



Commonwealth price (Pharmaceutical benefits supplied by approved pharmacists) Amendment Determination 2010 (No.1)

National Health Act 1953

We, the members of the Pharmaceutical Benefits Remuneration Tribunal, make this Determination under paragraph 98B (1) (a) of the *National Health Act 1953*.

Dated 21 December 2010

Ian Watson

IAN ROBERT WATSON

Chairperson

Helen Lapsley

HELEN LAPSLEY

Member

Barry Frost

BARRY FROST

Member

1 Name of Determination

This Determination is the *Commonwealth price (Pharmaceutical benefits supplied by approved pharmacists) Amendment Determination 2010 (No. 1)*.

2 Commencement

This Determination commences the day after it is registered.

3 Amendment of *Commonwealth price (Pharmaceutical benefits supplied by approved pharmacists) Determination 2010*

Schedule 1 amends the *Commonwealth price (Pharmaceutical benefits supplied by approved pharmacists) Determination 2010*.

Schedule 1 Amendments
(section 3)

[1] paragraph 6(2)(a)

substitute

- (a) a pack (a *standard pack*) for a ready-prepared pharmaceutical benefit, containing a quantity or number of units of the pharmaceutical benefit, equal to a maximum quantity or number of units of the pharmaceutical item in the pharmaceutical benefit determined by the Minister for paragraph 85A(2)(a) of the Act.

[2] subsection 9(1)

substitute

- (1) If, under subsection 88(6) or 88(6A) of the Act and regulation 24 of the Regulations, a medical practitioner, authorised midwife, or authorised nurse practitioner, instead of directing a repeated supply of a pharmaceutical benefit, directs the supply of a quantity or number of units of the benefit on 1 occasion, not exceeding the total quantity or number of units that could be prescribed if the medical practitioner, authorised midwife, or authorised nurse practitioner directed a repeated supply, the Commonwealth price for that supply includes:
- (a) only 1 dispensing fee; and
(b) the price, if any, of only 1 container.

[3] section 12

omit

worked out under paragraph 9 of the *Determinations under sections 85, 85A and 88 of the National Health Act 1953*.

insert

equal to a maximum quantity or number of units of the pharmaceutical item in the pharmaceutical benefit determined by the Minister for paragraph 85A(2)(a) of the Act.

[4] paragraph 30(1)(a)

substitute

- (a) the benefit is to be classified, for determining the Commonwealth price, under the type of pharmaceutical benefit mentioned in Part 3 of Schedule 2 to the Minister's determination under subsection 85A(2) of the Act;

[5] paragraph 30(4)(b)

substitute

(b) the supply of the pharmaceutical benefit under subsection 31(1).

[6] subsection 30(5), definition of *maximum quantity*

substitute

maximum quantity, for a standard formula preparation, means the maximum quantity mentioned for the type of pharmaceutical benefit in Part 3 of Schedule 2 to the Minister's determination under 85A(2) of the Act.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.