

Inquest into the death of William House, Jodie Anne Smith, Vanessa Joan White and Daniel Keith Milne

The coroner convened a joint inquest into the deaths of William House, Jodie Anne Smith, Vanessa Joan White and Daniel Keith Milne in order to consider the universal issues associated with the growing misuse of opioid prescription medication in Queensland, and more broadly, Australia.

The coroner considered the issues associated with opioid medication misuse, as well as the sufficiency of the monitoring presently in place in relation to the prescribing and dispensing of Schedule 8 medication and the implementation of the Commonwealth Government's initiative, the Electronic Recording and Reporting of Controlled Drugs (ERRCD).

Coroner James McDougall delivered his findings of inquest on 21 May 2018.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported.

The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating the implementation of recommendations can be obtained from the responsible minister named in the response.

Recommendation 1a

In order to reduce the deaths and harm associated with opioid misuse, the Queensland Department of Health should urgently consider and determine how a real-time prescription monitoring system can be implemented in Queensland at the earliest opportunity, but certainly within the next two years.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Health.

On 1 November 2018 the Minister for Health and Minister for Ambulance Services responded:

The Department of Health provided \$15 million funding to progress the implementation over the next three years of a comprehensive program of work on monitored substances that will include the implementation of a real-time prescription monitoring (RTPM) system. Queensland Health continues to work with both Victoria and the Commonwealth on progressing a system that will provide Queensland with the best outcome and allow sharing of information with other states and territories.

Queensland Health is monitoring the implementation of the Victorian Government's RTPM scheduled for implementation late 2018. This RTPM accesses information from the national prescription exchanges services, allowing visibility of all controlled drug prescriptions dispensed in all jurisdictions. The department is currently recruiting a project team and will undertake the appropriate steps to procure a RTPM that meets the requirements for real-time reporting and access to prescription history information for prescribing doctors and dispensing pharmacists.

On 2 June 2019 the Minister for Health and Minister for Ambulance Services responded:

Queensland Health is progressing development work to achieve real-time prescription monitoring by 2020. Work continues to ensure the requirement to support implementation of the RTPM system

are in place such as information communication technology procurement plan, legislative and policy reform, and engagement and education with stakeholders.

The department is progressing work to implement a new Medicines and Poisons Act and Regulation to replace the Health (Drugs and Poisons) Regulation 1996 to enable implementation of RTPM.

The department is also progressing other work in policy development, stakeholder engagement and internal business change to support this implementation. The department is also investigating how real-time reporting could be enabled under current legislative arrangements, should there be delays to the implementation of the new Medicines and Poisons Act.

On 11 December 2019 the Minister for Health and Minister for Ambulance Services responded:

The Department of Health provided \$15 million to fund a comprehensive program of work on monitored substances which will include a RTPM system. Queensland Health aims to achieve RTPM in 2020.

Queensland Health is currently engaging with the Commonwealth Department of Health and is progressing the procurement process.

Implementation of a new Medicines and Poisons Bill and Regulation — to replace the Health (Drugs and Poisons) Regulation 1996 — will enable introduction of RTPM.

The department is progressing its procurement process and undertaking due diligence processes in considering contractual arrangements with the Commonwealth Department of Health and its vendor to progress information and communication technology development work on a RTPM system.

On 3 June 2020 the Deputy Premier and Minister for Health and Minister for Ambulance Services responded:

The passing of the *Medicines and Poisons Act, 2019* (the Act) on 17 September 2019 by the Queensland Parliament, will allow for the establishment and operation of a real-time reporting system with a monitored medicines database that is accessible to health practitioners.

In October 2019, an agreement was signed between Queensland Health, the Commonwealth Department of Health, and pharmacy information technology solution provider Fred IT Group Pty Ltd, for development of Queensland's real-time prescription monitoring system. The system - to be known as 'QScript' - will integrate with the Commonwealth Department of Health's National Data Exchange, which may facilitate the sharing of prescription information across borders as part of a national real-time prescription monitoring solution.

Implementation of QScript is subject to parliamentary processes associated with the commencement of the Act and subordinate legislation. It is anticipated that QScript will be available to Queensland practitioners in 2020.

On 2 October 2020 the Deputy Premier and Minister for Health and Minister for Ambulance Services responded:

Queensland Health is engaged in the work of system development of a real-time reporting system known as QScript with vendor Fred IT. The system was made available for internal administrative use on 16 November 2020. This will allow Queensland Health to provide real-time dispensed prescription information to prescribers via its telephone enquiry service 13S8INFO.

Development of access to external community-based prescribers and pharmacists via integration with their prescribing systems will be implemented on commencement of the *Medicines and Poisons Act 2019* and supporting regulation. Due to the government's COVID-19 response, work on the supporting legislative framework has been paused. QScript will be technically ready for external access by February 2021.

On 8 July 2021 the Minister for Health and Ambulance Services responded:

Queensland Health completed work on the health practitioner self-registration portal of QScript in December 2020. This portal will allow prescribers to register for access to QScript. Full access to the patient level information in QScript is not yet available.

QScript information and communication technology development work has continued to progress. Promotion of the self-registration process and the supporting education modules will commence prior to commencement of the *Medicines and Poisons Act 2019*, once that date is known.

On 17 December 2021 the Minister for Health and Ambulance Services and Leader of the House responded:

Queensland Health accepted the final release of QScript in May 2021. The department also opened up QScript for health practitioner self-registration in April 2021 in anticipation of full access being available to health practitioners on commencement of the *Medicines and Poisons Act 2019*. The department also launched supporting on-line educational modules for health practitioners in June.

To date, over thirteen percent of all eligible prescriber and dispenser health practitioners have now registered in the system.

Commencement of the Act occurred on 27 September 2021.

Recommendation 1b

A determination as to whether the Electronic Recording and Reporting of Controlled Drugs (ERRCD) is a suitable system to be utilised should be made without delay. If so, the plan to implement such a system, and the necessary changes to legislation and other regulatory requirements, needs to be actioned urgently.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Health.

On 1 November 2018 the Minister for Health and Minister for Ambulance Services responded:

The Victorian Government's real-time prescription monitoring (RTPM) system allows it to access information from the national prescription exchanges services. This allows visibility of all controlled drug prescriptions dispensed in all jurisdictions. The Victorian RTPM also allows prescribers and dispensers to have access to patients' prescription information.

Unlike the Victorian RTPM, the Commonwealth initiative (electronic recording and reporting of controlled drugs, ERRCD) does not currently allow for access by prescribers and dispensers and only reports information to the state based regulator. There is no time frame yet established for further development of the ERRCD, nor for any development to allow for prescriber or dispenser access. As such the ERRCD is not considered suitable to meet all needs of a responsive RTPM in Queensland.

Queensland Health is engaged in ongoing liaison to monitor the implementation of the Victorian Government's RTPM system. The department is also engaged in the National Real Time Prescription Monitoring Implementation Working Group. The Commonwealth has committed to developing a

national data exchange by end 2018. The national data exchange will allow connection between different jurisdictions' RPTMs as particular jurisdictions develop their individual systems.

Queensland Health is also proposing to replace the *Health Act 1937* and the Health (Drugs and Poisons) Regulation 1996 with a new Medicines and Poisons Act and Regulation. If progressed by the government, the new Act is to include the legislative provisions to establish real-time reporting and mandate its use by relevant health practitioners.

On 2 June 2019 the Minister for Health and Minister for Ambulance Services responded:

The director-general approved the commencement of a program of work on monitored substances to implement a real-time reporting information and communication technology solution and supporting policy development, education and engagement work by 2020.

The Medicines, Regulation and Quality Unit recruited a team to progress this work.

The Commonwealth Department of Health developed a National Data Exchange (NDE) as the preferred solution to the previous ERRCD. The NDE can allow for each state and territory to access real-time dispensed prescription information. Queensland Health is currently engaging with the Commonwealth Department of Health and their developers to ascertain if the NDE will meet business requirements for a real-time reporting solution.

The department is progressing work to implement a new Medicines and Poisons Act and Regulation to replace the Health (Drugs and Poisons) Regulation 1996 and enable implementation of real-time prescription monitoring.

The department is also progressing other work in policy development, stakeholder engagement and internal business change to support the implementation of real-time prescription monitoring by 2020.

On 11 December 2019 the Minister for Health and Minister for Ambulance Services responded:

The Commonwealth Department of Health developed a NDE as the preferred solution to the previous ERRCD. The NDE allows for each state and territory to access real-time dispensed prescription information and supports potential national information sharing.

Queensland Health engaged with the Commonwealth Department of Health and their developers and chose to progress to work with the Commonwealth Government on the NDE integration as its preferred solution and not further consider the ERRCD solution, as the ERRCD would not meet Queensland Health business requirements.

Recommendation 1c

A business plan to progress the implementation of a real-time prescription monitoring system in Queensland, either the ERRCD or a separate hybrid or new system, needs to be developed, and appropriately funded as a priority.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Health.

On 1 November 2018 the Minister for Health and Minister for Ambulance Services responded:

The Department of Health provided \$15 million to implement a program of work on monitored substances which will include an underpinning real-time prescription monitoring (RTPM) system over the next three years. Preliminary analysis supports that a model of a RTPM that accesses

information from the national prescription exchange services is the most effective model to progress.

Queensland Health is currently recruiting a project team to undertake this comprehensive program of work, to deliver training and education to health professions, develop and implement policy and regulatory changes, and support the implementation of a RTPM system. Queensland Health will seek to commence an appropriate procurement process for the RTPM by early 2019.

Recommendation 2

The Queensland Department of Health should urgently consider what additional steps can be taken to educate general practitioners and pharmacists as to the scope and functions of Medicines Regulation and Quality (MRQ), particularly the availability of advice as to appropriate prescribing practices. Incidences of over-prescribing of opioids, once this education campaign has been completed should be dealt with by professional disciplinary bodies, by regulation.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Health.

On 1 November 2018 the Minister for Health and Minister for Ambulance Services responded:

The Department of Health provided \$15 million to implement a program of work on monitored substances that will include an underpinning real-time prescription monitoring (RTPM) system over the next three years. The department is resourcing a statewide 13S8INFO telephone enquiry service for doctors to allow ready access to prescription history information and regulatory advice and support.

The department is currently recruiting a project team to implement this program of work. The program will also develop training and education to health professions, undertake the relevant policy and regulatory changes, and manage the implementation of a RTPM system. The department will undertake to further promote the 13S8INFO enquiry service across the state to support the implementation of its program of work and the RTPM system.

The government is also proposing to replace the *Health Act 1937* and the Health (Drugs and Poisons) Regulation 1996 with a new Medicines and Poisons Act and Regulation. If progressed by the government, the consultation and implementation phase of the new Act will also be the opportunity to promote aspects of compliance requirements for health practitioners with controlled drugs.

It may be possible in the new Act to impose obligations on prescribers to comply with a standard for safe prescribing of opioids as part of the regulatory scheme. It is proposed that this new regulatory scheme will also articulate the parameters to be considered in prescribing Schedule 8 drugs safely or to mitigate harm when dispensing a medicine to a person at risk (already drug dependent or oversupplied).

On 2 June 2019 the Minister for Health and Minister for Ambulance Services responded:

Medicines Regulation and Quality (MRQ) provides a statewide 13S8INFO telephone enquiry service for doctors to allow ready access to prescription history information and regulatory advice and support. The service now receives over 2,500 enquiries each month, and over 600 of these are transferred to clinical advisers for more complex clinical and regulatory advice.

MRQ and the Medicines Compliance and Human Tissue Unit (MCHTU) improved surveillance of patients' and doctors' prescribing patterns to monitor compliance with the Health (Drugs and Poisons) Regulation, 1996. Internal escalation procedures facilitate action in response to continued

non-compliance and appropriate referral to other regulators such as; the Office of the Health Ombudsman and Australian Health Practitioner Regulation Agency for matters of potential professional conduct of a lesser standard than reasonably expected, and to the Queensland Police Service for matters of potential or possible unlawful activity in the obtaining of drugs of dependence.

As part of the program of work on monitored substances to implement real-time reporting and the proposed legislative changes, Queensland Health will develop an education and engagement program for prescribers, dispensers and consumers around issues of monitored substances.

On 11 December 2019 the Minister for Health and Minister for Ambulance Services responded:

Queensland Health engaged an education provider in Metro North Hospital and Health Services to prepare a range of online educational programs and materials to support the introduction of real-time reporting in Queensland.

On 1 July 2019 changes to the Health (Drugs & Poisons) Regulation, 1996 came into effect.

Over July and August 2019, the department organised a mail out to all community medical practices of its materials related to doctors' legislative obligations, promoting the 13S8INFO telephone enquiry service, and other supporting materials about management of patients with dependence forming controlled drugs.

Development of education with the education provider will be progressed to support the implementation of real-time reporting. The program of work is developing communication and engagement strategies to support the implementation.

On 3 June 2020 the Deputy Premier and Minister for Health and Minister for Ambulance Services responded:

Queensland Health has released a series of 14 free interactive eLearning modules designed to assist medical and nurse practitioners to provide enhanced care to patients experiencing substance dependence and withdrawal.

The Department of Health engaged an education service provider to develop a range of online educational modules to support health practitioners to engage with the real-time reporting system and manage difficult patient interactions and complex patient presentations related to persistent pain and substance use disorders.

The department is also developing a comprehensive communication plan for all relevant stakeholders about the implementation of the new *Medicines and Poisons Act 2019* and the real-time reporting system QScript.

In response to recommendations from the Queensland Clinical Senate meeting 'Managing the pain of opioids', held in July 2018, Queensland Health supported a trial opioid stewardship program for 12 months under the leadership of Royal Brisbane and Women's Hospital to improve opioid supply in public hospitals.

Implementation of QScript is subject to parliamentary processes associated with the commencement of the *Medicines and Poisons Act 2019* and subordinate legislation. It is anticipated that QScript will be available to Queensland practitioners in 2020 and supporting educational materials will be made available when the QScript system is commenced.

On 2 October 2020 the Deputy Premier and Minister for Health and Minister for Ambulance Services responded:

Supporting education modules and communication strategy are being developed to promote details of QScript as part of the implementation of real-time reporting in Queensland. These modules will include three key learning areas around legislative requirements, getting practices ready and clinical guides for pharmacists and prescribers in the safe use of monitored medicines.

The department has undertaken significant stakeholder engagement with health practitioner and consumer representatives, in developing supporting policy and regulatory frameworks. The department experienced delays in its schedule for this change due to the government's COVID-19 response and is pausing the commencement of the *Medicines and Poisons Act 2019*.

Implementation of the supporting additional education and communications will be linked to commencement date of the new *Medicines and Poisons Act 2019*.

On 8 July 2021 the Minister for Health and Ambulance Services responded:

Extensive clinical and consumer stakeholder engagement has continued, with the Monitored Medicines Steering Committee continuing to meet and be updated on the project. Supporting regulatory instruments — the Monitored Medicines Standard and a Companion Document — have been developed through stakeholder engaged working groups.

The Monitored Medicines Standard and a companion document will be provided as part of the regulatory consultation package for the subordinate regulation of the *Medicines and Poisons Act 2019*.

On 17 December 2021 the Minister for Health and Ambulance Services and Leader of the House responded:

The Monitored Medicines Standard and a Companion Document was provided to all stakeholders as part of the regulatory consultation package for the subordinate regulation of the *Medicines and Poisons Act 2019*. The regulatory consultation period closed in late May 2021 and feedback on the monitored medicines standard and a companion document has been considered.

The QScript system will include a number of automated alerts to prescribing and dispensing health practitioners to help inform their treatment decisions. This will include notifications of multiple providers, history of being on an opioid treatment program, high doses of opioid medicines, risky combinations of monitored medicines and first-time treatment of persons with monitored medicines.

The Monitored Medicines Unit (formerly MRQ) produced a range of supporting materials for health practitioners to support and facilitate their understanding of the *Medicines and Poisons Act 2019* and the new real-time reporting system, QScript. Completion of the e-learning modules is recognised as continuing professional development by the relevant health practitioner professional organisations.

The Monitored Medicines Unit established a QScript learning portal with supporting materials such as recorded webinars, fact sheets and information on the new legislative requirements. In collaboration with the Metro North Hospital and Health Service, the Insight Training Service series of professional development webinars have been delivered throughout 2021. The webinars are recorded and available for later viewing and will remain as accessible educational resources.

The Monitored Medicines Unit has also delivered educational sessions to medical, nursing, dental and pharmacy stakeholder organisations to inform them of the imminent commencement of QScript and provide advice about regulatory and clinical issues related to monitored medicines.

Following commencement of the *Medicines and Poisons Act 2019* on 27 September 2021 and full health practitioner access to QScript, the department will update the published supporting materials and advise all affected stakeholders of the changes.

The department is also undertaking internal change to support the implementation of QScript and align its workforce with the business requirements of the new Act and regulations.

On 7 July 2022 the Minister for Health and Minister for Ambulance Services and Leader of the House responded:

An education program for health practitioners about new legislative requirements and clinical best practice in prescribing and dispensing of monitored medicines (including prescription opioids) has been implemented.

On 27 September 2021, the *Medicines and Poisons Act 2019* and *Medicines and Poisons (Medicines) Regulation 2021* commenced. At this time the Department opened access to its real-time prescription monitoring program QScript for health practitioners (e.g. medical practitioners and pharmacists).

The department has created a comprehensive e-learning portal, QScript Learning, to assist health practitioners who prescribe and dispense monitored medicines (including prescription opioids). The learning portal includes modules about the new legislative requirements, how to use QScript, and clinical best practice, containing the latest clinical information and advice about monitored medicines (including prescription opioids) and how to best prescribe and dispense them.

The clinical best practice modules include four electronic learning modules focused on prescription opioids:

1. understanding pain, opioid therapy and managing inherited patients
2. opioid rotation
3. opioid overdose and naloxone
4. opioid de-prescribing and withdrawal.

The training materials have been accredited to meet the requirements for continuing professional development by relevant medical and pharmacy professional organisations. Furthermore, over the last 12 months the department has presented a range of webinars about monitored medicines including prescription opioids. A calendar of live and recorded webinars is accessible via the QScript Learning portal - Webinars.

In April and September 2021, every registered medical practitioner and pharmacist in Queensland was sent an invitation email to register for QScript access and almost 60% of eligible health practitioners were registered by the end of 2021. Additionally, information about the e-learning modules has been provided to all medical and pharmacist stakeholder organisations for distribution to their members and ongoing communication is being provided to health practitioners to direct them to the relevant e-learning modules and support materials.

The Queensland Health Real-time prescription monitoring of monitored medicines website also provides direct access to information and resources for health practitioners and links to relevant training and the QScript Health Practitioner portal.

In conjunction with the commencement of the MPA and subordinate regulations, a series of Fact sheets and supporting documents have also been published on the Queensland Health website to assist health practitioners to comply with their legislative obligations under the MPA in relation to the prescribing and dispensing of monitored medicines.

Updates to existing resources will be progressed as required and in line with available resources.

Recommendation 3

The Queensland Department of Health to consider the suitability of resourcing currently provided to Medicines Regulation and Quality (MRQ) in order to appropriately perform their regulatory functions in a proactive manner, particularly given the timeframe changes as stipulated in the new S8 Monitoring Strategy.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Health.

On 1 November 2018 the Minister for Health and Minister for Ambulance Services responded:

The Department of Health provided \$15 million to implement a program of work on monitored substances that will include an underpinning real-time prescription monitoring (RTPM) system. An internal audit of approvals processes under the Health (Drugs and Poisons) Regulation 1996 has commenced to ensure Queensland Health is appropriately administering this aspect of the Regulation.

The program of work will assess the required business changes needed within Medicines Regulation and Quality (MRQ) to support a RTPM system in the future and seek to establish a business case for any extra resources required to maintain appropriate regulatory functions.

On 2 June 2019 the Minister for Health and Minister for Ambulance Services responded:

The Department of Health recruited a new MRQ manager to undertake the internal change processes to support the implementation of the program of work on monitored substances and implementation of the new Medicines and Poisons Act. The investigation's team within Medicines Compliance and Human Tissue Unit now includes four full-time investigation staff and one principal policy and planning officer.

The program of work will assess the required business changes needed within MRQ to support a national RTPM system in the future and seek to establish a business case for any extra resources required to maintain appropriate regulatory functions. The implementation of a RTPM program and legislative changes will transform the current regulatory activities of MRQ and work will be undertaken to re-align current positions to meet new business and regulatory requirements.

On 11 December 2019 the Minister for Health and Minister for Ambulance Services responded:

The department employed a new manager of Monitored Medicines Unit to develop the change management plans to support the implementation of RTPM.

The department is developing the required change management plans to support a RTPM implementation system in the future and will seek to establish a business case for any extra resources required to maintain appropriate regulatory functions.

On 3 June 2020 the Deputy Premier and Minister for Health and Minister for Ambulance Services responded:

The department is finalising its business case for change to support and facilitate the relevant business and resourcing requirements to support the new *Medicines and Poisons Act 2019* and the implementation of QScript.

Implementation of QScript is subject to parliamentary processes associated with the commencement of the Act and subordinate legislation. It is anticipated that QScript will be available

to Queensland practitioners in 2020 and supporting educational materials will be made available when the QScript system is commenced.

On 2 October 2020 the Deputy Premier and Minister for Health and Minister for Ambulance Services responded:

The department has undertaken training and business changes for departmental users and commenced use of QScript for internal administrative purposes from 16 November 2020. The department experienced delays in its schedule for this change due to the government's COVID-19 response and is pausing the commencement of the *Medicines and Poisons Act 2019*.

Finalisation and implementation of business case for change to the new *Medicines and Poisons Act 2019* will align to commencement of the new Act and full QScript implementation.

On 8 July 2021 the Minister for Health and Ambulance Services responded:

The department is developing a business case for change of its current business units to support the transition to the new *Medicines and Poisons Act 2019* and the full implementation of QScript.

A business case to support the funding of appropriate resourcing will also be progressed via departmental processes.

On 17 December 2021 the Minister for Health and Ambulance Services and Leader of the House responded:

In April 2021, the department undertook preliminary consultation with affected staff on a draft business case for change of its current business units to support the transition to the new *Medicines and Poisons Act 2019* and the full implementation of QScript.

Formal authorisation of the business case and implementation of business change will now be progressed following the commencement of the new *Medicines and Poisons Act 2019* on 27 September 2021 and the full implementation of QScript.

On 7 July 2022 the Minister for Health and Ambulance Services and Leader of the House responded:

The department has implemented a new medicines legislative arrangement, commenced a new regulatory framework and instigated business changes to re-align administrative, compliance and information and communication technology (ICT) system management functions with relevant units.

Implementation of the business case for change was progressed following the commencement of the new *Medicines and Poisons Act 2019* on 27 September 2021 and the full implementation of QScript. The previously known Monitored Medicines Unit (MMU) (formerly Medicines Regulation and Quality) ceased at that time.

The 'new S8 Monitoring Strategy' referred to in this recommendation is no longer a current strategy as it referred to the administration of compliance under the previous *Health (Drugs and Poisons) Regulation 1996*; that has now been replaced with the Medicines and Poisons Act.

The department has published a Compliance, Monitoring and Enforcement Framework for the new Medicines and Poisons Act and subordinate regulations that sets out its plans to manage compliance with the new legislative arrangements.

The new regulatory framework and ICT system has resulted in significant changes to the work that was previously undertaken by MMU and to the Department's statutory requirement to administer the legislation and manage compliance requirements. The MMU structure and functions did not support the ongoing needs to, both manage a complex ICT application, and administer regulatory

requirements in the same manner as it did to support the previous database and HDPR requirements.

The new QScript Management Unit (QMU) has been established to ostensibly administer and manage the ICT, and policy and governance requirements in relation to QScript.

The new Medicines and Poisons Act and Medicines and Poisons (Medicines) Regulation has significantly fewer approvals than existed under the HDPR. This will be administratively managed by the Healthcare Approvals and Regulation Unit. The relevant MMU staff were re-allocated to this team for this work.

Furthermore, under the Medicines and Poisons Act the compliance requirements are significantly changed and are focused on mandatory look up requirements of QScript by health practitioners and compliance with the Monitored Medicines Standard. MMU staff previously involved in surveillance and monitoring were re-allocated to Medicines Compliance and Human Tissue Unit that manages the compliance aspects around monitored medicine under the MPA and MPMR.