



Pharmaceutical Services Federal Committee of Inquiry

Overview

For several years, concerns have been raised regarding a small number of approved pharmacists claiming reimbursement for the supply of Pharmaceutical Benefits Scheme (PBS) medicines at premises for which they are not approved. Such claiming is in contravention of the National Health Act 1953 (the Act), disadvantages consumers, undermines the integrity of the Pharmacy Location Rules and the intent of the Community Pharmacy Agreements as well as the broader objectives of the PBS.

The Pharmaceutical Services Federal Committee of Inquiry (the Committee) was established by the Minister to address these concerns.

The Committee of Inquiry consists of five part-time members, being the Secretary of the Department of Health, or his delegate (either a pharmacist or medical practitioner); and four pharmacists appointed by the Minister.

The Committee of Inquiry may investigate a matter referred to it by the Minister or the Secretary that relates to the services or conduct of approved pharmacists in connection with the supply of PBS medicines.

Pharmaceutical Services Federal Committee of Inquiry



Peer review body



Receives tip-offs from members of the public and/or health professionals



Receives referrals of pharmacist/s supplying PBS medicines at unapproved premises from the Minister or Secretary



Can issue summonses to gather information



Can call witnesses to attend a hearing to answer questions and/or give evidence



Reports findings to the Minister who has the power to issue sanctions (i.e. reprimand, suspend or revoke the pharmacist's approval to supply PBS medicines)

Note: At conclusion of an inquiry, the Department may release information to other regulators (eg. the Australian Health Practitioner Regulation Agency and/or State/Territory Health Department) where there is evidence suggesting other breaches may have occurred.

Important information

It is important to note that a referral to the Committee of Inquiry for investigation may be in addition to other compliance activities undertaken, such as the recovery of monies.

The Committee of Inquiry will write to the pharmacist outlining the matter/s for which the pharmacist has been referred for inquiry and invite them to provide written response.

The Hearing is conducted in a court style manner with the approved pharmacist, witnesses and evidence summonsed to appear before it. Evidence must be provided under oath or affirmation. Failure to attend or provide evidence can result in a fine of \$1,000 or 6 months imprisonment.

Once the Hearing is complete, a report on the findings of the Committee of Inquiry will be prepared and provided to the Minister for consideration.

Based on the report, the Minister may choose to take no further action, reprimand the pharmacist, or suspend or revoke the approval to supply PBS medicines granted under section 90 of the Act.

The Committee of Inquiry Process



Tip-off received: PBS medicines are being supplied at unapproved premises



Evidence gathered to verify information received



If deemed suitable, the Secretary (or the Minister) will refer the matter to the Committee of Inquiry for investigation



Approved pharmacist notified of the matter which has been referred



Summonses issues to gather further information



Hearing conducted - approved pharmacist may be summonsed to give evidence and/or produce documents



Findings reported to the Minister (or the Secretary)



The Minister has the power to issue sanctions, which can be to reprimand, suspend or revoke the pharmacist's approval to supply PBS medicines