

Reprint
as at 1 December 2016



Medicines (Designated Prescriber—Registered Nurses Practising in Diabetes Health) Regulations 2011

(SR 2011/54)

Medicines (Designated Prescriber—Registered Nurses Practising in Diabetes Health) Regulations 2011: revoked, on the close of 30 November 2016, by regulation 11 of the Medicines (Designated Prescriber—Registered Nurses) Regulations 2016 (LI 2016/140).

Anand Satyanand, Governor-General

Order in Council

At Wellington this 21st day of March 2011

Present:

His Excellency the Governor-General in Council

Pursuant to sections 105 and 105B of the Medicines Act 1981, His Excellency the Governor-General, acting on the advice of the Minister of Health tendered after consultation with the organisations or bodies appearing to the Minister to be representative of persons likely to be substantially affected, and acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

	Page
1 Title	2
2 Commencement	2
3 Purpose	2

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry of Health.

4	Interpretation	2
5	Authority to prescribe specified diabetes medicine	3
6	Requirements for commencing for first time to prescribe	3
7	Other training to be undertaken	4
8	Assessment of competence to be completed	4
9	<i>Gazette</i> notices	4
10	Prohibition on prescribing without meeting requirements	4
11	Consequential amendment	5

Schedule 5
Medicines that are specified diabetes medicines if they are prescription medicines

Regulations

1 Title

These regulations are the Medicines (Designated Prescriber—Registered Nurses Practising in Diabetes Health) Regulations 2011.

2 Commencement

These regulations come into force on the day after the date of their notification in the *Gazette*.

3 Purpose

The purpose of these regulations is to—

- (a) authorise registered nurses practising in diabetes health who meet specified requirements for competency, qualifications, and training to prescribe certain prescription medicines for the management of diabetes; and
- (b) specify, and provide for the specification of, the requirements; and
- (c) prohibit registered nurses practising in diabetes health who fail to comply with the requirements from prescribing the medicines; and
- (d) make contraventions of that prohibition an offence.

4 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Medicines Act 1981

Nursing Council means the Nursing Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003

registered nurse practising in diabetes health means a health practitioner who—

- (a) is registered, or is deemed to be registered, with the Nursing Council as a practitioner of the profession of nursing under the Health Practitioners Competence Assurance Act 2003; and
- (b) is authorised by the Nursing Council under sections 21 and 22 of the Health Practitioners Competence Assurance Act 2003 to prescribe specified diabetes medicines under these regulations

specified diabetes medicine—

- (a) means a medicine listed in the Schedule and that is declared to be a prescription medicine by regulations under the Act or by a notice given under section 106 of the Act; but
- (b) if the medicine is declared to be a prescription medicine only in 1 or more specified forms or only for 1 or more specified purposes, does not include the medicine in other forms or for other purposes.

5 Authority to prescribe specified diabetes medicine

- (1) A registered nurse practising in diabetes health may prescribe a specified diabetes medicine if he or she meets—
 - (a) the requirements in regulation 6 for commencing for the first time to prescribe the medicine; and
 - (b) the additional requirements in regulations 7 and 8 (if relevant) for prescribing the medicine.
- (2) A registered nurse practising in diabetes health must prescribe specified diabetes medicines under these regulations under the supervision of an authorised prescriber (as that term is defined in section 2 of the Act).
- (3) Subclause (1) is subject to subclause (2).

6 Requirements for commencing for first time to prescribe

Before commencing for the first time to prescribe a specified diabetes medicine, a registered nurse practising in diabetes health must have—

- (a) obtained the qualification required for nurses practising in diabetes health that is specified for the purposes of this paragraph by the Nursing Council by notice in the *Gazette*; and
- (b) undertaken successfully the training (if any) that is specified for the purposes of this paragraph by the Nursing Council by notice in the *Gazette*; and
- (c) demonstrated, to the satisfaction of the Nursing Council, that he or she—
 - (i) has a clear understanding of diabetes disease processes; and
 - (ii) is sufficiently knowledgeable to safely prescribe all specified diabetes medicines; and

- (d) been authorised by the Nursing Council to prescribe specified diabetes medicines.

7 Other training to be undertaken

To prescribe a specified diabetes medicine, a registered nurse practising in diabetes health must have—

- (a) undertaken successfully the training (if any) that is specified for the purposes of this regulation by the Nursing Council by notice in the *Gazette*; and
- (b) done so within the periods, or at the times, specified for the purpose in the notice, if the training is of an ongoing nature.

8 Assessment of competence to be completed

To prescribe a specified diabetes medicine, a registered nurse practising in diabetes health must have—

- (a) completed successfully the assessment (if any) of competence to prescribe the medicine that is specified for the purposes of this regulation by the Nursing Council by notice in the *Gazette*; and
- (b) done so within the periods, or at the times, specified for the purpose in the notice, if the assessment is to be completed at regular intervals.

9 Gazette notices

- (1) For the purposes of these regulations, a notice in the *Gazette*—
 - (a) comes into force on the day after the date of publication or on a later date specified for the purpose in the notice; and
 - (b) may provide that it expires, if not sooner revoked, with the close of a specified day.
- (2) Within 5 working days after the date of publication of a notice in the *Gazette* for the purposes of these regulations, and while the notice remains in force, the Nursing Council must ensure that an up-to-date version of the notice is—
 - (a) available on the Internet; and
 - (b) available at the office of the Nursing Council during business hours, so that members of the public may—
 - (i) inspect the notice free of charge; or
 - (ii) obtain a photocopy of the notice for a reasonable fee.

10 Prohibition on prescribing without meeting requirements

- (1) A registered nurse practising in diabetes health must not prescribe a specified diabetes medicine unless he or she—
 - (a) complies with the requirements in regulations 6, 7, and 8; or

- (b) prescribes that medicine under and in accordance with another enactment.
- (2) A person commits an offence if he or she contravenes or fails to comply with subclause (1).
- (3) The offence is punishable on conviction by a fine not exceeding \$500.
Regulation 10(3): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

11 Consequential amendment

The Medicines (Designated Prescriber: Nurse Practitioners) Regulations 2005 (SR 2005/266) are consequentially amended by revoking regulation 10(1) and substituting the following:

- (1) A nurse practitioner must not prescribe a nurse practitioner medicine unless he or she—
 - (a) complies with the requirements in regulations 6, 7, and 8; or
 - (b) prescribes that medicine under and in accordance with another enactment.

Schedule

Medicines that are specified diabetes medicines if they are prescription medicines

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Medicines listed in this schedule are specified diabetes medicines only if, and only in the forms and for the purposes that, they are declared to be prescription medicines by regulations made under the Act or a notice given under section 106 of the Act.

- 1 Amlodipine
- 2 Atorvastatin
- 3 Bendrofluazide
- 4 Candesartan
- 5 Captopril
- 6 Cilazapril
- 7 Cilazapril with hydrochlorothiazide
- 8 Diltiazem hydrochloride
- 9 Enalapril
- 10 Enalapril with hydrochlorothiazide
- 11 Felodipine
- 12 Glibenclamide
- 13 Gliclazide

- 14 Glipizide
- 15 Hydrochlorothiazide
- 16 Insulin(s)
- 17 Lisinopril
- 18 Losartan
- 19 Losartan with hydrochlorothiazide
- 20 Metformin
- 21 Perindopril
- 22 Quinapril
- 23 Quinapril with hydrochlorothiazide
- 24 Simvastatin
- 25 Trandolapril
- 26 Verapamil hydrochloride

Rebecca Kitteridge,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 24 March 2011.

Reprints notes

1 *General*

This is a reprint of the Medicines (Designated Prescriber—Registered Nurses Practising in Diabetes Health) Regulations 2011 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Medicines (Designated Prescriber—Registered Nurses) Regulations 2016 (LI 2016/140): regulation 11

Criminal Procedure Act 2011 (2011 No 81): section 413