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## **Attention: All Personal Appearance Service Businesses**

Dear Proprietor

### **Use of scheduled anaesthetic or pain reducing substances in personal appearance services**

Officers from the Sunshine Coast Public Health Unit (Unit) are aware that proprietors conducting a personal appearance services business may be offering to supply and/or administer (apply) scheduled anaesthetic or pain reducing substances (such as topical skin numbing creams) to their clients to minimise discomfort from a skin penetration activity such as cosmetic tattooing.

The Department of Health has published a document titled "*What business needs to know about personal appearance services – August 2014*" and on page 14 the use of anaesthetic substances (e.g. to reduce pain and discomfort) is discussed. The document is located at the website address, [https://www.health.qld.gov.au/\\_data/assets/pdf\\_file/0022/442651/icpas-businessneedstoknow.pdf](https://www.health.qld.gov.au/_data/assets/pdf_file/0022/442651/icpas-businessneedstoknow.pdf) Alternatively, to access the document you can go to [www.health.qld.gov.au](http://www.health.qld.gov.au) and place the title of the document in the search engine.

This Unit is providing the following information to further assist you to better understand the Queensland drugs and poisons legislation and how it may impact on your business activities.

Topical skin numbing creams may contain anaesthetic ingredients such as lidocaine, lignocaine, tetracaine, prilocaine and adrenaline. Such active ingredients are a scheduled poison or drug listed in the *Standard for the Uniform Scheduling of Medicines and Poisons* (SUSMP).

These creams may fall within Schedule 2, Schedule 3 or Schedule 4 of the SUSMP. All Scheduled 2 & 3 poisons and Schedule 4 drugs are regulated in Queensland under the *Health (Drugs and Poisons) Regulation 1996* (HDPR). See attached.

It is illegal for a person to sell, supply or even give away a scheduled anaesthetic or pain reducing substance to another person unless they are so endorsed under the HDPR. Examples of persons under the HDPR who hold endorsement to obtain, sell, supply and administer scheduled drugs and poisons are health professionals such as doctors, nurses and pharmacists. Typically numbing creams are only available from a pharmacy under the direction or supervision of a pharmacist. The role of the pharmacist is to be satisfied that there is a genuine therapeutic need for the product.

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It is also illegal for a person to administer (apply) a scheduled anaesthetic or pain reducing substance to another person unless they are endorsed under the HDPR to apply the substance. However there is an exemption to this requirement -

A person (a carer) does not need an endorsement under the HDPR to help another person (an assisted person) take an S2 or S3 poison that has been supplied for the assisted person, if –

(a) the assisted person asks for the carer's help to take the poison; and

(b) for an S2 poison—the carer helps the assisted person take the poison under the directions for use of the poison; or

(c) for an S3 poison—the carer helps the assisted person take the poison under the directions on the label attached to the poison's container.

In this instance, the carer is deemed to be one of the business practitioners and the assisted person is the client. In addition this carer exemption also applies to any Schedule 4 anaesthetic or pain reducing substances but these can only be obtained by prescription from a medical practitioner. Similar to the above, if the client was to ask for help then the business practitioner could help the client with the prescription medication by following the directions on the label attached to the dispensed prescription medicine container.

At all times, these scheduled anaesthetic or pain reducing substances must remain in the possession of the client (and not be left behind at the business) as the proprietor of the personal appearance service business is not authorised under the HDPR to either possess or administer them.

In summary, the key points are that – numbing creams may be a scheduled poison or drug; clients of a personal appearance service business must obtain their own supply of numbing creams from a pharmacist; the client must keep the cream in their possession; and the client may ask for assistance from the proprietor or staff of the business to apply the cream in accordance with label directions.

Lastly, the proprietor and staff of personal appearance service businesses unless they hold an endorsement under the HDPR must never possess or obtain scheduled poisons or drugs locally, from interstate or from overseas; nor should you then administer or supply them to clients.

Should you require any further information, please contact this Unit on (07) 5409 6600 or at [EH\\_SunshineCoast@health.qld.gov.au](mailto:EH_SunshineCoast@health.qld.gov.au) [Note: Underscore to be used between EH and SunshineCoast]