

13 April 2012

## **Submission on the Medicines Amendment Bill**

To: The Health Select Committee

From: Dr Kathy Holloway on behalf of the National Association of Nurse Education in the Tertiary Sector (NETS).

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AND

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We wish the following to appear before the committee to speak to our submission:

Dr Kathy Holloway, Chair of NETS

Dr Elaine Papps, NETS Advisor

Associate Professor Judy Kilpatrick, Chair of CDNM (NZ)

Associate Professor Annette Huntington, NZ representative, Executive Committee, CDNM

### **Submission**

The National Association of Nurse Education in the Tertiary Sector (NETS) aims to provide a proactive voice on national issues in nursing education and nursing workforce development in Aotearoa / New Zealand. NETS members are heads of nursing from nursing education providers and organisations with an identified role in nursing education. Our goals are to provide a national focus for groups seeking informed comment on nursing education and nursing related issues. We honour the Te Tiriti o Waitangi/Treaty of Waitangi commitments and the bi-cultural partnership. We aim to work in partnership with, practice colleagues, other health professionals, government agencies, national nursing organisations and regulatory bodies. NETS also promote, participate in and commission research related to nursing education.

The Council of Deans, Nursing and Midwifery, Australia and New Zealand is an organisation comprised of Deans and Heads of School in New Zealand and Australian universities that offer nursing programmes. There is a separate New Zealand section of the Council of Deans with members from: Auckland University of Technology, Massey University, The University of Auckland, The University of Otago and Victoria University of Wellington. The focus of the Council is leadership in research, education and workforce development.

Our submission has been prepared following consultation across all nursing tertiary education providers through NETS and the Council of Deans and represents their consensus view.

Our submission supports the intent of this bill in relation to the provision for nurse practitioners to become authorised prescribers, and for the amended definition of designated prescriber. We consider, however, that the clause associated with temporary prescribing rights is difficult to support as it is worded in an unclear way, and we have highlighted this in our submission.

#### **Clause 4 (1)**

We unreservedly support the amendment to the definition of authorised prescriber which will enable nurse practitioners to become authorised prescribers.

#### **Clause 4 (2)**

We support the amended definition of designated prescriber, but would suggest that the role of the responsible regulatory authority is identified as having authority to determine competency requirements, qualifications and training rather than this being authorised by regulations.

#### **Clause 23 (new sections 47A and 47B) Delegated prescribing rights**

Given the provision for nurse practitioners to be aligned with medical practitioners, dentists and midwives, as well as the amended definition of designated prescriber, we do not see a place for delegated prescribing being relevant or appropriate for contemporary nursing practice.

#### **Clause 23 (new section 47C) Temporary prescribing rights**

It is not known under what circumstances this would be needed. Further definition is required, as the wording is vague – in particular: “... after consulting with any organisations or bodies that appear to the Minister to be representative of persons likely to be substantially affected ...”

We also note that there is no requirement for regulatory authorities to be consulted and the wording in 47C (2), where it is stated that “an authority under subsection (1) must ...

- “(a) identify the class of registered health professional authorised...
- “(b) identify the prescription medicines that may be prescribed ...
- “(c) specify the place or places at which the prescribing is authorised; and
- “(d) specify any conditions, limitations, requirements, or restrictions that apply to the prescribing; and
- “(e) specify the period during which the (*Gazette*) notice applies.

As this is worded, it is not clear if “an authority” has the same meaning as responsible authority as defined in the Health Practitioners Competence Assurance Act 2003 (s 5(1)). Further, it is unclear what is meant by “organisations or bodies that appear ... to be representative of persons likely to be substantially affected”.

## **Recommendations**

We recommend that the committee:

**Notes** our unreserved support for the amendment to the definition of authorised prescriber which will enable nurse practitioners to become authorised prescribers.

**Notes** our support for the amended definition of designated prescriber, but that we have concerns that there is a lack of clarity around the role of the regulatory authority in relation to certain issues.

**Notes** our position on the matter of delegated prescribing rights.

**Considers** the comments we have provided in relation to temporary prescribing rights.

Thank you for your consideration of our submission.