

THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY

SUPPLEMENTARY EXPLANATORY MEMORANDUM

Government Amendments to the *Drugs of Dependence Amendment Bill* 2001

A Bill to Amend the *Drugs of Dependence Act* 1989

Distributed by Authority of the Minister for Health, Housing and Community Services

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## Government Amendments to the Drugs of Dependence Amendment Bill 2001

### Outline

This is an amending Bill. It amends the *Drugs of Dependence Act* 1989, referred to in the amending Act as the Act amended. The *Drugs of Dependence Act* 1989 prohibits the supply of drugs of dependence, except in certain circumstances, for the treatment of drug dependence.

The amending Bill will allow a further exception to the prohibition on the supply of drugs of dependence for the treatment of drug dependence. Principally the Bill provides the Chief Health Officer with the power to authorise the use of the drug buprenorphine for the treatment of opiate dependence.

### Revenue / Cost Implications

This Bill has no revenue or cost implications.

### PART 1

#### New note

A new note is inserted in to the *Drugs of Dependence Amendment Bill* 2001 that provides an explanation of the action of the amendment Bill.

### PART 2

#### Interpretation

**Clauses 3A and 3B**, in amending subsection 3(1) of the *Drugs of Dependence Act* 1989 has the following aims:

Providing a new more appropriate name for a treatment centre by changing the name of such centres to “opioid dependency treatment centre” rather than the existing name “methadone program treatment centre”;

Expanding the definition of such centres to include not only methadone treatment but also the supply and administration of buprenorphine; and

Expanding the definition of treatment to include buprenorphine supply and administration, including self-administration.

**Clause 3C**, in inserting a new subsection 101(1)(aa) into to the *Drugs of Dependence Act* 1989 has the following aim:

To require an opioid dependency treatment centre for the purpose of treating drug dependence to maintain a ward buprenorphine register in the approved form.

**Clause 3D**, in inserting a new section 102B into to the *Drugs of Dependence Act* 1989 has the following aims:

To outline the requirements for making entries in ward buprenorphine registers by the person responsible for administering the buprenorphine at a opioid dependency treatment centre for each shift worked at the centre including:

the name of the centre and its location,  
the strength and form in which the buprenorphine is to be administered; and

the amount of buprenorphine removed from the dispensary or other place where it is kept.

To require detailed register entries to be made in ward buprenorphine registers for each buprenorphine administration so that all recipients of the drug may be identified and the time, place, amount of drug, person administering the drug, witnesses of administration and medical practitioners prescribing the drug are recorded. This provision will ensure that detailed and complete records of buprenorphine use is kept by treatment centres' for the purpose of audit by drug inspectors and the prevention of misuse.

To require a reconciliation of all doses of buprenorphine provided in a shift in order to prevent misuse or unaccounted administration of the drug.

Clause 3E, in inserting a new subsection 164 (4)(bb) into to the *Drugs of Dependence Act* 1989 has the following aim:

To exempt a nurse employed by an opioid dependency treatment centre who supplies buprenorphine in his or her professional practice or employment from the prohibition and penalty provisions of section 164 of the *Drugs of Dependence Act* 1989 that provide an offence for the supply of a drug of dependence.

### **PART 3**

#### **Transitional Provisions**

In inserting new sections 205, 208 and 209 in to the *Drugs of Dependence Act* 1989 transitional clauses are provided in order to take account of the proposed enactment of the *Legislation Act* 2001. The clauses are technical in nature and reflect drafting requirements rather than any substantive policy issues.

### **PART 4**

#### **Minor Amendments**

Schedule 1 in inserting, omitting or substituting terms has the effect of amending the *Drugs of Dependence Act* 1989 to allow buprenorphine to be treated in manner consistent to the treatment of methadone. That is to extend the same restrictions, authorisations and penalties that currently apply to methadone to buprenorphine.