

OVERVIEW

Drugs and Poisons legislation in the States and Territories of Australia – How does it apply to Podiatry?

Podiatrists need to be aware that a State or Territory authorises the possession of poisons or controlled substances by Drugs and Poisons regulations. Links to these legislations are listed below.

From 1st July 2010, for many podiatrists the possession and use of poisons and controlled substances **will not change**. Each State and Territory explicitly provides access for podiatrists to a variety of restricted substances. There is currently no single law to define the list or range of restricted medicines for podiatrists, as it depends on the jurisdiction in which you undertake the activity.

The Podiatry Board of Australia provides the following information to podiatrists for them to have an understanding of the various State and Territory legislation. It is the responsibility of the podiatrist to comply with the requirements of the legislation in the jurisdiction. The ability to practise podiatry anywhere in Australia is as a result of the national registration scheme. The podiatrist must consider the variation in Drugs and Poisons legislation in each jurisdiction and ensure compliance is observed on all occasions at all locations.

Podiatrists with general registration may have access to a variety of local anaesthetic agents and restricted substances for the management of anaphylaxis. Other podiatrists e.g. those with an endorsement or podiatric surgeons or some authorised podiatrists in Western Australia – may have access to a broader range of restricted drugs.

The Drugs, Poisons and Controlled Substances Act 1981, in Victoria authorizes the possession of poisons and controlled substances, beyond the drugs approved for podiatrists with general registration, by an endorsement with the podiatrist's registration. The Podiatry Board of Australia can authorise an endorsement for scheduled medicines with general registration, however this currently only allows the use of expanded drug list when the podiatrist is practising in Victoria.

If a podiatrist has an endorsement for scheduled medicines and practises in any other State or Territory other than Victoria, the podiatrist must only access restricted drugs permitted under that jurisdiction's Drugs and Poisons legislation.

The Board recommends this paper be read in conjunction with other Board information papers listed on the website. These papers are -

The scheduled medicines authorisations in Drugs and Poisons regulations for:

1. **PODIATRISTS WITH GENERAL REGISTRATION**
 2. **PODIATRIC SURGEONS**
 3. **WESTERN AUSTRALIAN GENERAL PODIATRISTS WHO ARE AUTHORISED TO USE AN EXTENDED RANGE OF RESTRICTED DRUGS**
 4. **PODIATRISTS WITH GENERAL REGISTRATION AND ENDORSEMENT FOR SCHEDULED MEDICINES**
- (Attached below)

The following table provides links to the specific legislation in each State and Territory.

Jurisdiction	Links to Drugs and Poisons legislation
Queensland	<i>Health (Drugs and Poisons) Regulation 1996</i> http://www.legislation.qld.gov.au
New South Wales	<i>Poisons and Therapeutic Goods Regulation 2002</i> http://www.legislation.nsw.gov.au
Victoria	<i>Drugs, Poisons and Controlled Substances Act 1981</i> http://www.legislation.vic.gov.au/
Tasmania	<i>Poisons Act 1971</i> http://www.thelaw.tas.gov.au
Australian Capital Territory	<i>Medicines, Poisons and Therapeutic Goods Act 2008</i> http://www.legislation.act.gov.au
South Australia	<i>Controlled Substances (Poisons) Regulations 1996</i> http://www.legislation.sa.gov.au
Western Australia	<i>Poisons Act 1964</i> http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html
Northern Territory	<i>Poisons & Dangerous Drugs Act</i> http://www.dcm.nt.gov.au/strong_service_delivery/supporting_government/current_northern_territory_legislation_database

Contact information for Health Departments

Jurisdiction	Website address
Queensland	www.health.qld.gov.au/ Queensland Health Building 147-163 Charlotte Street Brisbane Queensland 4000 PH: 07 3234 0111
New South Wales	www.health.nsw.gov.au/ 73 Miller Street North Sydney NSW 2060 PH: 02 9391 9000
Victoria	www.health.vic.gov.au/ Department of Health 50 Lonsdale Street Melbourne, Victoria 3000 PH: 1300 253 942
Tasmania	www.dhhs.tas.gov.au/ Department of Health and Human Services GPO Box 125 HOBART TAS 7001 PH: 1300 135 513
Australian Capital Territory	www.health.act.gov.au/ Canberra Hospital Yamba Drive, GARRAN ACT 2605 PH: 13 2281
South Australia	www.health.sa.gov.au/ Citi Centre Building 11 Hindmarsh Square Adelaide SA 5000 PH: 08 8226-6000
Western Australia	www.health.wa.gov.au/ Department of Health 189 Royal Street East Perth WA 6004 PH: 08 9222 4222
Northern Territory	www.health.nt.gov.au/ 87 Mitchell Street, Darwin, NT 0800 PH: (08) 8999 2400

1. The scheduled medicines authorisations in Drugs and Poisons regulations for:

PODIATRISTS WITH GENERAL REGISTRATION

The following lists provide a guide for podiatrists with general registration to the restricted drugs and poisons that the podiatrist can access as authorized by the State and Territory legislations.

When practising podiatry, the podiatrist must only use the restricted drugs and poisons as defined by that State or territory legislation. Contact the State or Territory Health Departments for further information.

JURISDICTION	PROVISIONS
Australian Capital Territory	<p>MEDICINES, POISONS AND THERAPEUTIC GOODS ACT 2008</p> <p>REG 350 Part 1.10</p> <p>Person authorised: Podiatrists</p> <p>Authorisation:</p> <p>to the extent necessary to practise podiatry and, if employed, within the scope of employment, do any of the following:</p> <p>(a) issue purchase orders and requisitions for adrenaline and local anaesthetics;</p> <p>(b) obtain adrenaline and local anaesthetics;</p> <p>(c) possess adrenaline and local anaesthetics;</p> <p>(d) administer adrenaline and local anaesthetics.</p>
New South Wales	<p>NSW Poisons and Therapeutic Goods Act 1966 No 31</p> <p>A registered podiatrist is authorised to possess and use synthetic cocaine substitutes (prepared for parenteral use) if required for use in connection with the practice of podiatry.</p>

<p>Queensland</p>	<p>HEALTH (DRUGS AND POISONS) REGULATION 1996</p> <p>172 Podiatrists</p> <p>To the extent necessary to practise podiatry, a podiatrist is authorised to -</p> <p>(a) obtain the following restricted drugs, other than when combined with adrenalin or another vasoconstrictor drug--</p> <p>(i) bupivacaine of a strength of 0.5% or less;</p> <p>(ii) levobupivacaine of a strength of 0.5% or less;</p> <p>(iii) lignocaine of a strength of 2% or less;</p> <p>(iv) prilocaine of a strength of 2% or less; or</p> <p>(b) administer a restricted drug mentioned in paragraph (a), other than when used together with adrenalin or another vasoconstrictor drug; or</p> <p>(c) possess a restricted drug obtained under paragraph (a) at the place where the podiatrist practises podiatry.</p>
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South Australia	<p>CONTROLLED SUBSTANCES ACT 1984 - SECT 18</p> <p>CONTROLLED SUBSTANCES (POISONS) REGULATIONS 1996</p> <p>Podiatrist may only administer an S4 drug listed in clause 1 of Schedule I of these regulations.</p> <p>Clause 1 of Schedule I - S4 drugs that a podiatrist may administer (Regulation 28)</p> <p>Amethocaine</p> <p>Amylocaine</p> <p>Benzocaine</p> <p>Bupivacaine</p> <p>Butacaine</p> <p>Butylaminobenzoate</p> <p>Cinchocaine</p> <p>Diperodon</p> <p>Etidocaine</p> <p>Lignocaine</p> <p>Mepivacaine</p> <p>Oxybuprocaine</p> <p>Prilocaine</p> <p>Procaine</p> <p>Proxymetacaine</p>
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<p>Tasmania</p>	<p>POISONS ACT 1971 - SECT 25A</p> <p>(f) the administration to a person of a local anaesthetic included in Schedule 4 of the Poisons List by a person who is a registered podiatrist under the Podiatrists Registration Act 1995 in the lawful practice of the profession of podiatry</p>
<p>Victoria</p>	<p>Drugs, Poisons and Controlled Substances Regulations 2006 – Regulation 5(1)</p> <p>Table part 2 Possession of Schedule 4 poisons, Schedule 8 poisons and Schedule 9 poisons.</p> <p>The Secretary has given approval in general for a podiatrist registered under the Health Practitioner Regulation National law and carrying on the lawful practice of his or her profession to be in possession of, and administer, the following Schedule 4 poisons in the practice of his or her profession for the treatment of conditions of the human foot:</p> <p>Local Anaesthetics– the following only:</p> <ul style="list-style-type: none"> • Lignocaine hydrochloride in preparations containing 2 percent or less of lignocaine hydrochloride; • Prilocaine hydrochloride in preparations containing 2 percent or less of prilocaine hydrochloride
<p>Western Australia</p>	<p>Poisons Regulations 1965</p> <p>Regulation 40</p> <p>All podiatrists are individually authorised to access and use a limited range of local anaesthetics included in Schedule 4</p> <p>Lignocaine injection up to 2% in plain solution or containing adrenaline 1:200,000;</p> <p>Mepivacaine injection in plain solution up to 2%;</p> <p>Prilocaine injection up to 2% in plain solution or containing adrenaline 1:200,000;</p> <p>Bupivacaine injection up to 0.5% in plain solution or containing adrenaline 1:200,000; and Ropivacaine injection up to 7.5mg/ml.</p> <p>Additionally: Podiatrists who have completed specific training have access to methoxyflurane.</p>
<p>Northern Territory</p>	<p>No podiatry specific provisions</p>

2. The scheduled medicines authorisations in Drugs and Poisons regulations for: PODIATRIC SURGEONS / surgical podiatrists

Queensland, South Australia and Victoria

<p>Queensland</p>	<p><i>Health (Drugs and Poisons) Regulation 1996 (Qld)</i></p> <p>s 64A Surgical Podiatrists</p> <p>(1) To the extent necessary to practise podiatry, a surgical podiatrist is authorised to—</p> <p>(a) prescribe oxycodone (in short-acting form) as an oral preparation;</p> <p>(b) give someone, who may administer oxycodone (in short-acting form), a written instruction to administer the drug as an oral preparation.</p> <p>(2) A surgical podiatrist must not prescribe or give a written instruction to administer more than 10 doses of 5mg each to a person for a relevant condition.</p> <p>s 172A Surgical podiatrists</p> <p>To the extent necessary to practise podiatry, a surgical podiatrist is authorised to-</p> <p>(a) obtain--</p> <p>(i) dexamethasone, for local injection only; or</p> <p>(ii) ropivacaine of a strength of 1% or less; or</p> <p>(b) administer a restricted drug mentioned in paragraph (a); or</p> <p>(c) possess a restricted drug mentioned in paragraph (a) at the place where the podiatrist practises podiatry; or</p> <p>(d) prescribe a restricted drug mentioned in appendix 2B, part 1, column 1, on the conditions mentioned opposite the drug in columns 2 and 3; or</p> <p>(e) give someone who may administer a restricted drug mentioned in appendix 2B, part 1, column 1, a written instruction to administer the</p>
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	drug on the conditions mentioned opposite the drug in columns 2 and 3.	
Appendix 2B		
Column 1	Column 2	Column 3
Restricted Drugs	Preparation type	Total dosage for a person's condition
amoxicillin or amoxicillin with clavulanic acid	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
cephalexin	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
codeine	oral	not exceeding 20 doses for the relevant condition with each dose being not more than 30mg in combination with each 500mg of paracetamol
diazepam	oral	not exceeding 10 doses of 5mg each for the relevant condition
diclofenac	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
dicloxacillin	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
doxycycline	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
erythromycin	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
ibuprofen	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
metronidazole	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
mupirocin	topical	not exceeding that usually required for a 10 day course of treatment for the relevant condition
naproxen	oral	not exceeding that usually required for a 10 day course of

		treatment for the relevant condition
roxithromycin	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
temazepam	oral	not exceeding 2 doses of 10mg each for the relevant condition
Poisons	Preparation type	Total dosage for a person's condition
fexofenadine	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
hydrocortisone	topical	not exceeding that usually required for a 10 day course of treatment for the relevant condition with each dose being of a strength of 1% or less
loratadine	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
promethazine	oral	not exceeding that usually required for a 10 day course of treatment for the relevant condition
<p><i>surgical podiatrist</i> means a podiatrist who is shown on the register kept under the Podiatrists Registration Act 2001, section 193, as holding a qualification in podiatric surgery.</p>		

South Australia	<p>CONTROLLED SUBSTANCES (POISONS) REGULATIONS 1996 - SCHEDULE 10</p> <p>The following S4 drugs may be prescribed, supplied or administered by a podiatric surgeon:</p> <p>1(a) as an oral preparation only—</p> <p style="padding-left: 40px;">Amoxicillin</p> <p style="padding-left: 40px;">Amoxicillin and clavulanic acid</p>
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	<p>Cephalexin</p> <p>Ciprofloxacin (when microbiological tests indicate it is the only effective drug)</p> <p>Codeine phosphate 30mg (in combination with paracetamol 500mg only)</p> <p>Diazepam</p> <p>Diclofenac</p> <p>Doxycycline</p> <p>Erythromycin</p> <p>Flucloxacillin</p> <p>Loratidine</p> <p>Phenoxymethyl penicillin</p> <p>Promethazine</p> <p>Roxithromycin</p> <p>Sulindac</p> <p>Temazepam;</p> <p>(b) as an oral preparation or as a suppository—</p> <p>Metronidazole</p> <p>Naproxen;</p> <p>(c) as a cream—</p> <p>Hydrocortisone cream 0.5 - 1%;</p> <p>(d) as an ointment—</p>
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	<p>Mupiricin.</p> <p>2. The maximum quantity of an S4 drug S4 listed in clause 1 that may be provided by a podiatric surgeon to any person, whether by direct supply or prescription or both, in the course of treating that person for a particular condition, is that usually required for 10 days' treatment of the condition with that drug.</p>
<p>Victoria</p>	<p>Drugs, Poisons and Controlled Substances Regulations 2006</p> <p>Refer to Podiatrists with General Registration and Endorsement for Scheduled Medicines. Regulation 5(1) Table Part 2 applies to podiatrists with general registration, including podiatric surgeons (see page 16 of this document).</p>

3. The scheduled medicines authorisations in Drugs and Poisons regulations for:

WESTERN AUSTRALIAN GENERAL PODIATRISTS WHO ARE AUTHORISED TO USE AN EXTENDED RANGE OF RESTRICTED DRUGS [additional to the restricted drugs listed for general podiatrists]

<p>Western Australia</p>	<p>Regulation 40 of the Poisons Regulations 1965 allows the CEO of the Health Department of Western Australia to authorise a person in writing to procure, in accordance with subregulation (1a), a poison included in Schedule 4 to the extent that it is required for the purpose of his profession or employment, but such authority does not entitle any person to have in his possession any poison included in Schedule 4 other than in accordance with these regulations or in any quantity greater than is permitted by the CEO.</p> <p>The Health Department of Western Australia has provided the following advice about authorisations granted to Western Australian podiatrists by the CEO, for podiatrists who have the following qualifications:</p> <ul style="list-style-type: none"> • Master of Science (Podiatry) from Curtin University of Technology • Master of Podiatry from Curtin University of Technology • Doctor of Clinical Podiatry from the University of Western Australia • Master of Podiatric Medicine from the University of Western Australia • Bachelor of Podiatric Medicine from the University of Western Australia <p>These podiatrists request to the Department of Health and receive authority in writing to procure the extended range of Schedule 4 medicines as follows:</p> <p>Amoxycillin with potassium Clavulanate - up to a ten day course of treatment per patient</p> <p>Cephalexin - up to a ten day course of treatment per patient</p> <p>Dexamethasone Sodium Phosphate injection 4mg/ml - single administration per patient</p> <p>Diclofenac Sodium - up to 20 doses per patient</p> <p>Erythromycin - up to a ten day course of treatment per patient</p> <p>Flucloxacillin - up to a twelve day course of treatment per patient, consisting of a six day course which can be followed by a further six day course, if necessary, following a consultation</p> <p>Lorazepam - one dose per patient</p> <p>Naproxen - up to 20 doses per patient</p> <p>Paracetamol 500mg with codeine phosphate 15mg per dose - up to 20 doses per patient</p> <p>Paracetamol 500 mg with codeine phosphate 30mg per dose - up to 20 doses per patient</p> <p>Additionally: Podiatrists who have completed specific training have access to</p>
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	methoxyflurane.
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4. The scheduled medicines authorisations in Drugs and Poisons regulations for:

PODIATRISTS WITH GENERAL REGISTRATION AND ENDORSEMENT FOR SCHEDULED MEDICINES

Podiatrists need to be aware of which State(s) and Territory(s) authorize the possession of poisons or controlled substances by an endorsement for scheduled medicines with the podiatrist's registration.

From 1st July 2010, a podiatrist's registration is determined by the Podiatry Board of Australia. The Podiatry Board of Australia determines the application and renewal of an endorsement for scheduled medicines.

The States that authorise the possession of poisons and controlled substances by an endorsement with the podiatrist's registration are Victoria and NSW.

Jurisdiction	Provisions												
NSW	<p>In NSW this occurs under Part 3, Division 1 Section 17C Authorisation of possession, use, supply or prescription of substances by podiatrists.</p> <p>A podiatrist whose registration is endorsed under section 94 of the Health Practitioner Regulation National Law as being qualified to possess, use, supply or prescribe a poison or restricted substance is authorised to possess, use, supply or prescribe that poison or restricted substance for the purposes of the practice of podiatry. The endorsement relates to the scheduled medicines on the national list. The national list is included in the Board's Guideline on Endorsement for Scheduled Medicines, commencing at page 8, titled "List of approved drugs for endorsement" and found at www.podiatryboard.gov.au.</p>												
VICTORIA	<p>In Victoria, any registered podiatrist whose registration is endorsed under Section 94 of the Health Practitioner Regulation National Law is authorised to obtain and have in his or her possession and to use, sell or supply any Schedule 2, 3 or 4 poison approved by the Minister and specified in the endorsement, in the lawful practice of his or her profession as a registered podiatrist, as follows:</p> <table border="1"> <thead> <tr> <th>Schedule 2 Poisons</th> <th>Limitation</th> </tr> </thead> <tbody> <tr> <td>Amorolfine</td> <td></td> </tr> <tr> <td>Aspirin</td> <td></td> </tr> <tr> <td>Bifonazole</td> <td></td> </tr> <tr> <td>Clotrimazole</td> <td></td> </tr> <tr> <td>Codeine</td> <td></td> </tr> </tbody> </table>	Schedule 2 Poisons	Limitation	Amorolfine		Aspirin		Bifonazole		Clotrimazole		Codeine	
Schedule 2 Poisons	Limitation												
Amorolfine													
Aspirin													
Bifonazole													
Clotrimazole													
Codeine													

	Desloratidine	
	Diclofenac	
	Econazole	
	Hydrocortisone and Hydrocortisone acetate	
	Ibuprofen	
	Ketoconazole	
	Lignocaine	
	Miconazole	
	Nystatin	
	Paracetamol	
	Prilocaine	
	Terbinafine	
	Schedule 3 Poisons	
	Amorolfine	
	Codeine	
	Diclofenac	
	Hydrocortisone and Hydrocortisone Acetate	
	Ibuprofen	
	Promethazine	
	Schedule 4 Poisons	
	Adrenaline	
	Amoxicillin	
	Aspirin	
	Betamethasone	
	Bupivacaine	
	Celecoxib	
	Cephalexin	
	Clavulanic Acid	
	Clindamycin	
	Codeine	
	Colchicine	
	Desloratidine	
	Desonide	
	Dexamethasone	
	Diclofenac	
	Dicloxacillin	

	Felypressin	
	Flucloxacillin	
	Griseofulvin	
	Hydrocortisone	
	Ibuprofen	
	Indomethacin	
	Ketorolac	
	Levobupivacaine	
	Lignocaine	
	Lorazepam	One dose per treatment episode
	Meloxicam	
	Mepivacaine	
	Methoxyflurane	
	Methylprednisolone	
	Metronidazole	
	Mometasone furoate	
	Mupirocin	
	Naproxen	
	Prilocaine	
	Procaine	
	Promethazine	
	Ropivacaine	
	Roxithromycin	
	Silver Sulfadiazine	
	Sulindac	
	Temazepam	One dose per treatment episode
	Terbinafine	
	Triamcinolone	

For additional information refer to the Board's documents:

1. Registration Standard for the endorsement for scheduled medicines
2. Guideline for endorsement for scheduled medicines which includes practice guidelines and the national drug list of the endorsement.