

2010

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**MEDICINES, POISONS AND THERAPEUTIC GOODS AMENDMENT
REGULATION 2010 (NO 4)**

SL2010–20

EXPLANATORY STATEMENT

Circulated by the authority of
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Minister for Health

EXPLANATORY STATEMENT

OVERVIEW

Historically, competencies and qualifications in the administration of medications varied across the enrolled nursing profession. Endorsement was a means of confirming an enrolled nurse's competence and qualification in the administration of medication.

In 2009, the National Registration Accreditation Scheme (NRAS) Subcommittee resolved not to endorse enrolled nurses under the national health professional registration and accreditation scheme. The decision was made in light of the fact that a majority of enrolled nurses now possess appropriate qualification in the administration of medication as part of standard training.

The NRAS Subcommittee resolved instead to identify the smaller number of enrolled nurses who do not have appropriate qualification in the administration of medications, which would appear as a notation on their national registration status.

Terminology referring to endorsed enrolled nurses, such as enrolled nurse (medications) in the *Medicines, Poisons and Therapeutic Goods Regulation 2008* is now unnecessary.

This regulation removes references to enrolled nurse (medications) in the ACT statute book.

DETAIL

Clause 1 Name of Regulation

This clause is a technical clause and sets out the name of the proposed regulation as the *Medicines, Poisons and Therapeutic Goods Amendment Regulation 2010 (No 4)* (the Regulation).

Clause 2 Commencement

This clause is a technical clause setting out when commencement of the Regulation will occur. It is intended that commencement will occur on commencement of the *Health Practitioner Regulation National Law (ACT) Act 2010* (the National Law).

To avoid all doubt, the Regulation will start immediately after the commencement of the National Law.

Clause 3 Legislation amended

This clause is a technical clause and sets out the regulation that will be amended, namely the *Medicines, Poisons and Therapeutic Goods Regulation 2008*.

Clause 4 Section 544(b)(ii)

This clause amends section 544(b)(ii) to replace enrolled nurse (medications) with enrolled nurse to enable enrolled nurses, and not enrolled nurse (medications) to be prescribed witnesses for administration of controlled medicines.

It is intended that the concept of enrolled nurse (medications) be removed from the ACT statute book for national consistency following commencement of the National Law.

Clause 5 Schedule 1, part 1.6, item 4

This clause removes the authorisations given to enrolled nurse (medications).

It is intended that the concept of enrolled nurse (medications) will no longer exist after the commencement of the Regulation. Accordingly, it is no longer necessary to have an authorisation for enrolled nurse (medications).

Clause 6 Dictionary, definition of *enrolled nurse*

This clause removes the definition of enrolled nurse.

Enrolled nurse is defined under the *Legislation Act 2001* following commencement of the National Law.

Clause 7 Dictionary, definition of *enrolled nurse (medications)*

This clause removes the definition of enrolled nurse (medications) for the same reason stated at Clause 5.