



**THE HON SUSSAN LEY MP
MINISTER FOR HEALTH
MINISTER FOR SPORT**



Ref No: MC15-003108

Dr Dennis Jensen MP
Chair
Standing Committee on Petitions
PO Box 6021
Parliament House
CANBERRA ACT 2600

Dear ~~Dr Jensen~~

Thank you for your correspondence of 23 February 2015 with regard to a petition recently submitted for the consideration of the Standing Committee on Petitions, regarding pharmacy services in the community of Longwarry.

The petition wishes to draw the attention of the House of Representatives to the disadvantage that the rural community of Longwarry faces by not having a chemist in the doctors clinic, and asks the House to do all in its power to: review the guidelines regarding chemists in rural communities; address the need for the Longwarry community to have a chemist in the doctors clinic; and allow the Longwarry community to have the best health care that other towns currently have.

All applications to establish a new pharmacy or relocate an existing pharmacy approved to supply pharmaceutical benefits must be considered by the Australian Community Pharmacy Authority (the Authority) against the requirements of the Pharmacy Location Rules (the Rules).


The current Rules are in place until 30 June 2015 to coincide with the expiration of the Fifth Community Pharmacy Agreement between the Australian Government and the Pharmacy Guild of Australia. The composition of any future Rules will be considered as part of the negotiations for the Sixth Agreement.

My Department has advised that an application to establish a new pharmacy in Longwarry was recently considered by the Authority, but that the Authority was unable to recommend that the application be approved as it was not satisfied that the application met the requirements of the Rules. The applicant has been advised of the Authority's decision.

The applicant is not prevented from making a new application for the Authority's consideration, addressing all of the requirements of the Rules, and in particular, those that they Authority identified as not being met in the earlier application. The applicant also has the right to seek an independent review of the Authority's decision by the Administrative Appeals Tribunal.

Where an application is unable to meet the requirements of the Rules and it has been formally rejected, the applicant pharmacist may request that I exercise my discretionary power to approve the pharmacist. My discretionary power is designed to address exceptional circumstances where there are unintended consequences of the application of the Rules. I can only exercise my power to approve a pharmacist if I am satisfied that a decision to not approve a pharmacist will result in a community being left without reasonable access to PBS medicines, and it is in the public interest to do so.

Thank you for drawing this petition to my attention.

Yours sincerely 

The Hon Sussan Ley MP