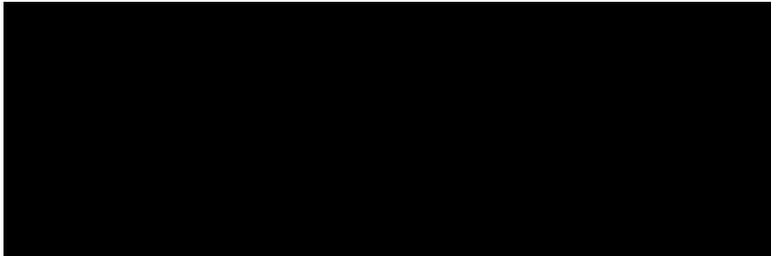


31 July 2019



Response to your request for official information

Thank you for your request of 26 June 2019 under the Official Information Act 1982 (the Act) for:

- “1. Please provide a written answer to my question:
My question relates to medicinal cannabis, noting the Medical Council states that vocationally registered GPs are specialists in their field. Any application for medicinal cannabis containing over 2% THC must be signed by a specialist. When will MoH honour their own guidelines and allow vocationally registered specialist GPs to apply for THC products?
2. *What is the committee, advisory group or whatever that is looking into medicinal cannabis regulations? How do I contact them?*”

In response to the first part of your request, no person may prescribe, supply, or administer any controlled drug named in Schedule 2 Part 1 (or Class B1) of the Misuse of Drugs Act except to the extent, and in the circumstances approved by the Minister of Health under regulation 22 of the Misuse of Drugs Regulations 1977 (the Regulations):

Restriction on supply of certain controlled drugs

- (1) *Except to the extent and in the circumstances approved by the Minister either generally or in relation to any particular case or class of cases, no person may supply or administer to any other person, or may prescribe, any controlled drug for the time being named or described in—*
 - (a) *Schedule 1 of the Act:*
 - (b) *Part 1 or Part 2 of Schedule 2 of the Act:*
 - (c) *Part 1 of Schedule 3 of the Act.*
- (2) *However, the approval of the Minister under subclause (1) is not required for the supply, administration, or prescribing of—*
 - (a) *Cocaine, or anything to which any of clauses 2 to 5 of Schedule 1 of the Act for the time being applies in relation to cocaine:*
 - (b) *Morphine or opium, or anything to which any of clauses 2 to 5 of Part 1 of Schedule 2 of the Act for the time being applies in relation to morphine or opium*

The requirement for approval to prescribe from the Minister has been delegated to the Ministry of Health (the Ministry).

As far back as August 2007, the Ministry set the requirement where an application is made to prescribe Sativex for an off-label use, for the specialist assessing and endorsing the proposal to be a practitioner who is registered with the Medical Council of New Zealand (MCNZ) in the specific scope of practice appropriate to the management of the condition to be treated.

Overtime, updates have been made to application forms and consultations have occurred, however, the requirement for the specialist to be competent in the scope of practice appropriate to the management of the condition to be treated has not changed.

Links to the external consultation undertaken in 2016 to examine the criteria to assess applications for Ministerial Approval to prescribe medicinal cannabis products at the request of the Minister of Health can be found at: www.health.govt.nz/news-media/news-items/changes-terminology-around-applications-cannabis-based-products.

The consultation resulted in an amendment to the guidelines, removing the requirement for a patient to be hospitalised when treatment with a non-pharmaceutical grade cannabis-based product is initiated. This can be seen on the guidelines in this link: www.health.govt.nz/our-work/regulation-health-and-disability-system/medicines-control/medicinal-cannabis/prescribing-medicinal-cannabis-products.

The Ministry acknowledges that a practitioner who holds vocational registration is regarded as a specialist by the MCNZ; the Ministry also considers that in this case, it is appropriate to require oversight from a specialist who has undergone specific training in the management of the particular condition to be treated. Thus, the Ministry considers that it is acting in accordance with its guidelines.

The consultation on the Medicinal Cannabis Scheme is currently open (closing 7 August 2019), and as advised in my correspondence to you in May 2019, I would encourage you to provide feedback given your experiences in this area.

In response to the second part of your request, the Medicinal Cannabis Advisory Group was established to provide advice to the Ministry on the establishment and implementation of the Medicinal Cannabis Scheme. The Secretariat for the Advisory Group can be contacted at mcag@health.govt.nz

I trust this information fulfils your request.

Please note this response (with your personal details removed) may be published on the Medsafe website.

Yours sincerely



Chris James
Group Manager
Medsafe