



**THE HON NICOLA ROXON MP
MINISTER FOR HEALTH AND AGEING**

Mrs Julia Irwin MP
Chair
Standing Committee on Petitions
PO Box 6021
Parliament House
CANBERRA ACT 2600

Dear Mrs Irwin *Julie*

Thank you for your letter of 29 October 2009 regarding a petition submitted for consideration of the Standing Committee on Petitions by the New South Wales community of Wattle Grove/Holsworthy concerning access to the supply of pharmaceutical benefits by an approved pharmacist.

I note that Chen's Pharmacy at Wattle Grove cannot be approved to supply medicines subsidised under the Pharmaceutical Benefits Scheme (PBS) as it is not the required distance from the nearest PBS approved pharmacy, as specified in the Pharmacy Location Rules (the Rules). The purpose of the Rules is to ensure that all Australians have access to medicines subsidised under the PBS through an effective, efficient and well-distributed community pharmacy network. In particular, the Rules encourage improved local access to pharmacies for rural and remote communities.

In certain situations I have a discretionary power to approve the pharmacist under the *National Health Act 1953* (the Act) where the application of the Rules will result in a community being left without reasonable access to a PBS approved pharmacy. The pharmacists at Wattle Grove, Mr and Mrs Chen, have requested that I exercise my discretionary power and approve them to supply subsidised medicines at their pharmacy.

As required under the Act, I must decide whether to consider Mr and Mrs Chen's request by 18 December 2009, three months after it was made. If I decide to consider their request, I have a further three months to decide whether I will exercise my discretionary power and approve the pharmacists to supply PBS medicines at the Wattle Grove pharmacy.

In deciding whether the Wattle Grove/Holsworthy community has reasonable access to the supply of PBS medicines, I will examine a range of factors including why Mr and Mrs Chen's application did not satisfy the requirements of the Rules, the characteristics and demographics of the local area, the community's current level of access to the supply of PBS medicines, and any other factors that are relevant to this matter. Further information about my discretionary power under the Act is available by accessing my Department's website at www.health.gov.au and using the search criterion 'ACPA'.

I appreciate the strong interest and support from the local community and their representations will be taken into account as part of my consideration of this issue.

Yours sincerely

NICOLA ROXON

25 NOV 2009