



SUPPLYING MEDICINES

WHAT PHARMACISTS NEED TO KNOW



MULTIPLE PAYMENTS

Pharmaceutical benefits are mainly supplied by approved pharmacists. These pharmacists are approved under section 90 of the *National Health Act 1953* (the Act) to supply pharmaceutical benefits at particular pharmacy premises (approved premises). Approved pharmacists are issued with a unique PBS Pharmacy Approval Number for each approved premises.

When an approved pharmacist supplies and makes a claim for an item under the Pharmaceutical Benefits Scheme (PBS), it is their responsibility that the prescription fulfils all the legal requirements as outlined in the Act and the *National Health (Pharmaceutical Benefits) Regulations 2017*. If the prescription does not meet the legislative requirements for PBS supply, it cannot be claimed as a pharmaceutical benefit.

An approved pharmacist is not entitled to receive more than one PBS payment for the supply of a pharmaceutical benefit. Multiple Payments occur when:

- payments are made where more than one claim is made for the same authorised supply of a pharmaceutical benefit; and/or
- payments are made in relation to claims for the supply of two identical prescriptions.

The following scenarios highlight instances where multiple payments occur:

1

Scenario 1 - An original and an Authority Prescription*

An approved pharmacist is presented with an original prescription and an authority prescription for the same item with the same date of prescribing for the same patient.

2

Scenario 2 - Paper prescription and electronic prescription

An approved pharmacist is presented with an original paper prescription and an electronic prescription for the same item with the same date of prescribing for the same patient.

Scenarios 1 & 2

Both prescriptions fulfil all the relevant state and territory requirements for a valid prescription and are presented on the same day or on different days to the pharmacy.

**Exceptions apply for prescriptions which have been sent to Services Australia for written approval.*

Are these valid prescriptions?

Only one of these prescriptions is a valid PBS prescription for payment. It does not preclude the pharmacist from dispensing the second prescription for supply, as it is still a valid prescription, but not for PBS supply.

Legislation

- The *National Health (Pharmaceutical Benefits) Regulations 2017*, Regulation 40(3) indicates a prescription must not provide for the supply of a pharmaceutical benefit to a person if the PBS prescriber has written, on the same day, for that person, another prescription that is for the supply of the same pharmaceutical benefit; or another brand of the same pharmaceutical benefit; or is equivalent in the Schedule of Pharmaceutical Benefits.
- The ONLY exceptions to this legislation refer to Medication Chart prescriptions and Efficient Funding of Chemotherapy (EFC) items.



What happens if the pharmacy decides to dispense both as PBS items?

If a pharmacy decides to dispense both prescriptions as PBS, they will receive warning messages issued by Services Australia via PBS online and/or the pharmacy dispensing software. If they continue to proceed with the dispensing of both prescriptions as PBS (even though only one is valid for PBS payment), they may be subject to a compliance activity by the Department of Health and Aged Care.

3

Scenario 3 - Image based prescription

The prescriber has sent an image-based prescription (fax or email) to the pharmacy and the patient presents to the pharmacy with the same prescription (same patient, same item, same prescriber and same date of prescribing).

During the COVID 19 pandemic, an interim arrangement was made allowing pharmacists to dispense from an image-based prescription. These provisions came to end on 31 March 2022, except with hospitals where image-based prescribing will apply to the supply of pharmaceutical benefits for patients treated in hospitals until 31 March 2023.

How should these prescriptions be dispensed?

Prescriptions written before 31 March 2022 with existing repeats that were dispensed under image-based prescribing in the community setting will continue to be honoured after 31 March 2022. These must continue to be retained by the pharmacist for subsequent supply of the medicine, until the prescription runs out or expires. The paper copy of the prescription must be discarded as it is the same prescription.

Prescriptions written after 31 March 2022 and sent to the pharmacy as an image, may meet the requirements for supply under Regulation 48 of the *National Health (Pharmaceutical Benefits) Regulations 2017* (where State/Territory laws allows).

Legislation

Regulation 48 of the *National Health (Pharmaceutical Benefits) Regulations 2017* allows pharmacists to supply a PBS medicine without a prescription in the case of urgency if:

- (a) a PBS prescriber advises the pharmacist of the details of the prescription; or
- (b) a PBS prescriber has given the pharmacist a copy of the prescription.

What does this mean?

If the image-based prescription is dispensed before the presentation of the paper prescription, it must be dispensed as an urgent supply as only the physical prescription is the valid prescription for PBS claiming. If both the image-based prescription and paper prescription were dispensed this will result in a multiple payment. The paper-based prescription must be received by the pharmacist no later than 7 days after the day on which the item was supplied. Please note: Image Based Prescribing is not the same as Electronic Prescribing.

In the scenarios above, it is important for pharmacists to exercise their clinical judgement and dispense, supply and claim PBS items in accordance with the legislation. The prescriber may need to be contacted to rectify these prescriptions for PBS supply.

The department will continue to monitor PBS claims into the future. Approved pharmacists are responsible for all claims made using their approval number. The department may take compliance action, such as an audit, if concerns are identified that an approved supplier has not met the PBS requirements and has been paid PBS payments they were not entitled to receive. If this occurs, administrative penalties may be applied, and debt recovery action will be taken.