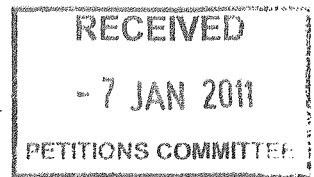
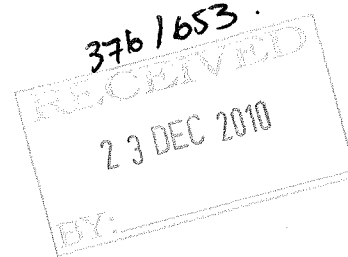





**THE HON NICOLA ROXON MP  
MINISTER FOR HEALTH AND AGEING**



The Hon John Murphy MP  
Chair  
Standing Committee on Petitions  
PO Box 6021  
Parliament House  
CANBERRA ACT 2600



Dear Mr Murphy 

Thank you for your letter of 22 November 2010 regarding a petition submitted for the consideration of the Standing Committee on Petitions by the Western Australian community of Merriwa, concerning access to the supply of pharmaceutical benefits by an approved pharmacist.

I note that Brighton Beach Pharmacy 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 certain situations I have a discretionary power to approve a pharmacist to supply PBS medicines 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 pharmacist at Merriwa has requested that I exercise my discretionary power and approve the supply of subsidised medicines at the pharmacy.

There is a two stage process for me to exercise my discretionary power. Under the Act, I have three months from the date the request is received in which to decide whether or not to consider the request. If I decide to consider a request, I then have a further three months to decide whether or not to exercise the discretionary power.

In this case, I made the initial decision to consider the pharmacist's request on 15 November 2010. I have until 15 February 2011 to decide whether or not to exercise my discretion.

In deciding whether the Merriwa community has reasonable access to the supply of pharmaceutical benefits I will examine a range of factors, including why the pharmacist'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 pharmaceutical benefits, and any other factors that are relevant to this matter.

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

I trust that the above information is of assistance.

Yours sincerely

**NICOLA ROXON**

20 DEC 2010