

» PHARMACY LEGAL

Professional discretion required in the supply of anabolic steroids

BY DR LAETITIA HATTINGH

There is a growing trend to use anabolic steroids for non-therapeutic purposes.¹

Anabolic steroids bind to and activate androgen receptors, acting as androgens. Androgen replacement therapy in males with confirmed testosterone deficiency is aimed at keeping serum testosterone levels within the recommended reference range. Over-replacement should, however, be avoided as anabolic steroids cause significant side-effects especially if used in high doses or over extended time-periods.²

Anabolic steroids are used to improve physical activity. However, androgens are not indicated for enhancing muscular development in healthy individuals or for increasing physical ability and can cause serious adverse effects when used inappropriately.³ The World Anti-Doping Code, produced by the World Anti-Doping Agency,* specifically lists anabolic steroids as prohibited substances.^{2,4}

Regulatory requirements

Due to the potential for the inappropriate use of anabolic steroids these substances are included in Appendix D of the *Standard for the Uniform Scheduling of Medicines and Poisons* as 'poisons for which possession without authority is illegal' (e.g. possession other than in accordance with a legal prescription).⁵ Specific provisions are in place in drugs/medicines and poisons legislation in the various Australian states and territories to control the prescribing and dispensing of anabolic steroids. For example, in Western Australia

anabolic steroids are classified as 'specified drugs' under Section 22A of the *Poisons Act 1964* (WA). 'Specified drugs' are controlled by both the *Poisons Act 1964* and the *Misuse of Drugs Act 1981* (WA) as these medicines may be subject to misuse.^{6,7}

The prescribing and dispensing of anabolic steroids therefore need to comply with extra requirements. For example: prescribers cannot prescribe it for themselves and interstate prescriptions are not valid. Similar provisions exist in the other Australian jurisdictions.⁸

Examples of inappropriate supply

Pharmacists should be extra vigilant when dispensing anabolic steroids as these products could be misused to enhance sport performance but users will experience adverse effects. There have been disciplinary cases involving the inappropriate supply of anabolic steroids by pharmacists where the pharmacist knew, or ought to have known, that the substances were being abused for body building purposes:

- In the *Pharmacy Board of Australia v Smith* [2012] QCAT 186 the pharmacist over an eight month period dispensed to a single customer: 84 *Deca-Durabolin* ampoules, 18 *Deca-Durabolin Orgaject* ampoules, 168 *Primoteston* Depot ampoules, 1,200 *Proviron* tablets, 180 *Sustanon* ampoules and 4 *Reandron* ampoules. The Queensland Civil Administrative

Tribunal (QCAT) found that the pharmacist engaged in unsatisfactory professional conduct in that (at⁹):

- his conduct fell below the standard that might reasonably be expected of him by the public and his professional peers;
- his conduct demonstrated incompetence or lack of adequate knowledge, skill, judgment or care in his practice of his profession;
- he provided a person with health services of a kind that was excessive, unnecessary or not reasonably required for that person's wellbeing.

Of specific relevance in terms of pharmacists' responsibilities is the statement by Judge Kingham (at paragraphs [5–6]):

'A pharmacist's primary concern must be the health and wellbeing of the customer and community. Pharmacists must promote judicious, appropriate, safe and effective use of medicine and be aware of the trends and patterns of use of commonly misused substances. This requires pharmacists to exercise professional judgment to prevent the supply of products likely to constitute an unacceptable hazard to health or supply unnecessary or excessive quantities of medicines with potential for abuse or dependency.'

- The matters of *Pahos, Leros & Mesiti* [2006] NSWPB 1 (8 Mar 2006) involved the supply of anabolic androgenic steroids to over 100 patients between February 1999 and June 2000. In all three cases the pharmacists were severely reprimanded, fined, required to complete continuing professional education, prepare a paper to be presented to a peer group chosen by the Board, maintain membership of the Pharmaceutical Society of Australia (PSA) and the Pharmacy Guild of Australia (PGA) for at least five years from the date of the orders, and to maintain Quality Care Program accreditation for their pharmacy.

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- The case of *Gibson* [2006] NSWPB 3 (10 May 2006) involved the pharmacist supplying *Halotestin* (fluoxymesterone) to 10 male persons when she was aware that the only approved indication for that medication was for palliative therapy in the case of advanced breast cancer. The board found the pharmacist displayed... an extremely cavalier attitude to the subject prescriptions dispensed and substantially compromised her professional obligations and responsibilities to the patient and the public in doing so. The pharmacist was reprimanded, fined the maximum amount and made the subject of extensive orders requiring successful completion of a number of education programs.

Discussion

These cases serve as a reminder of pharmacists' professional responsibility in considering the health of consumers (or athletes).⁹ Pharmacists have a professional responsibility to intervene if medicines are prescribed for consumers who may not have a therapeutic need. This may not always be an easy task but is part of our independent professional responsibility.

*'Doping' is the use of substances or methods that are capable of enhancing performance and are potentially harmful to an athlete's health.

References

1. Sagoe D, Andreassen CS, Pallesen S. The aetiology and trajectory of anabolic-androgenic steroid use initiation: a systematic review and synthesis of qualitative research. *Substance Abuse Treatment, Prevention, and Policy*. 2014;9(1):27.
2. Australian Medicines Handbook. 2014. Adelaide
3. Therapeutic Goods Administration. Australian Register of Therapeutic Goods (ARTG) 2013. At: <https://www.ebs.tga.gov.au/>.
4. Australian Sports Anti-Doping Authority. Drugs, medications, substances and methods in sport. Australian Government; 2013. At: www.asada.gov.au/substances/index.html.
5. Therapeutic Goods Administration. Poisons Standard 2013. Jul 2013: Department of Health and Ageing; 2013;373.
6. Government of Western Australia Department of Health. 2010. Guidance for prescribers: Specified Drugs.
7. Western Australian Government. Poisons (Specified Drugs) Order 2001. Western Australian Government Gazette. State of Western Australia: John A Strijk, Government printer; 2001.
8. Hattingh L, Low J, Forrester K. Australian Pharmacy Law and Practice. 2013. Chatswood, N.S.W. Elsevier Australia
9. Pharmaceutical Society of Australia. Code of Ethics for Pharmacists. 2011. At: www.psa.org.au/supporting-practice/legislation.



▲ CSU student Ms Saba Nabi with NSW Parliamentary Secretary for Small Business and Regional Development John Barilaroon. Photo by Benjamin Townsend Photography.

CSU student wins international student award

Charles Sturt University (CSU) pharmacy PhD student Saba Nabi has won a NSW International Student Award.

At a ceremony in the Sydney Opera House, Saba, from the School of Biomedical Sciences at CSU in Wagga Wagga, took out the Higher Education category. From New Delhi in India, she has lived and studied in regional NSW since arriving with her young family in 2011.

Ms Nabi said, 'This award is actually for Charles Sturt University and the Wagga Wagga community.

'I really thank God that I live in a regional location which is full of opportunities, especially engaging a lot with the local community. It's true that Wagga Wagga is my soul and Charles Sturt University is the heart of my body.'

Saba was the first international student elected to the CSU Council in 2012 and was also the postgraduate student representative on the University's Faculty of Science Board. She is President of the International Students Club, part of the CSU Health Promotion Group, CSU Green programs, the University's Future Moves programs and Secretary of the Islamic Students Association.

Saba is also involved in the wider Wagga Wagga community through the Cancer

Council, and the Multicultural Council. Earlier in 2014, she was a finalist in the Wagga Wagga Business Chamber's annual *Crow Awards*.

Student Liaison Officer (International) at CSU Jacqui Blomfield said: 'Saba truly deserves this International Student Award for her many contributions to Charles Sturt University and the city of Wagga Wagga.

'Saba has managed to draw together Charles Sturt University and the wider community with international students. She has worked collaboratively to raise the profile of international students at Charles Sturt University.'

Saba was presented a trophy and certificate by NSW Parliamentary Secretary for Small Business and Regional Development, John Barilaro MP, at the Sydney Opera House on Monday 15 September. The NSW International Student Awards are organised by StudyNSW and the NSW Government to celebrate the outstanding contribution international students make to communities in NSW.