

## **Inquest into the death of Donna Cowley-Persch**

Donna Cowley-Persch died at the Ascot Veterinary Surgery on 19 September 2013 from pentobarbitone toxicity, a drug used for the purpose of animal euthanasia.

Coroner John Hutton delivered his findings on 21 February 2017.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported.

The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating the implementation of recommendations can be obtained from the responsible minister named in the response.

### **Recommendation 2**

[If the Therapeutic Goods Administration upschedules pentobarbitone in injectable form to a Schedule 8 drug in the Commonwealth Poisons standard] Queensland Health and all relevant state and territory regulatory authorities adopt the Therapeutic Goods Administration's upscheduling of pentobarbitone in injectable form to a Schedule 8 drug, and the stricter controls that this entails.

Response and action: the recommendation was not implemented.

Responsible agency: The Therapeutic Goods Association, supported by Queensland Health.

On 25 January 2018 the Minister for Health and Minister for Ambulance Services responded:

After considering relevant scheduling history, international regulations and 32 public submissions, the Therapeutic Goods Administration—through the Joint Advisory Committee on Chemicals and Medicines Scheduling—determined on the 23 March 2017 there was no new evidence to alter the scheduling of pentobarbitone to a Schedule 8 drug. Therefore Queensland Health is unable to adopt the recommendation. Full details of the Therapeutic Goods Administration's decision is available on their [website](#).

### **Recommendation 3**

If the Therapeutic Goods Administration decides not to upschedule pentobarbitone in injectable form to Schedule 8, it is recommended that state and territory regulatory agencies introduce stricter regulations for the drug, in line with Schedule 8 controls anyway.

Response and action: the recommendation is agreed to in part and implementation is in progress.

Responsible agency: Queensland Health

On 25 January 2018 the Minister for Health and Minister for Ambulance Services responded:

The Department of Health is consulting with the veterinary and animal welfare management industry on this matter.

The outcomes of the consultation and any potential regulatory or policy changes in the management of pentobarbitone are yet to be determined.

**On 9 April 2018 the Minister for Health and Minister for Ambulance Services responded:**

The Department of Health consulted with the veterinary and animal welfare management industry and concluded the introduction of stricter controls in line with Schedule 8 was not supported. However, stricter record keeping and storage and security requirements were supported in general by all groups consulted.

Hospital and health services and public health units will investigate processes to audit veterinary practices as part of the systematic compliance review activities planned for 2017/18 and beyond, and this will include information on pentobarbitone.

Regulatory options including the introduction of a storage standard for pentobarbitone will be explored as part of the development of the new Medicines and Poisons Act in 2018.

An educational intervention was developed in partnership with the Veterinary Surgeons Board of Queensland and the Australian Veterinary Association – Queensland Division. A Queensland Health factsheet or guideline relating to the safe use, storage and disposal of pentobarbitone, along with other scheduled drugs, will be developed in 2018 as part of the educational intervention.

Additionally, monitoring of compliance activities conducted by public health units will inform further need for education or regulatory change.

**On 1 November 2018 the Minister for Health and Minister for Ambulance Services responded:**

The Therapeutic Goods Administration—through the Joint Advisory Committee on Chemicals and Medicines Scheduling—determined there was no new evidence to alter the scheduling of pentobarbitone to a Schedule 8 drug. Full details of the Therapeutic Goods Administration’s decision is available on their [website](#).

To address the coroner’s recommendation, hospital and health service public health units finalised a veterinary practices audit tool that includes a section on pentobarbitone controls. Veterinary practices are being audited by public health units as part of the systematic compliance review activities. The new *Medicines and Poisons Bill* (due to go to consultation in late 2018) contains stricter controls for pentobarbitone. The new regulations include provisions to require veterinarians to report lost or stolen pentobarbitone to the organisation’s chief executive.

The Queensland Health factsheet/guideline relating to the safe use, storage and disposal of pentobarbitone, along with other scheduled drugs, is under development and will be completed once the consultation on the new Act and Regulations is completed. It will be marketed to veterinary surgeons and professional stakeholder groups as part of the roll out of the new audit tool for use in veterinary practices. These fact sheets and guidelines will be developed in conjunction with the Veterinary Board and key stakeholders.

**On 2 June 2019 the Minister for Health and Minister for Ambulance Services responded:**

The draft Medicines and Poisons Bill 2018 and the associated Medicines and Poisons (Medicines) Regulation 2018 was released for targeted consultation in September 2018.

Further guidance documents relating to the safe use, storage and disposal of pentobarbitone and other scheduled drugs may be developed as part of the suite of implementation materials when the Medicines and Poisons Bill 2018 and the associated Medicines and Poisons (Medicines) Regulation 2018 are passed by parliament.