



Cabinet Legislation Committee

Minute of Decision

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Government Responses to the Reports of the Health Committee on the Petition of Denise Astill, and the Petition of Sarah Teare

Portfolio Health

On 31 March 2022, the Cabinet Legislation Committee:

- 1 **noted** that on 6 August 2020 the Health Committee presented its report to the House entitled “Petition of Denise Astill—Inquiry into the numbers harmed by antiepileptic medicines during pregnancy”;
- 2 **noted** that the Health committee, for the petition of Denise Astill, recommended that the government:
 - 2.1 ensure any warnings on original packaging be also transferred to generic packaging when medication is dispensed;
 - 2.2 in the review of the Medicines Act, explore appropriate mechanisms for ensuring that contraindications for pregnancy are clearly displayed on packaging in a way that consumers understand;
- 3 **noted** that on 2 July 2021 the Health Select Committee presented its report to the House entitled “Petition of Sarah Teare for Patient Voice Aotearoa: Publicly continue to fund Lamictal for epilepsy and mental health patients”;
- 4 **noted** that the Health Committee, for the petition of Sarah Teare, recommended that the government:
 - 4.1 develop more in-depth protocols for consultation prior to a brand switch occurring;
 - 4.2 develop clear guidance on the responsibilities of Pharmac, prescribers, and pharmacists in communicating any proposed changes
 - 4.3 ensure that sufficient time is allowed so that prescribers can discuss changes with individual patients and develop appropriate treatment and monitoring plans before the brand switch occurs;
 - 4.4 ensure that information on any proposed changes is communicated not only to prescribers and pharmacists, but also to patients. This should be in a manner that they can clearly understand, including information on the reasons for the change, any possible side effects, and the availability of any funding to assist them to discuss the change with their health practitioner;

- 4.5 ensure that the application process for exceptional circumstances funding is clearly communicated from the outset, not only to prescribers and pharmacists but also to patients; and the criteria are sufficiently broad to allow patients to continue on their current brand, if the patient and their health practitioner believe this is the best clinical option;
- 5 **noted** the submission of the Minister of Health attached to LEG-22-SUB-0033, and in particular his advice that:
- 5.1 communication of contraindications for antiepileptic medicines is a wider issue than a label change alone;
- 5.2 to help ensure consumers are aware of the contraindications for antiepileptic medicines prescribers, dispensers and consumers communication needed to be strengthened
- 5.3 the Ministry of Health is progressing a work programme with health sector partners, including Pharmac, to improve communication practices with prescribers and pharmacists regarding significant medicine brand changes
- 5.4 the Ministry of Health is leading a cross-sector work programme for safer person-centred prescribing and dispensing;
- 5.5 the Therapeutic Products Bill (the Bill) will provide assurance of the safety, quality, and efficacy or performance of therapeutic products across their lifecycle to protect public health and welfare;
- 5.6 the Bill allows for requirements for labelling and consumer information to be set in Regulations;
- 6 **agreed** that for both petitions:
- 6.1 the communication between prescribers, dispensers and consumers be strengthened to improve consumer knowledge of contraindications of high risk medicines;
- 6.2 labelling and consumer information requirements for contraindications in relation to medicines be considered during development of the new therapeutic products regulatory regime;
- 7 **approved** the government response, attached to the submission under LEG-22-SUB-0033, to the Report of the Health Committee entitled “Petition of Denise Astill—Inquiry into the numbers harmed by antiepileptic medicines during pregnancy”
- 8 **approved** the government response, attached to the submission under LEG-22-SUB-0033, to the Report of the Health Committee entitled “Petition of Sarah Teare for Patient Voice Aotearoa: Publicly continue to fund Lamictal for epilepsy and mental health patients”;
- 9 **noted** that the government responses must be presented to the House as soon as possible;
- 10 **invited** the Minister of Health to present the government response to the House in accordance with Standing Order 252;

- 11 **noted** that the Minister of Health will write to the petitioners Denise Astill and Sarah Teare, enclosing a copy of the government response to the report of the Heath Committee on the petitions, before the response has been presented to the House.

Rebecca Davies
Committee Secretary

Present:

Hon Andrew Little
Hon David Parker
Hon Poto Williams
Hon Jan Tinetti
Hon Michael Wood (Chair)
Hon Dr David Clark
Hon Phil Twyford
Keiran McAnulty, MP (Senior Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG

PROACTIVELY RELEASED