

ACT Medicinal Cannabis Scheme

What is the Medicinal Cannabis Scheme?

In August 2016, the Minister for Health and Wellbeing announced that a Medicinal Cannabis Scheme would be established in the ACT to give people safe and legal access to high quality medicinal cannabis products in 2017.

The ACT Medicinal Cannabis Scheme was implemented on 21 November 2016, following the Therapeutic Goods Administration (TGA) decision to list medicinal cannabis as a controlled drug (Schedule 8) in the Poisons Standard. This will make medicinal cannabis a controlled medicine in the ACT.

As part of the scheme, prescribers are able to apply for a Category 6 – Medicinal Cannabis approval to prescribe medicinal cannabis within certain criteria. Category 6 was introduced within the ACT Controlled Medicines Prescribing Standards on 27 October 2017.

The medicinal cannabis category approval will allow for more timely prescribing approval for prescribers and will help to streamline access to high quality, safe medicinal cannabis products for patients.

It is important to note that possession, trafficking and supply of cannabis for recreational purposes is, and will remain, illegal.

Can a patient access medicinal cannabis now?

Eligible patients are able to access medicinal cannabis through their prescriber. Their prescriber will need to seek approval from the TGA, ACT Health and Commonwealth Office of Drug Control before prescribing for their patient.

Availability of medicinal cannabis products in Australia at this stage is limited, however the Commonwealth Government has approved some products for supply within Australia. Prescribers should contact ACT Health, the TGA or Office of Drug Control about options for accessing products.

Who is able to access medicinal cannabis?

As part of the scheme, prescribers are able to apply for ACT Chief Health Officer approval to prescribe medicinal cannabis for certain indications.

Indications that are recognised under Category 6 include:

- spasticity in multiple sclerosis.
- nausea and vomiting related to cancer chemotherapy.
- pain and/or anxiety in patients with active malignancy to a life limiting disease where (in either case) the prognosis might reasonably be expected to be 12 months or less.
- refractory paediatric epilepsy.

What about children?

The ACT Medicinal Cannabis Scheme includes prescribing for children for all indications. Specific criteria are included in the category for prescribing for refractory paediatric epilepsy.

Why isn't chronic pain listed under the category?

Prescribers may apply to the Chief Health Officer for approval to prescribe medicinal cannabis for chronic pain. These applications will be assessed on a case by case basis and advice may be sought from the Medicinal Cannabis Medical Advisory Panel. Category approvals for chronic pain have not been included at this at this time due to the relative lack of available clinical evidence.

The ACT will continue to monitor the clinical evidence base for medicinal cannabis for all indications in discussions with the TGA and will review the need for updates to the categories as this issue progresses.

Who can I make a complaint to if I am not granted access to medicinal cannabis?

Where the Chief Health Officer refuses an application for medicinal cannabis, a prescriber may appeal to the Medicines Advisory Committee for a review of the decision.

Can I drive if I have been prescribed medicinal cannabis?

Medicinal cannabis preparations that contain THC (tetrahydrocannabinol – the main psychoactive substance in cannabis) may cause a positive road drug test for cannabis. It is currently an offence to drive with THC in a person's oral fluid or blood. There is no legislative dispensation or defence for the use of medicinal cannabis that leads to a positive road drug test.

Will I be able to get a licence from the ACT Government to cultivate or manufacture medicinal cannabis?

No. Licensing for the cultivation and manufacture of medicinal cannabis is wholly within the control of the Commonwealth Government (following recent amendments to the Cwth Narcotic Drugs Act). Further information on cultivation or manufacture of medicinal cannabis can be found at the Office of Drug Control website www.odc.gov.au.

Further Information

For further information, please visit www.health.act.gov.au/pharmaceuticalservices or contact the Pharmaceutical Services Section of the Health Protection Service on (02) 6205 0998.

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