

House of Representatives
Supplementary Order Paper

Thursday, 7 August 2003

Health Practitioners Competence Assurance Bill

Proposed amendments

Pita Paraone, in committee to move the following amendments:

Clause 5(1)

To omit the definition of **professional peer** (lines 8 to 10 on page 14), and substitute the following definition:

professional peer, in relation to a health practitioner, is a person who is registered with the same authority with which the health practitioner is registered and has the same scope of practice

Clause 8

To omit subclause (2) (lines 19 to 25 on page 16), and substitute the following subclause:

- (2) No health practitioner or other person may perform a health service that forms part of a scope of practice of a registered profession unless he or she—
- (a) is registered with that profession; and
 - (b) is permitted to perform that service by his or her scope of practice; and
 - (c) performs that service in accordance with any conditions stated in his or her scope of practice.

Clause 240(1)

To insert, after the definition of **authorised prescriber**, the following definition:

“authorised ophthalmic prescriber means a registered optometrist or ophthalmologist”.

Clause 240(3)

To insert, after the definition of **medical practitioner** (after line 7 on page 171), the following definition:

“optometrist means a health practitioner who is, or is deemed to be, registered as an optometrist with the Optometrists and Dispensing Opticians Board continued by the **Health Practitioners Competence Assurance Act 2003**”

New clause 240A

To insert, after clause 240, the following clause:

240A Meaning of medicine, new medicine, prescription medicine, restricted medicine, and prescription optical appliance

- (1) The heading to section 3 of the principal Act is amended by inserting, after the words “**restricted medicine**”, the words “**and prescription optical appliance**”.
- (2) Section 3(3) of the principal Act is amended by inserting, after the definition of **restricted medicine**, the following definition:

“prescription optical appliance means a medical device that is declared by regulation made under this Act to be one that may be supplied only pursuant to a prescription given by an authorised ophthalmic prescriber.”

New clause 243A

To insert, after clause 234, the following clause:

243A Sale of prescription optical appliances by retail

The principal Act is amended by inserting, after section 18, the following section:

“18A Sale of prescription optical appliances by retail

No person may sell by retail or supply in circumstances corresponding to retail sale any prescription optical appliance other than pursuant to a prescription given by an authorised ophthalmic prescriber and conforming with the provisions of any such regulation pertaining to ophthalmic prescriptions.”

Schedule 6

To insert, in the item relating to the Medicines Regulations 1984, the following item:

Insert, after regulation 41:

41A Form of prescription for an ophthalmic appliance

Every prescription for an optical appliance given under these regulations must—

- (a) be legibly and indelibly printed; and
- (b) be signed personally by the ophthalmic prescriber with his or her usual signature (not being a facsimile or other stamp), and dated; and

- (c) set out the address of the ophthalmic prescriber; and
- (d) set out—
 - (i) the title, surname, initial of each given name, and address of the person for whose use the prescription is given; and
 - (ii) the following parameters:
 - (A) for a spectacle prescription, spectacle lens power in appropriate sphero-cylindrical notation, back vertex distance, lens type, and material.
 - (B) for a contact lens prescription, lens design specifying necessary base curvatures and diameters, contact lens power in appropriate sphero-cylindrical notation, lens material, and brand of manufacture as appropriate.
 - (iii) the date of expiry of the ophthalmic prescription.
- (e) if it is the intention of the ophthalmic prescriber that the ophthalmic appliance should be supplied on more than 1 occasion, bear an indication of—
 - (i) the number of occasions on which it may be supplied; or
 - (ii) the interval to elapse between each date of supply; or
 - (iii) the period of treatment during which the medicine is intended to be used.