



Department of Health

Secretary

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Ms Nisha Jholl
Coroner's Solicitor
Coroner's Court of Victoria
Level 11, 222 Exhibition Street
MELBOURNE VIC 3000

Dear Ms Jholl

Court reference: COR 2012 002601 Christina Mifsud

I am writing in response to your letter dated 24 October 2013 relating to Coroner K. M. W. Parkinson's recommendations to the Minister for Health in her finding on the death of Christina Mifsud.

I note that Coroner Parkinson made the same recommendations in her findings in two previous cases addressed to the Minister for Health in 2011. Those were with respect to Melissa Irwin (Court reference: 571209) and Michael Gledhill (Court reference: 5241). The Department of Health provided a detailed response to each of those recommendations (Our reference: e2214788 and e2230917 respectively). The key elements of the Department's response remain unchanged and so I will repeat them here only in summary. Accordingly, the Department's response to the Coroner's recommendations is as follows:

Recommendation:

1. *That regulatory authorities establish a clear mechanism of supervision of the safety arrangements for storage of take away dosage of methadone.*

The department's response:

The *Drugs, Poisons and Controlled Substances Act 1981* (the Act) and its associated regulations empower the Department to mandate storage conditions for drugs and poisons to the point of dispensing or supply to the consumer. Neither the Act nor the regulations mandates storage conditions for drugs and poisons in an individual's private place of residence.

The changes required to legislation that would empower the department to enter people's homes and inspect how they store their medications are not likely to be acceptable to the Victorian public. Further, given the large number of people who are prescribed takeaway doses of methadone, as well as other medicines which are equally harmful in overdose and thus require safe storage, such a mechanism would require a significant force of inspectors and other resources that is not likely to be available.

Recommendation:

2. *That there be a prohibition upon take away methadone dosage unless a responsible regulatory authority is satisfied that safe storage arrangements are in place in the premises in which the drug is to be stored.*

The department's response:

The Department continues to support the view that takeaway dosing plays an important role in facilitating pharmacotherapy clients' reintegration into the community and in assisting clients to lead normal lives. Take-away dosing reduces stigmatisation and enhances clients' ability to meet work and family commitments with minimal disruption from the demands of daily supervised dosing. It enhances the acceptability of prolonged maintenance therapy and thereby, patient retention in treatment.

The department's policy on the provision of pharmacotherapy: *Policy for Maintenance Pharmacotherapy for Opioid Dependence* (the policy) contains numerous safeguards to ensure safe storage of methadone takeaway doses. The policy recommends that prescribers decide the suitability of takeaway doses with reference to a number of specific conditions, including the availability of a lockable or secure cupboard for storing medication at their place of residence. The policy also requires that pharmacists who dispense methadone must advise clients who are receiving takeaway doses to store the drugs in a secure place out of the reach of children and other drug users.

I believe that making prescription of a clinically appropriate therapeutic strategy contingent upon a regime of home inspections is likely to act as a serious disincentive to the uptake of pharmacotherapy by people wishing to recover from an addiction to heroin or prescription opiates. Also, given that there are currently over 9,200 clients on methadone for pharmacotherapy in Victoria, supervising compliance with such storage requirements is highly problematic.

If you require further information please contact Mr Matthew McCrone, Chief Officer, Drugs and Poisons Regulation on 9096 5066 or email matthew.mccrone@health.vic.gov.au.

Yours sincerely



Dr Pradeep Philip
Secretary