

## PRESCRIBING MEDICINES

A doctor phoned wanting to know whether he may sell vitamins in his practice and was advised that he may not keep an open shop. In terms of Ethical Rule 23 of the HPCSA a practitioner “shall not participate in the manufacture for commercial purposes or in the sale, advertising or promotion of any medicine or medical device or in any other activity that amounts to selling medicine or medical devices to the public or keeping an open shop or pharmacy”.

In terms of issuing prescriptions as well as repeat prescriptions, Section 22A of the Medicines & Related Substances Act 101 of '65, as amended, stipulates the following:-

- (1) Any Schedule 0 substance may be sold in an open shop;
- (2) Any Schedule 1 substance may be sold by:
  - a pharmacist, pharmacist intern or pharmacist's assistant acting under supervision of a pharmacist;
  - a manufacturer of or wholesale dealer in pharmaceutical products;
  - **a medical practitioner or dentist who may prescribe such substance and is the holder of a licence to compound and dispense as contemplated in section 22C (1)(a)**;
  - a veterinarian who may prescribe, compound and dispense such substance;
  - **and a practitioner, nurse or person registered under the Health Professions Act, 1974, other than a medical practitioner or dentist, who may prescribe and is the holder of a licence to compound and dispense such substance as contemplated in section 22C (1)(a)** .
- (3) Any Schedule 2, 3, 4, 5 or 6 substance may be sold by:
  - a pharmacist, pharmacist intern or pharmacist's assistant acting under supervision of a pharmacist who may sell only Schedule 2 substances without a prescription;
  - a pharmacist or pharmacist intern or pharmacist's assistant acting under supervision in possession of a written prescription issued by an authorised prescriber or on the verbal instructions of an authorised prescriber;
  - a manufacturer of or wholesale dealer in pharmaceutical products;
  - **a medical practitioner or dentist who may prescribe such substance and is the holder of a licence to compound and dispense as contemplated in section 22C (1)(a)**;
  - a veterinarian who may prescribe, compound and dispense such substance;
  - **and a practitioner, nurse or person registered under the Health Professions Act, 1974, other than a medical practitioner or dentist, who may prescribe and is the holder of a licence to compound and dispense such substance as contemplated in section 22C (1)(a)** .
- (4) In terms of Section 22A (6)(f) of the said Act, a practitioner may provide a patient with a repeat prescription, which prescription shall **not be repeated for longer than six months**, in the case of **Schedule 2, Schedule 3, Schedule 4 or Schedule 5** medicines. In the case of Schedule 5 medicines, the prescriber must indicate on the prescription the number of times and the intervals at which it may be dispensed;
  - Only where a Schedule 5 substance is used for – its **anxiolytic, antidepressant or tranquillising properties**, shall it not be prescribed for longer than six months unless the authorised prescriber has consulted a registered psychiatrist (or another registered psychiatrist) before issuing a new prescription;
  - its **analgesic properties** it shall not be prescribed for longer than six months unless the authorised prescriber has consulted another medical practitioner before issuing a new prescription.

- (5) In terms of Section 22A (6) (i) of the said Act, **Schedule 6** medicines shall not be repeated without a new prescription being issued and may only be sold if the course of treatment does **not exceed 30 consecutive days**. Schedule 6 medicines may not be repeated without a new prescription being issued.
- (6) No person shall acquire, use, possess, manufacture or supply any Schedule 7 or Schedule 8 substance or manufacture any specified Schedule 5 or Schedule 6 substance unless he or she has been issued with a permit by the Director-General for such acquisition, use, possession, manufacture or supply.

Furthermore, you would have noted that in terms of the Section above Schedules 2 to 5 medication may not be prescribed for longer than 6 months where after a face to face consultation is necessary to determine the health of the patient. Based on the practitioner's clinical opinion it will then be determined whether the patient may proceed with the medication. If necessary, a practitioner may consult a colleague / specialist if the patient refuses to be referred to a specialist as the practitioner will be acting in the best interest of the patient. Lastly, if it appears that the patient is becoming dependent or addicted to a medicinal product, it is advisable to change medication and to start weaning the patient off the previous medication.