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1998B00391



National Health (Pharmaceutical Benefits) Amendment Regulations 1998 (No. 1)

Statutory Rules 1998 No. 1

374

I, WILLIAM PATRICK DEANE, Governor-General of the
Commonwealth of Australia, acting with the advice of the
Federal Executive Council, make the following regulations under
the *National Health Act 1953*.

Dated 17 DEC 1998 1998.

WILLIAM DEANE
Governor-General

By His Excellency's Command,

MICHAEL WOOLDRIDGE
Minister for Health and Aged Care



National Health (Pharmaceutical Benefits) Amendment Regulations 1998 (No. ^h)¹

Statutory Rules 1998 No. ^h²

made under the

National Health Act 1953

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1 Name of regulations

These regulations are the *National Health (Pharmaceutical Benefits) Amendment Regulations 1998 (No. 1)*. /

2 Commencement

These regulations commence on 1 January 1999.

3 Amendment of National Health (Pharmaceutical Benefits) Regulations

Schedule 1 amends the National Health (Pharmaceutical Benefits) Regulations.

Schedule 1 Amendment of National Health (Pharmaceutical Benefits) Regulations

[1] Regulation 1

substitute

1 Name of regulations

These regulations are the *National Health
(Pharmaceutical Benefits) Regulations 1960*.

[2] Regulation 4

renumber as regulation 3

[3] Before regulation 5

insert

4 Transitional

The National Health (Pharmaceutical Benefits)
Regulations as in force immediately before
1 January 1999 continue to apply to a prescription
made out in duplicate, the duplicate being marked with
the word 'Duplicate'.

1998, /
h

National Health (Pharmaceutical Benefits) Amendment
Regulations 1998 (No. /
h)

3

374
1

[4] Regulation 5*insert*

HIC/DVA copy, for a prescription, means the duplicate of the prescription on which appears the words ‘HIC/DVA copy’.

pharmacist/patient copy, for a prescription, means the original of the prescription on which appears the words ‘pharmacist/patient copy’.

[5] Paragraph 19 (1) (a)*omit*

prepares the prescription:

insert

prepares the prescription in duplicate:

[6] Sub-subparagraph 19 (1) (a) (i) (B)*omit*

“PBS”; or

insert

‘PBS’; and

[7] After sub-subparagraph 19 (1) (a) (i) (B)*insert*

- (C) on the original of which appears the words ‘pharmacist/patient copy’; and
- (D) on the duplicate of which appears the words ‘HIC/DVA copy’; or

[8] Sub-subparagraph 19 (1) (a) (ii) (C)

substitute

- (C) on the original of which appears the words 'pharmacist/patient copy'; and
- (D) on the duplicate of which appears the words 'HIC/DVA copy'; and
- (E) that is approved in writing for the purpose by the Secretary; or

[9] Paragraph 19 (1) (b)

omit

[10] Paragraph 21 (1) (a)

substitute

- (a) subject to regulations 22, 26 and 26A, the prescription is:
 - (i) written in accordance with these regulations; and
 - (ii) given to the pharmacist or practitioner; and
- (aa) the date of supply of the benefit is on or before the first anniversary of the date on which the prescription was written; and

[11] Paragraph 21 (2) (a)

substitute

- (a) subject to regulations 22, 26 and 26A, the prescription is:
 - (i) written in accordance with these regulations; and
 - (ii) given to the pharmacist or practitioner; and
- (aa) the date of supply of the benefit is on or before the first anniversary of the date on which the prescription was written; and

[12] Subparagraphs 25 (3) (b) (ii) and (iii)*substitute*

- (ii) writes on the HIC/DVA copy the words
‘immediate supply necessary’; and
- (iii) signs that copy; or

[13] Subparagraphs 25 (3) (c) (ii) and (iii)*substitute*

- (ii) writes on the HIC/DVA copy the words
‘immediate supply necessary’; and
- (iii) signs that copy; or

[14] Subparagraphs 25 (4) (b) (ii) and (iii)*substitute*

- (ii) writes on the HIC/DVA copy the words
‘immediate supply necessary’; and
- (iii) signs that copy; or

[15] Subparagraphs 25 (4) (c) (ii) and (iii)*substitute*

- (ii) writes on the HIC/DVA copy the words
‘immediate supply necessary’; and
- (iii) signs that copy; or

[16] Paragraph 26 (1) (a)*omit*

original

*insert*HIC/DVA copy

[17] Subregulation 26 (2)

substitute

- (2) An approved pharmacist, approved medical practitioner or approved hospital authority is not authorised to supply a pharmaceutical benefit upon presentation of only the pharmacist/patient copy unless:
- (a) the approved pharmacist, approved medical practitioner or approved hospital authority is given a repeat authorisation or a deferred supply authorisation that:
 - (i) is related to that pharmacist/patient copy by a number or numbers; and
 - (ii) indicates that the pharmaceutical benefit to be supplied has not been supplied for the number of times directed in the prescription; and
 - (b) there is written on the repeat authorisation or deferred supply authorisation the approval number given to the supplier under regulation 8A; and
 - (c) the date of supply of the benefit is on or before the first anniversary of the date on which the prescription was written.

[18] Paragraph 26A (2) (e)

omit

duplicate of the prescription

insert

pharmacist/patient copy

[19] Additional amendments

<i>provision</i>	<i>omit</i>	<i>insert</i>
paragraphs 26 (1) (b) and (c)	duplicate of a prescription	pharmacist/ patient copy
subparagraphs 26 (1A) (a) (iii) and (iv)	duplicate of the prescription	pharmacist/ patient copy
paragraphs 32 (1) (a) and (b)	duplicate of the prescription	pharmacist/ patient copy

Notes

- These regulations amend Statutory Rules 1960 No. 17, as amended by 1960 Nos. 90 and 102; 1961 Nos. 59 and 137; 1962 Nos. 34, 101 and 114; 1963 Nos. 34, 69 and 107; 1964 Nos. 12, 57 and 135; 1965 Nos. 51, 151 and 152; 1966 Nos. 80 and 144; 1967 Nos. 67, 116 and 158; 1968 Nos. 44, 76, 88 and 146; 1969 Nos. 44, 107 and 185; 1970 Nos. 39, 94, 119 and 186; 1971 Nos. 44, 101, 136 and 154; 1972 Nos. 32, 121 and 205; 1973 Nos. 15, 57, 139 and 229; 1974 Nos. 37, 126 and 222; 1975 Nos. 50, 148 and 209; 1976 Nos. 84, 150, 195 and 255; 1977 Nos. 39, 125 and 221; 1978 Nos. 47, 142, 153 and 245; 1979 Nos. 51, 55, 144 and 250; 1980 Nos. 69, 213 and 338; 1981 Nos. 52, 212, 218 and 345; 1982 Nos. 69, 76, 179, 334 and 372; 1983 Nos. 28, 102, 116 and 292; 1984 Nos. 50, 148, 169 and 342; 1985 Nos. 32, 184 and 320; 1986 Nos. 38, 194, 319, 320 and 391; 1987 Nos. 47, 262 and 279; 1988 No. 56; 1990 Nos. 226, 267, 337, 338 and 437; 1991 Nos. 1 and 474; 1992 No. 226; 1994 No. 348; 1996 No. 70.
- Made by the Governor-General on 1 1998, and notified in the *Commonwealth of Australia Gazette* on 1 1998. Administered by the Minister for Health and Aged Care.

17 December
22 December