eligibility to hold a licence to carry on a pharmacy business. The circular also highlights proprietor pharmacist's responsibilities according to Pharmacy Board of Australia's *Guidelines for proprietor pharmacists* and the potential consequences of non-compliance.

Looking ahead to 2021, Authorised Officers of the Authority will be conducting inspections in different ways in accordance with the Authority's risk-based approach and in response to the challenges presented by COVID-19.

The Authority's annual report and quarterly performance report is now available. There is information on a new notification form for the appointment of a pharmacist regularly and usually in charge as well as updates to licence application forms.

The lead up to the holiday season can be a stressful time for pharmacists at work and home. Please continue to look after yourself, check on your colleagues and stay safe.

On behalf of the Authority members and staff, I wish you a happy and safe festive season and best wishes for the New Year.

David McConville
Chair

Special focus

Managing Schedule 8 poisons - a reference guide for pharmacists

Pharmacists play a very important role in the community as custodians of medicines and poisons and this role includes complying with legislated requirements for the recording and storage of Schedule 8 poisons. The Authority has developed *Managing Schedule 8 poisons – a reference guide for pharmacists* (**reference guide**) to support pharmacists and licensees to understand and comply with their obligations.

A laminated copy of the reference guide is being sent free of charge to all registered premises in Victoria and a [digital copy](#) is available for download. The Authority encourages pharmacists to prominently display the reference guide in an area of the dispensary to facilitate its intended use as a quick reference guide (e.g. on the door of the drug safe) to help meet their obligations when managing Schedule 8 poisons.

The reference guide was developed in consultation with pharmacy peak bodies in response to levels of non-compliance identified in the Authority's inspections, matters considered during panel hearings and the significant risks to public safety associated with these medicines. It reflects a commitment outlined in the Victorian Pharmacy Authority Statement of Expectations Action Plan 2019-21 which can be viewed on the Authority's [website](#).

Inspection program - what to expect in 2021

The Authority's risk-based regulatory approach to inspections is aimed at monitoring compliance and assisting pharmacists to meet their obligations to comply with the Act and good pharmacy practice.

Recent inspections have been conducted using a variety of methods considering the risk-based focus of the inspection as well as the prevalence of COVID-19 in Victoria. In 2021, inspections may be conducted by appointment or without notice as:

- Site inspections; or
- Remote inspections (which may involve a 'virtual' inspection of the pharmacy using a readily available meeting platform)

The Authority will continue to monitor and adapt the way in which inspections are conducted in response to the dynamic challenges of COVID-19.

Further, in 2019-20, significant work was undertaken to review the risk-based focus of the inspection program. In preparation for stakeholder engagement, a review of the outcomes of inspections conducted from July 2017 to March 2020 was carried out and a risk analysis for the inspection program was updated. A stakeholder engagement plan has been developed to seek feedback and this work will continue in 2020-21.

Annual report

The Authority's Annual Report 2019-20 was tabled in Parliament on 10 December 2020 and is now available on the Authority's [website](#).

Quarterly performance report

The Authority's performance measurement framework provides information on its activities and intended outcomes. The quarterly performance report for the period 1 July 2020 to 30 September 2020 is now available on the Authority's [website](#).

Licence applications

Updated licence application forms

The following application forms have recently been updated to expand on questions relating to applicant contact details.

- *VP11 Application for Pharmacy Business Licence – Pharmacist*

- *VP12 Application for Pharmacy Business Licence – Company*

Pharmacists and their representatives are advised to always use the current version available on the Authority's [website](#) rather than saved copies to avoid delays from having to resubmit the correct version.

Did you know?

Notification of appointment of pharmacist regularly and usually in charge

In accordance with the Pharmacy Regulation Act 2010, the owner of a pharmacy business or the board of management of a hospital or other institution that operates a pharmacy department must appoint a pharmacist to be regularly and usually in charge (PRUIC) of the pharmacy or pharmacy department.

If a PRUIC is absent, another pharmacist is to be appointed to act as the PRUIC.

VPA should be notified of the appointment using the new [VP32 notification form](#). Notification of appointment of pharmacist regularly and usually in charge by email to enquiries@pharmacy.vic.gov.au.

For information

Ahpra registration renewal - implications of lapsed registration for owners

Registered pharmacists need to renew their Ahpra registration annually. According to the Pharmacy Board of Australia's recent [communique](#), pharmacists who do not apply to renew their registration with Ahpra by 31 December 2020 (end of late period) will have lapsed registration. They will be removed from the national register and will not be able to practise in Australia.

A pharmacist licensee whose registration lapses is no longer eligible to own or have a proprietary interest in a pharmacy business and the licence may be revoked. If the registration of a pharmacist director/shareholder of a company licensee lapses, the Authority may revoke the company licence.

Pharmacists are reminded to check their registration status and renew their registration as a matter of urgency. Pharmacists can check their registration details and expiry date on the [national registers of practitioners](#).

Proprietor's responsibility - suspension of registration and pharmacy ownership

According to the Pharmacy Board of Australia's *Guidelines for proprietor pharmacists*:

A registered pharmacist who is a proprietor of, or who has a pecuniary interest in, a pharmacy business, must:

- *maintain, and be able to demonstrate an awareness of, the manner in which that pharmacy business is being conducted, and*
- *where necessary, intervene to ensure that the practice of pharmacy is conducted in accordance with applicable laws, standards and guidelines.*

This is consistent with the Victorian Pharmacy Authority [Guidelines](#).

The *Guidelines for proprietor pharmacists* can be used in disciplinary proceedings under the Health Practitioner National Law (**the National Law**) as evidence of what constitutes appropriate conduct or practice for pharmacists. It can also be considered in immediate action proceedings under the National Law, if the relevant Board or Council in each State and Territory has cause to consider if it is appropriate to suspend or place conditions on the registration of a pharmacist in order to protect the health and safety of the public, or when it is in the public interest to do so.

The Authority reminds pharmacy owners who are suspended and/or have conditions imposed on their registration as a pharmacist that there may be consequences for their ownership/licensing status. A pharmacist whose registration is suspended is no longer eligible to own or have a proprietary interest in a Victorian pharmacy business.

There have been recent cases of pharmacists being suspended under the National Law where non-compliance with the *Guidelines for proprietor pharmacists* has been of concern. Subsequently, these matters have been the subject of investigations and panel hearings by the Authority.

Proprietor pharmacists are reminded of their obligations as outlined in the Pharmacy Board of Australia's [Guidelines for proprietor pharmacists](#). Members of Pharmaceutical Defence Limited (PDL) may wish to refer to PDL Practice Alert issued 22 September 2020 titled *No half doses in pharmacy ownership* for further information.

Office closure

The Authority's office will close at 3.00pm on Friday 18 December 2020 and re-open at 9:00am on Monday 4 January 2021.

Please note that any notifications (relating to changes of ownership or commencement of a new pharmacy for example) submitted after 18 December will not be processed until 4 January 2021.

Resources

Supporting key learnings from recent panel hearings and areas of high risk, licensees and pharmacists may wish to refer to the following resources alongside the [VPA Guidelines](#). Resources are not limited to the list below and pharmacists are encouraged to review other relevant references as required.

- Pharmacy Board of Australia *Guidelines for proprietor pharmacists* [here](#).
- Pharmacy Board of Australia *Guidelines on practice-specific issues - Guideline 1 (List of reference texts for pharmacists)* can be viewed [here](#).
- Pharmacy Board of Australia *Guidelines on dose administration aids and staged supply of dispensed medicines* can be viewed [here](#).
- Pharmacy Board of Australia *Guidelines for dispensing of medicines* with reference to requirements for barcode scanning can be viewed [here](#).
- Pharmacy Board of Australia *Guidelines on compounding of medicines* can be viewed [here](#).
- *DPCS Regulations 2017* with reference to requirements for recording, storage and reconciliation of Schedule 8 poisons can be viewed [here](#).
- Medicines and Poisons Regulation: *Managing Schedule 8 poisons - summary of requirements for pharmacists* can be viewed [here](#).
- *National Vaccine Storage Guidelines "Strive for 5"* can be viewed [here](#).

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