



133 Molesworth Street
PO Box 5013
Wellington 6140
New Zealand
T+64 4 496 2000

13 February 2023

s 9(2)(a)

By email: s 9(2)(a)

Ref: H2023019631

Tēnā koe s 9(2)(a)

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to Manatū Hauora (the Ministry of Health) on 27 January 2023 for information regarding dispensing of mifepristone and misoprostol. Each part of your request is responded to below.

What is the fee paid to a pharmacist in New Zealand for dispensing the drugs mifepristone and misoprostol for the purpose of killing an unborn child in a medical abortion?

Manatū Hauora responds to all official information requests made in good faith in accordance with the requirements of the Act. However, the language and tone of your request lead us to question whether your request has been made in good faith. Rather than refuse your request as frivolous or vexatious at this stage, we are providing a response in line with section 13 of the Act. For future requests, we invite you to consider submitting requests in more appropriate terms. If you choose not to, we will consider whether it is necessary to refuse your request as frivolous or vexatious under section 18(h) of the Act.

The standard payments as per the Integrated Community Pharmacy Services Agreement (ICPSA) are paid to a pharmacy supplying mifepristone and misoprostol pursuant to a prescription.

What is the penalty for a pharmacist who refusing on conscience grounds to dispense mifepristone and misoprostol for a medical abortion refuses to assist by referring the patient to a pharmacist who would assist in dispensing the prescription?

There is no requirement for a pharmacy to provide medicines used for medical abortion. A pharmacist may hold a conscientious objection to dispensing these medicines and a pharmacy business may decide not to supply these medicines.

If a person presents to a pharmacy that does not dispense, the pharmacist must tell the person of their objection and tell them how to access the contact details of the closest pharmacy that does dispense. A conscientious objection does not override a pharmacist's professional and legal duty to provide prompt and appropriate medical assistance to any person in a medical emergency.

Pharmacists are bound by the Code of Ethics 2018. The legal basis for the code is set out in S118 (i) of the Health Practitioners Competence Assurance Act 2003. A pharmacist is professionally accountable for their practice. Breaches of the Code can be brought to the Pharmacy Council or the Health and Disability Commissioner.

Any complaints about how the objecting pharmacist handled the person's care can be referred to Manatū Hauora and/or the Pharmacy Council for further investigation.

What is the fee paid to a medical practitioner, practice nurse, midwife for authorising an abortion and prescribing mifepristone and misoprostol?

As you were advised on 2 February 2023, this part of your request is more closely connected to the functions of Te Whatu Ora – Health New Zealand and has therefore been transferred to their agency under section 14(b)(ii) of the Act. You can expect a response from Te Whatu Ora in due course.

Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Manatū Hauora website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Nāku noa, nā



Ruihua Gu
Acting Group Manager, Quality Assurance and Safety
Regulatory Services | Te Pou Whakariterite Ratonga