

## Medical practitioner reprimanded and conditions imposed

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23 January 2015

The South Australian Health Practitioners Tribunal has reprimanded a medical practitioner and imposed conditions on their registration due to professional misconduct.

The tribunal ordered that the practitioner's personal details be suppressed, as publishing this information could have a negative effect on their health.

It was alleged that the practitioner used another doctor's prescription pad to write prescriptions in their own name to obtain drugs of dependence for personal use.

The practitioner was subsequently charged and pleaded guilty to two counts of contravening the *Controlled Substances Act 1984* (SA). The Magistrate did not record a conviction, but imposed a fine of \$4,500. At the tribunal hearing the practitioner admitted that their behaviour amounted to professional misconduct.

The tribunal noted the significant legislative restrictions on prescribing and taking drugs of dependence, and that it is a criminal offence for medical practitioners to self-prescribe these drugs.

The tribunal also referred to the Medical Board of Australia's [Code of conduct](#), which highlights community expectations that doctors act ethically and behave in a trustworthy manner.

In handing down its decision, the tribunal took into account the practitioner's personal circumstances at the time of the behaviour, including a health condition that had led to an addiction to painkillers. The tribunal also noted that since 2011, when the Board first learned about the behaviour, the practitioner had generally complied with restrictions placed on their registration.

The tribunal was satisfied that the practitioner's behaviour constituted professional misconduct and ongoing supervision would be necessary for the practitioner to continue to practise.

The tribunal reprimanded the practitioner in the strongest terms, and imposed conditions on their registration, including:

1. the requirement of ongoing medical treatment with periodic reporting to the Board and random drug screening
2. prohibition from prescribing or administering drugs of dependence, and possessing and consuming drugs of dependence (if not legally prescribed by treating practitioners), and
3. the conditions, such as the requirement of Board access to information about the practitioner's work performance, being brought to the attention of the practitioner's employer.

The practitioner was also ordered to pay the Board's costs.

The [reasons for the decision](#) are available on the AustLII website.

### For more information

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