



TASMANIAN PHARMACY AUTHORITY

ANNUAL REPORT

1 July 2023 - 30 June 2024

1. ESTABLISHMENT OF THE AUTHORITY

The Tasmanian Pharmacy Authority (Authority) is a body corporate, established under section 6(1) of *the Pharmacy Control Act 2001 (Act)*.

2 AUTHORITY ROLES AND FUNCTIONS

2.1 FUNCTIONS OF THE AUTHORITY

Section 8 of the Act prescribes the following functions for the Authority:

- (a) to administer the scheme of registration of pharmacy business premises;
- (b) to approve the ownership of and interests in pharmacy businesses;
- (c) to ensure that the services that pharmacy businesses provide to the public from pharmacy business premises are of the highest possible standard;
- (d) to prosecute offences against the Act;
- (e) to advise the Minister on matters relating to the Act;
- (f) such other functions as are imposed on the Authority by this or any other Act or as may be prescribed.

2.2 ROLE OF THE AUTHORITY

Section 9 of the Act empowers the Authority to do all things necessary or convenient to be done in connection with the performance of its functions.

3 MEMBERSHIP OF THE AUTHORITY

Membership of the Authority is prescribed under section 7 of the Act.

The Authority consists of:

- (a) two (2) registered pharmacists nominated by the Minister from a list of names submitted by such bodies representing the professional interests of pharmacists as the Minister determined; and
- (b) one person to be a non-pharmacist, nominated by the Minister to represent the interests of the consumers of the services that pharmacists provide.

MEMBERSHIP MOVEMENTS DURING THIS REPORTING PERIOD:

Ms Christine Timms elected not to seek reappointment upon the expiry of her appointment as Pharmacist Member on 10 December 2023, thus her appointment as Chair was rescinded effective the same day.

Ms Allyson Warrington was appointed Chair effective 10 December 2023 for a three-year period.

Ms Kate Jamrozik was appointed Pharmacist Member effective 1 January 2024.

The current members of the Authority at 30 June 2024 are:

Chair	Ms Allyson Warrington – BBus FAMI CPM FAICD
Members	Ms Kimbra Fitzmaurice – BPharm
	Ms Kate Jamrozik - BPharm

4. **MEETINGS OF THE AUTHORITY**

There were thirteen (13) meetings held during the reporting period; twelve (12) regular monthly meetings and one (1) out of session meeting.

To reduce operating costs, the Authority conducted ten (10) of the meetings via the Teams Meeting platform, two (2) meetings were held in Hobart and one (1) extraordinary meeting was conducted via email.

Authority Members	Meetings held whilst an Authority Member	Meetings Attended
Ms A Warrington	13	12
Ms K Fitzmaurice	13	11
Ms K Jamrozik	6	5
Ms C Timms	7	7

Authority Members attended external meetings in addition to the Authority meetings as follows:

July 2023 (Chair) – Acting Deputy Secretary, Department of Community Mental Health and Wellbeing (Deputy Secretary)

July 2023 (Chair) – UTAS lecture

October 2023 (Chair) – Communicable Diseases Prevention Unit (CDPU)

November 2023 (Chair) – PPRAA

December 2023 (Chair) – Deputy Secretary

December 2023 (Chair) – Chief Pharmacist, Pharmaceutical Services Branch (Chief Pharmacist)

February 2024 (Chair/Registrar) – Chief Executive Public Health/Chief Pharmacist

February 2024 (Chair/Registrar) – Ahpra (Medicinal Cannabis Forum)

April 2024 (Chair/Registrar) - PPRAA

May 2024 (Chair/Professional Officer) – PPRAA

May 2024 (Chair/Registrar) – Ahpra

May 2024 (Chair/Registrar) – Chief Executive Public Health/Chief Pharmacist

May 2024 (Registrar) – Pharmaceutical Benefits Scheme (PBS) Approved Suppliers

May 2024 (Chair/Registrar/Professional Officer) – Therapeutic Goods Authority (TGA)

May 2024 (Registrar) – Deputy Chief Pharmacist

5. **ADMINISTRATION**

CONTACT AND REGISTRAR DETAILS

Ms Lynn Ayers terminated her contract as Registrar effective 21 December 2023. To preserve the operational knowledge within the Authority and allow time to make arrangements for the ongoing operational requirements of the Authority, Ms C Timms accepted a three-month contract as Transition Consultant and Acting Registrar. This contract has been extended three times and now expires in December 2024.

The Authority closed its PO Box in March 2024 and now only accepts electronic communications via the Registrar's email registrar@pharmacyauthority.tas.gov.au .

The Authority's ABN is 34 562 572 269.

SITTING FEES OF THE AUTHORITY

Sitting Fees determined by the Minister for Health, since 1 December 2020, were:

Chair:	\$490.00
Members:	\$371.00

6. REPRESENTATION ON NATIONAL BODIES

The Chair represented the Authority at the Pharmacy Premises Registering Authorities of Australia (PPRAA) meetings that were held in November 2023 and May 2024.

The PPRAA is a forum for State and Territory pharmacy premises registering bodies whose responsibility it is to protect the public in registering/approving pharmacy premises. PPRAA activities are intended to allow for the consideration and potential development of a nationally consistent framework by which pharmacists and pharmacy services providers may undertake the provision of pharmacy services within registered premises consistent with nominated scopes of practice.

The present members of PPRAA are representatives of the premises registering bodies in Australian Capital Territory, New South Wales, Northern Territory, Queensland, South Australia, Tasmania, Victoria, and Western Australia. Whilst there are differences in each jurisdiction's legislation, it is generally acknowledged that these bodies should be responsible for the standards within pharmacy premises.

7. REGISTRATION

REGISTER OF PHARMACY PREMISES

The number of pharmacy business premises registered with the Authority as at 30 June 2024 was 165, reflecting an increase of two (2) from the previous year.

At 30 June 2024, 114 (110 in 2022-23) body corporates and 69 (81 in 2022-23) individuals (in their own right or as trustees of a trust) held an Eligibility Certificate for their interests in a pharmacy business.

A review of the exempt status of trustees which hold an interest in a pharmacy in Tasmania has identified a further four (4) body corporates and 46 individuals acting as trustees who will be required to hold an Eligibility Certificate to allow the trust beneficiaries to be afforded exempt status under s61D(b) of the Act.

REGISTRATION POLICY

Pharmacy premises registrations and the issuing of Eligibility Certificates continued to be managed in accordance with the requirements of the Act. Pharmacists intending to buy or sell an existing pharmacy, change its ownership structure, or to move or re-name it, must apply to the Authority for approval by submitting the appropriate forms and paying the prescribed fees.

During the year, the Authority approved the following applications:

New or relocating pharmacies	6 (2 in 2022-23)
Applications for a new body corporate owner	9(13 in 2022-23)
Applications for a new individual owner	1 (5 in 2022-23)
Change in ownership or ownership structure	18 (not previously reported)

Twenty-eight (28) applications for alterations of pharmacy business premises or vaccination areas were considered by the Authority in contrast to thirteen (13) for the previous financial year.

FEES

The prescribed fees were increased in accordance with the value of a statutory fee unit at \$1.78. The fees for 2023-24, gazetted on 29 March 2023, effective 1 July 2023 were:

TYPE OF FEE	Section of Act	Fee Units	FEES 2023-24 @ \$1.78 \$
ELIGIBILITY CERTIFICATE APPLICATION			
Each individual involving no Trust	61B	70	124.60
Each individual involving one Trust	61B	620	1103.60
Each individual with more than one Trust	61B	900	1602.00
Each body corporate with no Trust	61B	350	623.00
Each body corporate with one Trust	61B	620	1103.60
Each body corporate with more than one Trust	61B	900	1602.00
ELIGIBILITY CERTIFICATE RENEWAL			
Individual eligibility certificate	61E	35	62.30
Body Corporate eligibility certificate	61E	140	249.20
PREMISES REGISTRATION			
Initial registration of pharmacy business premises	71D	310	551.80
PREMISES RENEWAL			
Certificate of Premises Registration	71K	250	445.00
LATE FEES FOR RENEWAL			
Individual Eligibility Certificate	61E	15	26.70
Body Corporate Eligibility Certificate	61E	50	89.00
Premises Registration	71K	100	178.00
OTHER FEES			
Application to exempt premises from registration	71J	35	62.30
Application for approvals for alterations to pharmacy business premises	71KC	150	267.00

The delay in introduction of the proposed new fee structure for the 2024-25 renewal period had the potential to lead to a further financial shortfall in 2024-25. A third grant request was submitted to the Department of Health and the Authority have been advised that no further grant funding is available and the surplus grant funding remaining from 2023-24 of approximately \$50,000 is to be retained to support ongoing operations 2024-25.

A full review of the Authority's budget for 2024-25 has revealed that the surplus from 2023-24 combined with the provision of Departmental personnel to support Authority functions will ensure that sufficient funds are available to support the Authority's continued operations in 2024-25.

8. REVIEW OF ACTIVITIES AND OPERATIONS 2023-24

ACHIEVEMENTS

Transition of day-to-day administrative functions to the Department of Health

Upon the expiration of her appointment in December 2023, the outgoing Chair presented a report to the Deputy Secretary, Community Mental Health and Wellbeing, Department of Health, detailing the progress made on the issues paper presented in August 2022. During this meeting it was agreed that efficiencies could be achieved by transitioning the day-to-day administrative and inspection functions of the Authority into the Department of Health.

The Authority have been advised that planning has commenced to provide Department of Health personnel in support of its day-to-day operational activities, pending recruitment of appropriately qualified individuals.

The anticipated benefits achieved by this approach are:

- Removal of single person dependency on contracted personnel.
- Reduced duplication of effort and increased economy of regulatory activities by combining Authority and PSB inspections programs.
- Compliance records for pharmacy businesses in Tasmania will be held by a single organisation.
- Significant cost savings are anticipated with the reduction in use of external service providers.

It is anticipated that this transition process will be completed by the end of 2024-25.

Trust audit

A full audit of all trusts holding interests in pharmacy businesses in Tasmania information was conducted to ensure the integrity of the information contained in the upgraded database. In October 2023, all trustees were required to verify their trust membership and submit amendments if necessary. Trustees are now required to declare all living individuals who qualify as beneficiaries under their trust deed regardless of the trustee's intention to disburse trust income to those individuals. This ensures that the Authority has full visibility of all interests in pharmacies in Tasmania and is therefore able to effectively administer the requirements of s65 of the Act, which requires that no person may hold an interest in more than four (4) pharmacies in Tasmania concurrently.

PROJECTS THAT COMMENCED OR CONTINUED IN 2023-24

Database development

Section 8 of the Act prescribes the following functions for the Authority:

- (a) "to administer the scheme of registration of pharmacy business premises;
- (b) to approve the ownership of and interests in pharmacy businesses;
- (c)
- (d)"

A complete redesign of the ownership database commenced in March 2022 and continued throughout 2022-23. The result is a database which can now accurately manage the extremely complex ownership structures associated with pharmacy businesses in Tasmania and regulate the ownership rules defined by the Act. Further updates were required in 2023-24 to facilitate the issuing of Eligibility Certificates to shareholder and second level trustees.

A budget submission was made in October 2023 to fund an upgrade to the SQL version of the database. This upgrade would allow further enhancements to enable multiple user access, full integration with digital forms and accounting packages, improved programming flexibility and data stability, and enhanced security features. No funding was allocated in the 2024-25 budget for this activity.

Policies

Review of all Authority policies was completed in May 2024. Two new policies were ratified in June 2024:

- Member training Policy
- Application Approval Policy

All policies which directly impact external stakeholders are now published on the Authority website.

Forms

Review and update of the application forms used by the Authority was completed in May 2024. Several forms still require reconfiguration to match the workflow of the new database.

OPERATIONS

Pharmacy Inspections

Inspections of pharmacy business premises are triggered by:

- New premises
- Change of Ownership
- Alterations to premises
- Addition of a vaccination space
- A report or complaint
- Cyclical inspection

The Authority has set the expectation that each pharmacy premises in Tasmania is to be inspected at least once every three (3) years and eliminating the backlog of overdue inspections has been a primary focus of the Authority in 2023-24. At 30 June 2024, twelve (12) pharmacy businesses remain overdue for cyclical inspection, a decrease of 35 from the 2022-23 year. Of these, seven (7) are overdue by less than three (3) months and it is anticipated that this backlog will be eliminated by the end of 2024.

In 2023-24 the Authority conducted a total of 78 inspections; an increase of 48 inspections from 2022-23 and an increase of 25 from the 2021-22 year. From those inspections where issues were identified, twenty (20) pharmacies were referred to external agencies for further assessment/investigation of issues outside the remit of the Authority as follows:

Pharmaceutical Services Branch	12
Therapeutic Goods Administration	3
Communicable Disease Prevention Unit	8

Complex Compounding Inspections

There are ten (10) pharmacies in Tasmania providing complex compounding services. Complex compounding involves special competencies, equipment, processes or facilities and therefore a specialized inspection is required. The Authority has arranged specialised training for three (3) of the inspectors and has developed a complex compounding inspection report template. All complex compounding pharmacies have subsequently been inspected.

LEGISLATION

Pharmacy Control (Fees) Regulations

A full review of the fees charged to pharmacy business owners was performed in the first quarter of 2022-23, with a focus on ensuring that full cost recovery is achieved. The proposed fee structure was approved by the Minister for Health in December 2022, and the draft *Pharmacy Control (Fees) Regulations 2023* and accompanying Regulatory Impact Statement were released for stakeholder consultation in May 2023. Stakeholders were supportive of the fee regulation amendments.

Delays in the regulatory process meant that the new Regulations have not yet been introduced. Given the passing of time and the transition of the Authority's day-to-day operations into the Department of Health, the draft regulations will need to be comprehensively reviewed and updated prior to recommencing the regulatory reform process. The Authority consider it imperative that this review is completed in time for a new fee structure to be introduced for the 2025-26 renewal cycle to ensure the ongoing financial viability of the Authority.

Pharmacy Control Act 2001

The Chair performed a review of the Act and presented a summary of issues and recommendations to the Deputy Secretary Community Mental Health and Wellbeing in December 2023. It is anticipated that further work on this review will be undertaken after successful integration of the Authority's operations into the Department of Health.

Other legislation

Progress on the pharmacy depot legislation remains stalled since 2018. The Authority has requested Department of Health's support to recommence work on this important project.

No progress has been made on the introduction of enforceable Standards Regulations allowed for under the Act. Assistance has been sought from the Department of Health to commence this work.

Right to Information Act 2009

There were no requests for information under the Right to Information Act 2009 in the twelve months ended 30 June 2023.

COMPLAINTS AND DISCIPLINARY ISSUES

The Authority received no advice of a formal complaint about its operations from the Health Complaints Commissioner and had no disciplinary issues during the year.

9 FINANCIAL STATEMENTS

The Authority's financial statements have been audited by the Tasmanian Audit Office, as required by Section 18 of the Audit Act 2008.

Attached are the Audited Financial Statements.