

Important changes to prescribing limits

Key messages:

- From 1 December the period of supply limits for prescription medicines under the Medicines Regulations 1984 will be aligned for all prescribers at six months for oral contraceptives and three months for other prescription medicines. Note this change does not affect controlled drug period of supply limits.
- The proposal to extend the period of supply from six months to 12 months for oral contraceptives, and from three months to six months for other prescription medicines has been put on hold. Further work is required to accurately quantify the fiscal and software impacts of this proposal.
- There are different legislative limits on periods of supply for controlled drugs (Misuse of Drugs Act 1975 and Misuse of Drugs Regulations 1977) versus other prescription medicines (Medicines Act 1981 and Medicines Regulations 1984).
- Pharmacy software systems rules are currently set to reflect the maximum prescribing periods under the Medicines Regulations 1984. However, prescriptions and dispensing must comply with the periods of supply detailed in both the Medicines Regulations and the Misuse of Drugs legislation.
- Prescribers and Pharmacists should familiarise themselves with the requirements of the Medicines Regulations and the Misuse of Drugs legislation. These can be found at www.legislation.govt.nz (see specific links below).
- The Ministry of Health is progressively reviewing the pharmacy claiming system rules to ensure pharmacy claim items that exceed the legislative limits are identified.

Changes to the period of supply limits for dentists and midwives

From 1 December 2011, the period of supply for prescription medicines under the Medicines Regulations 1984 will be aligned for all prescribers at six months for an oral contraceptive and three months for all other prescription medicines. Note, this change does not affect controlled drug period of supply limits which are set out under the Misuse of Drugs Act 1975.

This means the period of supply limits for dentists and midwives will be extended. As with all other prescribers, these groups are required to prescribe within their scope of practice for patients under their care.

Differences in periods of supply under Medicines vs Misuse of Drugs legislation

The controlled drug period of supply limits under the Misuse of Drugs Act and Regulations differ to the period of supply limits for other prescription medicines set out under Medicines Regulations (see links below). Prescribing rights under the Misuse of Drugs Act and Regulations are more tightly controlled reflecting the need to restrict access and minimise the misuse of controlled drugs. (Please see the attached table).

Prescribers and pharmacists must be familiar with the period of supply limits under the Medicines and the Misuse of Drugs legislation to ensure they are operating within the law. It is the responsibility of all prescribers to ensure they are prescribing in accordance with the legislation and within their scope of practice.

A prescriber would be committing an offence under the Misuse of Drugs Act / Medicines Act if s/he does not adhere to the prescribing requirements set out in the legislation. In addition, the prescriber may be subject to disciplinary proceedings under the Health Practitioners Competence Assurance Act 2003.

Pharmacists should continue to dispense prescriptions 'on their face', unless there is reason to believe that a prescription does not comply with legal requirements (i.e., the period of supply exceeds the limits set out in legislation). If a pharmacist is concerned that the prescription does not meet the legislative requirements or is outside the prescriber's scope of practice, s/he should discuss this with the prescriber in the first instance.

Pharmacy claiming system rules to be tightened

Pharmacy vendor systems have the Medicines Regulation period of supply limits. The Ministry of Health is reviewing the pharmacy claiming system rules to ensure the system can identify claims which exceed the period of supply limits under the Medicines legislation and the Misuse of Drugs legislation.

Due to the software changes needed to include period of supply rules for controlled drugs, the changes will be rolled out progressively beginning with dentists from December.

Pharmacy claims submitted to the Ministry of Health that do not comply with the legislative requirements, may not be reimbursed.

Regulations: [The Medicines Act 1981](#) and [Medicines Regulations 1984](#) set out prescribing rights as well as the requirements for prescriptions and dispensing of medicines. The [Misuse of Drugs Act 1975](#) and [Misuse of Drugs Regulations 1977](#) set out prescribing rights for controlled drugs.

Prescribing rights under Medicines and Misuse of Drugs legislation, from December 1, 2011

Professional Group	Legislation	
	Medicines Act and Regulations	Misuse of Drugs Act and Regulations
Medical practitioners	Shall not exceed 6 months supply of an oral contraceptive or 3 months supply in any other case.	For the medical treatment of a patient under his care. Class B maximum period of supply is 1 month; Class C maximum period of supply is 3 months
Dentists	Shall not exceed 6 months supply of an oral contraceptive or 3 months supply in any other case. [Note oral contraceptives would be outside a dentist's scope of practice.]	For dental treatment of patient under his care for a maximum period of 7 days.
Midwives	Shall not exceed 6 months supply of an oral contraceptive or 3 months supply in any other case.	May prescribe pethidine for a patient under his or her care.
Nurse practitioners	Shall not exceed 6 months supply of an oral contraceptive or 3 months supply in any other case.	For the treatment of a patient under the nurse's care; in an emergency only; for a maximum period of 3 days. Limited to drugs listed in the Misuse of Drugs Regulations, Schedule 1A - <i>Controlled drugs that designated prescriber nurses may prescribe in certain circumstances.</i>
Optometrists	Shall not exceed 6 months supply of an oral contraceptive or 3 months supply in any other case. [Note oral contraceptives would be outside an optometrists' scope of practice.]	No prescribing rights for controlled drugs.

Note: From 1 December 2011 midwives will no longer be restricted to prescribing only for antenatal, intrapartum, and post-natal care periods. They will still only be allowed to prescribe for patients under their care. All prescribers must only prescribe within their scope of practice for patients under their care.