



VETERINARY COUNCIL
OF NEW ZEALAND
Te Kaunihera Rata Kararehe o Aotearoa

VCNZ update

Controlled drugs

Requirements for veterinarians under the Misuse of Drugs legislation and the Code of Professional Conduct

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To keep themselves and their staff safe, veterinarians need to comply with the legal and professional requirements around the use of controlled drugs.

Misuse of Drugs legislation

The **Misuse of Drugs Act 1975** and the **Misuse of Drugs Regulations 1977** govern the prescribing and supply of controlled drugs and provide for the prevention of their misuse. Links to these are provided at the end of this article.

Section 8 of the Misuse of Drugs Act allows veterinarians to supply and administer controlled drugs. It also allows for access of persons having the care of animals to controlled drugs when these are prescribed or dispensed by a veterinarian for animals under that veterinarian's care.

It is illegal and unethical for veterinarians to authorise the use of controlled drugs (or any veterinary or human medicines) for human use.

Under the Misuse of Drugs Act, controlled drugs are arranged in classes (table 1). They have varying rules applying to their authorisation and supply.

The Misuse of Drugs Regulations deal with the practical requirements of individuals authorised to have access to controlled drugs under the Misuse of Drugs Act.

Veterinary Council Code of Professional Conduct for veterinarians (COPC)

The requirements for storage, recording and reconciliation of controlled drugs under the COPC are broader than those required of veterinarians under the Misuse of Drugs legislation. *The requirements under the COPC are the minimum professional requirements for veterinarians regardless of any exemptions given to veterinarians in the Misuse of Drugs legislation.*

Storage of controlled drugs

Regulation 28 of the Misuse of Drugs Regulations requires veterinarians to keep all drugs in classes A, B and parts

1 to 4 of Class C in locked cupboards or in locked compartments. The COPC requires *all* controlled drugs (including those classified as Class C 5 to 7), not required for immediate use, to be kept in locked cabinets or compartments ("safe") that meet the requirements of section 28 of the Misuse of Drugs Regulations (see link at end of article). These drugs pose a potential risk to society through misuse, and VCNZ considers that it is appropriate for veterinarians to ensure these products are stored securely.

The safe must be constructed of either metal or concrete or both. Where the safe is installed in a building constructed after 1977, it must be of an approved type (regulation 28, Misuse of Drugs Regulations). The safe must be fixed to the building or to vehicle. The key to the cupboard or compartment must be kept in a safe place when the key is not being used. The key must not be kept in the building or vehicle when it is unoccupied. The safe can be fitted with a combination lock of an approved type (regulation 28, Misuse of Drugs Regulations).

Approved type means a type that, at the date of installation, has, for the time being been approved by the Medical Officer of Health after consultation with such constable as may be charged at that date with the function of advising the Medical Officer of Health.

Records

Regulation 37 of the Misuse of Drugs Regulations requires pharmacists and certain other professionals to maintain controlled drug registers and prescription books.

Regulation 41 of the Misuse of Drugs Regulations provides exemption for veterinarians from the requirement to

maintain controlled drug registers and prescription books.

Despite this exemption, the VCNZ COPC requires that every instance of sale or use of a controlled drug must be linked to a veterinary consultation and that there is an accurate record that can be readily reported and reviewed. This is because of the potential for abuse of these drugs and VCNZ's view that there is an overriding professional obligation for veterinarians to oversee and manage the use of controlled drugs to a higher standard than the obligations imposed by law.

Veterinary businesses that don't use a computerised medical record system that is able to quickly and easily report on the sale or use of each controlled drug must record each individual sale or use in a controlled drug register. This register must take the form of a bound volume with consecutively numbered pages set out and used as described in Form 1 Schedule 1 of the Misuse of Drugs Regulations.

The approved form is contained in Schedule 1 of the Misuse of Drugs Regulations and can be downloaded at: <http://tinyurl.com/ovlfu3>

Reconciliation

The COPC requires that veterinarians regularly reconcile the physical stock of controlled drugs against sales and purchase.

At any time, the physical quantity of a controlled drug must equate to the quantity purchased (incoming) and that used, authorised or disposed of (outgoing). The frequency of this reconciliation will depend on the circumstances of the clinic including volumes used. Reconciliation *must be done at least every six months*. In most circumstances, reconciliation will need to be done more frequently (often weekly) to ensure accurate record keeping. At these

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times, for every strength of each controlled drug, there must be a reconciliation of the opening stock, closing stock, purchases and sales. This must be documented along with a proper explanation for any volume or amount that is not accounted for in the reconciliation.

Records of reconciliations must be kept for four years, and extraordinary variances in the reconciliation that cannot be explained or are thought to be due to unauthorised use must be reported to VCNZ.

What drugs are classified as controlled?

Schedules 1 to 3 of the Misuse of Drugs Act 1975 identify drugs that pose a risk of harm to individuals or to society through misuse and refer to these products as controlled drugs (use link at end of this article).

The common controlled drugs used in veterinary practice are, but are not limited to: morphine, fentanyl, methadone, pethidine, buprenorphine, codeine, diazepam, midazolam, alprazolam, oxazepam, pentobarbital, phenobarbital and ketamine (table 1).

Veterinarians are expected to know which controlled drugs (and which trade name products containing controlled drugs) are used in their practice and what the requirements are to manage them in compliance with the legislation and the COPC.

Tramazol and butorphanol are not classified as controlled drugs. However, veterinarians are encouraged to ensure safe storage of these drugs because they can be subject to abuse.

Table 1 sets out the classification of controlled drugs and their requirements and provides examples. ■

i Misuse of Drugs Act 1975:

<http://tinyurl.com/q82ba13>

Misuse of Drugs Regulations 1977:

<http://tinyurl.com/qf2epal>

Table 1: Classification of controlled drugs

| | Classification | Examples |
|-------------------|--|---|
| CLASS A (Sched 1) | Severely restricted substances anywhere: | Lysergide Thalidomide |
| | Ministerial approval required for use | Heroin TCP Cocaine Etorphine |
| CLASS B (Sched 2) | Part 1 (high abuse level) Ministerial approval required for use of cannabis | Morphine Opium Cannabis preparations Amphetamine |
| | Part 2 (prohibited substances outside hospitals): Ministerial approval (general or specific) required for use ex hospitals | Dexamphetamine Ephedrine Methylphenidate Norpseudoephedrine Pseudoephedrine |
| | Part 3 (medium abuse level) | Fentanyl Pethidine Methadone Oxycodone Remifentanyl |

| | Classification | Examples |
|-------------------|--|--|
| CLASS C (Sched 3) | Part 1 Ministerial approval required Less potent forms of cannabis (ie, plant, fruit and seed) | Coca leaf Cannabis plant and seed |
| | Part 2 | Codeine and its salts and isomers, eg, linc codeine, syrup codeine phos, codeine tablets, powder and injection (except those specified in Part 6) |
| | Part 3 "Partially Exempted Drugs" | Dihydrocodeine Pholcodien (except those specified in Part 6) |
| | Part 4 | Barbiturates (except those in Part 5) including: Buprenorphine Ketamine Pentobarbital |
| | Part 5 | Clonazepam Diazepam Midazolam Phenobarbitone |
| | Part 6 "Exempted drugs" | Controlled drugs (CD) in combination where the CD cannot be readily recovered and up to stated strengths, eg, linctus pholcodine forte; linctus pholcodine; diphenoxylate and atropine |
| | Part 7 | "Designer drugs" |

Note: Controlled drugs commonly used in veterinary practice are in bold type.