



Prescribing drugs of abuse

The improper prescribing of drugs to drug-seekers is harmful to the individual, society, and the medical profession. It is not solely a pharmacological issue. Appropriate prescribing practice requires that a doctor's customary prescribing conforms to proper patterns established by the doctor's peers in similar practice. Inappropriate prescribing of drugs of abuse is unacceptable, both clinically and ethically.

Improper prescribing of drugs of abuse

1. The Medical Council defines 'improper over-prescribing of drugs of abuse' as any prescribing of drugs of abuse that deviates significantly from the practice of one's medical peers. Such prescribing practice may include indiscriminate, excessive or reckless prescribing.
2. This statement may be used by the Health Practitioner's Disciplinary Tribunal, the Council, and the Health and Disability Commissioner as a standard by which your conduct is measured.

Background

3. Inappropriate use of drugs of abuse is detrimental to the user. It impairs both behaviour and the health of the individual, which in turn impacts upon the wider community.
4. Make the care of patients your first concern. It is unethical to provide any treatment that is illegal or detrimental to the health of the patient.
5. Section 24 of the Misuse of Drugs Act 1975 prohibits the prescription, administration or supply of any controlled drug to a person dependent on that, or any other, controlled drug, for treatment of dependency, unless the prescriber has specific authorisation to do so.
6. Under section 48 of the Medicines Act 1981 the Council is provided with the jurisdiction to inquire into the prescribing of any doctor for the purpose of considering and determining whether the said doctor is prescribing inappropriately. If the Council concludes that a doctor is prescribing inappropriately it may recommend to the Minister of Health that the doctor be prohibited from prescribing all, or specific classes of prescription medicines.

Reasons for improper prescribing of drugs of abuse

It can sometimes be difficult to decide when to prescribe drugs which have the potential for abuse. It is not always easy to identify when it is appropriate to prescribe to relieve suffering and distress, and when it is not appropriate to prescribe for fear of fuelling dependence and or criminal activity. Improper prescribing might also occur because of the following reasons:

- *Coercion and manipulation coupled with ignorance:* when a doctor is inexperienced, gullible or unaware of the methods used by drug addicts to obtain drugs for abuse.
- *Irresponsibility:* when a doctor does not adhere to the medical code of ethics and places full responsibility of drug abuse upon the patient.
- *Personal gain:* when a doctor prescribes drugs of abuse in return for material goods, or favours.
- *Threat or intimidation:* when a doctor is forced to prescribe drugs of abuse because an individual declares or indicates the intention to harm the doctor or person known to the doctor.

Responsibility of doctors

7. When you prescribe drugs which have the potential for abuse you must ensure that the person you are writing the prescription for is not:
 - dependent upon such drugs
 - seeking such drugs to supply to other individuals
 - a restricted person¹.
8. It is not always easy to identify whether a patient is seeking drugs for the purpose of abuse. Many “ordinary” patients, and some health practitioners, can develop problems with addictive drugs. Possible signs that a person may be a drug-seeker include that he or she:
 - is transitory
 - nominates the drug they are seeking
 - may not proffer ID
 - requests the last appointment of the day.
9. When you prescribe drugs which have the potential for abuse you should keep in mind the possible consequences to patients, including:
 - overdoses
 - development or maintenance of a drug habit
 - the diversion of drugs onto the street
 - social consequences including violence or crime
 - patient safety.
10. If you have any concern about issuing a prescription the Council recommends that you consult with your peers and/or Medicines Control (phone 04 496 2437). Medicines Control is an agency within the Ministry of Health which is responsible for containment of drug abuse. Amongst other tasks, it is responsible for advising health professionals on drug misuse issues; monitoring controlled drug prescribing; and assisting in the preparation of restriction notices for drug seekers.
11. If you are concerned that a person is seeking drugs for the purposes of abuse, then work co-operatively with colleagues, local drug treatment agencies and Police (where necessary) to ensure that the person does not obtain the drugs from another source and receives appropriate care. Medicines Control should also be informed. If the person is a health practitioner, you may also need to notify the relevant registration authority (such as the Medical Council or the Nursing Council). You should also exercise care in ongoing prescribing for the patient.

12. Some people who seek drugs of abuse are dealers. If you suspect that someone is seeking a prescription in order to supply others with drugs of abuse you have a responsibility to notify the Police and Medicines Control.
13. If you are threatened or intimidated by a person seeking drugs for inappropriate use, your first concern must be for your own safety. Medicines Control advises doctors in this situation to write a prescription for a 3-day period so the person will leave the premises. As soon as the drug-seeker has left, you should call the Police and provide them with a detailed description of the person and, if possible, the registration number of the vehicle they left in.
14. If you are concerned about a colleague's prescribing of drugs of abuse, you have a responsibility to report those concerns to the Medical Council.

Related statements

- *Good medical practice*
- *Good prescribing practice*
- *Prescribing performance enhancing medicines in sport*
- *Providing care of yourself and those close to you*
- *The Royal Australasian College of Physicians statement on Opioids in chronic non-malignant pain*

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***This statement is scheduled for review by April 2015.
Legislative changes may make this statement obsolete
before this review date.***

¹ A restricted person is a person who is subject to a notice issued by a Medical Officer of Health under s.49 of the Medicines Act 1981 and/or s.25 of the Misuse of Drugs Act 1975. Lists of restricted persons are maintained through prescriber updates and peer review processes. If you prescribe drugs which have the potential for abuse you should make sure you are aware of any restricted persons living in your region.