

Briefing for decision

Misuse of Drugs (Controlled Drugs - Designated Prescriber Nurses and Designated Prescriber Pharmacists) Amendment Regulations 2026

Date due to MO:	29 January 2026	Action required by:	11 February 2026
Security level:	IN CONFIDENCE	Reference:	H2026077617
To:	Hon Simeon Brown, Minister of Health		
Consulted:	Health New Zealand: ☐		
Proactive release:	This title is proposed by the Ministry of Health for proactive release: ☒		

Contact for telephone discussion

Name	Position	Telephone
Allison Bennett	Group Manager, Health System Settings, Strategy & Policy	9(2)(a)
Suzanne Townsend	Manager, Regulatory Policy, Health System Settings	9(2)(a)

Minister's office to complete:

- | | | |
|---|------------------------------------|--|
| ☐ Approved | ☐ Decline | ☐ Overtaken by events |
| ☐ Needs change | ☐ Seen | |
| ☐ See Minister's Notes | ☐ Withdrawn | |

Comment:

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Security level: IN CONFIDENCE

Date: 29 January 2026

To: Hon Simeon Brown, Minister of Health

Purpose of report

1. This paper seeks your agreement to ministerial consultation on the attached amendment regulations and Cabinet Legislation Committee paper, and following engagement with your office, to lodge with Cabinet office.

Background

2. On 11 December 2025 you agreed to amend the Misuse of Drugs Regulations 1977 to update the controlled drugs that nurse prescribers and pharmacist prescribers can prescribe. This followed the Director-General notifying updated medicines lists in the NZ Gazette (not including the controlled drugs).
3. You agreed to issue drafting instructions for the amendment prior to Cabinet consideration as this is a routine update that can be confirmed at the Cabinet Legislation Committee.
4. Attached are the amendment regulations and a draft paper for the Cabinet Legislation Committee.

Next steps

5. We will undertake agency consultation on the draft Cabinet Legislation Committee paper and amendment regulations simultaneously with ministerial consultation. We will liaise with your office to finalise the paper and regulations.
6. The timeline below suggests lodging by 12 February.
7. Attached as **Appendix One** are talking points for the Cabinet Legislation Committee meeting.
8. The change will be communicated to the health sector via the Ministry's channels. There is no need for a public-facing press release.

Indicative timeline

<i>Process step</i>	<i>Date</i>
Ministerial and agency consultation	2 February to 6 February 2026
Minister's office lodges LEG paper with Cabinet office PCO lodges the regulations	10 am, 12 February
Cabinet Legislation Committee consideration	19 February
Cabinet consideration Executive Council	23 February
Gazette notice	26 February
Amendment regulations come into force	26 March

Recommendations

We recommend you:

- a) **Note** the attached draft paper for the Cabinet Legislation Committee and draft Misuse of Drugs (Controlled Drugs - Designated Prescriber Nurses and Designated Prescriber Pharmacists) Amendment Regulations 2026, prepared for ministerial consultation and agency consultation. **Noted**
- b) **Note** we will begin agency consultation from 2 February and inform your office of any changes needed to the paper ahead of lodgement with Cabinet Office. **Noted**
- d) **Agree** to consider lodging the paper and amendment regulations with Cabinet Office following consultation, by 10 am, 12 February 2026. **Yes/No**

Allison Bennett
Group Manager, Health System Settings
Strategy & Policy
Date: 29/01/2026

Hon Simeon Brown
Minister of Health
Date:

Appendix One

9(2)(f)(iv)

ENDS.