



Queensland Health

[Home](#) > [Health system and governance](#) > [Legislation](#) > [Chief Health Officer public health directions](#) > Prescribing, Dispensing or Supply of Hydroxychloroquine Direction

Prescribing, Dispensing or Supply of Hydroxychloroquine Direction

Summary

Effective from: 7 April 2020

Posted: 7 April 2020

Direction from Chief Health Officer in accordance with emergency powers arising from the declared public health emergency

Public Health Act 2005 (Qld)

Section 362B

On 29 January 2020, under the *Public Health Act 2005*, the Minister for Health and Minister for Ambulance Services made an order declaring a public health emergency in relation to coronavirus disease (COVID-19). The public health emergency area specified in the order is for 'all of Queensland'. Its duration has been extended by regulation to 29 June 2021 and may be further extended.

Further to this declaration, I, Dr Jeannette Young, Chief Health Officer, reasonably believe it is necessary to give the following directions pursuant to the powers under s 362B of the *Public Health Act 2005* to assist in containing, or to respond to, the spread of COVID-19 within the community.

Citation

1. This Public Health Direction may be referred to as the Prescribing, Dispensing or Supply of Hydroxychloroquine Direction.

PART 1 — DIRECTION – PRESCRIBING, DISPENSING OR SUPPLY OF HYDROXYCHLOROQUINE

2. The purpose of this Part is to prohibit the prescribing, dispensing or supply of hydroxychloroquine for the treatment of a person, unless it is done in accordance with this direction.
3. These directions apply from the time of publication until the end of the declared public health emergency, unless they are revoked or replaced.

Directions

4. A prescriber must not prescribe hydroxychloroquine for treatment of a person unless:
 - a. if the prescriber is initiating treatment of a person by prescribing hydroxychloroquine – the prescriber is a medical practitioner registered under the Health Practitioner Regulation National Law with specialist registration in one or more of the following specialties:
 - i. dermatology;
 - ii. intensive care medicine;
 - iii. paediatrics and child health;
 - iv. physician;

- v. emergency medicine; or
 - b. if the prescriber is initiating treatment of a person by prescribing hydroxychloroquine – the prescriber is a medical practitioner training to prepare for specialist registration in the specialities mentioned in 4(a) (i.e. a registrar) working under the supervision of a medical practitioner mentioned in 4(a); or
 - c. if the prescriber is initiating treatment of a person by prescribing hydroxychloroquine – the prescriber is a dental practitioner registered under the Health Practitioner Regulation National Law with a specialist registration in oral medicine; or
 - d. the prescriber is continuing treatment for a chronic condition and the treatment was initiated by a prescriber mentioned in paragraph 4(a), (b) or (c); or
5. A pharmacist must not dispense or supply hydroxychloroquine unless:
- a. the prescription for hydroxychloroquine is made by a prescriber mentioned in paragraph 4(a), (b) or (c) or a prescriber mentioned in paragraph 4(d) in the circumstances mentioned in paragraph 4(d); or
 - b. the pharmacist has taken reasonable steps to confirm the person for whom the hydroxychloroquine is prescribed has a therapeutic need for hydroxychloroquine for the continuing treatment of a chronic condition; or
 - c. the supply is in accordance with a research protocol for an approved clinical trial.

Definitions

For the purposes of this Public Health Direction:

- 6. *Approved clinical trial* means a clinical trial approved by:
 - a. the Therapeutic Goods Administration; or
 - b. a human research ethics committee registered by the Australian Health Ethics Committee established under the *National Health and Medical Research Council Act 1992* (Cth).
- 7. *Dispense* means sell on a prescription.
- 8. *Hydroxychloroquine* means the restricted drug known as hydroxychloroquine listed in Appendix D of the Poisons Standard.
- 9. *Initiating treatment* means prescribing hydroxychloroquine for a person who has not previously been prescribed hydroxychloroquine and includes a documented instruction from one of the specialists mentioned in paragraph 4(a) or (b) to another prescriber, to write a prescription for treatment of a chronic condition.
- 10. *Poisons Standard* means the current Poisons Standard within the meaning of section 52A(1) of the *Therapeutic Goods Act 1989* (Cth).
- 11. *Prescriber* means a person who, under the *Health (Drugs and Poisons) Regulation 1996* (Qld), is endorsed to prescribe a restricted drug.
- 12. *Prescribe* means a direction, orally or in writing, to a pharmacist to dispense or supply a restricted drug for the treatment of a person.
- 13. *Supply*, hydroxychloroquine, means give, or offer to give, a person one or more treatment doses of hydroxychloroquine to be taken by the person during a certain period.

PART 2 - PENALTIES

A person to whom the direction applies commits an offence if the person fails, without reasonable excuse, to comply with the direction.

Section 362D of the *Public Health Act 2005* provides:

Failure to comply with public health directions

A person to whom a public health direction applies must comply with the direction unless the person has a reasonable excuse.

Maximum penalty—100 penalty units or 6 months imprisonment.

Dr Jeannette Young
Chief Health Officer

7 April 2020

Published on the Queensland Health website at 7 April 2020 07:35pm

Understanding this Direction

Information to help you understand what this Direction means and why the Queensland Government is taking extra steps to restrict access to Hydroxychloroquine.

[Find out more](#)¹

Links

1. <https://www.qld.gov.au/health/conditions/health-alerts/coronavirus-covid-19/current-status/public-health-directions/prescribing,-dispensing-or-supply-of-hydroxychloroquine-direction>

[Copyright \(https://www.health.qld.gov.au/global/copyright-statement\)](https://www.health.qld.gov.au/global/copyright-statement).

[Disclaimer \(https://www.health.qld.gov.au/global/disclaimer\)](https://www.health.qld.gov.au/global/disclaimer).

[Privacy \(https://www.health.qld.gov.au/global/privacy\)](https://www.health.qld.gov.au/global/privacy).

[Right to information \(https://www.health.qld.gov.au/system-governance/contact-us/access-info\)](https://www.health.qld.gov.au/system-governance/contact-us/access-info).

[Accessibility \(https://www.qld.gov.au/help/accessibility/\)](https://www.qld.gov.au/help/accessibility/).

[Jobs in Queensland Government \(https://smartjobs.qld.gov.au/jobtools/jncustomsearch.jobsearch?in_organid=14904\)](https://smartjobs.qld.gov.au/jobtools/jncustomsearch.jobsearch?in_organid=14904).

[Other languages \(https://www.qld.gov.au/languages/\)](https://www.qld.gov.au/languages/).

© The State of Queensland (Queensland Health) 1996-2021

[Queensland Government \(https://www.qld.gov.au/\)](https://www.qld.gov.au/).