



SECTION 56 of Nursing Act

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Currently.....

- This section has many limitations
- Many interpretations
- Many clashes with other forms of legislation
- Regulations

Special provisions relating to certain nurses

- (1) Despite the provisions of this act or any other law, the Council may register person who is registered in terms of section 31(a), (b) or (c) to assess, diagnose, prescribe treatment, keep and supply medication for prescribed illnesses and health related conditions, if such person-
- (a) provides proof of completion of prescribed qualification and training
- (b) pays the prescribed registration fee and
- (c) complies with subsection 6
- **<31(a), (b) or (c): professional nurse, midwife, staff nurse>**

Proposed amendment

- **(1) the Council may register a person who is registered in terms of section 31(1) (a) or (b) to assess, diagnose and prescribe treatment for prescribed illnesses and health related conditions if such a person-**
- **(a) provides proof of completion of a prescribed qualification and training and/or required supplementary course and**
- **(b) pays the prescribed registration fee**
- *<31(a), (b) : professional nurse & midwife>*

Section 2, 3 & 4

- (2) The Council must issue a registration certificate to a person who complies with the requirements referred to subsection (1)
- **(2) The council must issue a registration certificate to a person who complies with the requirements referred to in subsection (1)**
- (3) The registration certificate referred to in subsection (2) is valid for a period of 3years
- **(3) Delete section 3**

Sections 2, 3 & 4

- (4) the Council may renew a registration certificate referred to in subsection (2) subject to such conditions as the Council may determine
- **(4) The Council may renew a registration certificate referred to in subsection (2) subject to such conditions as the Council may determine**

No change

Section 5

- A person registered in terms of subsection (1) may-
- (a) acquire, use, possess or supply medicine subject to the provisions of the Medicines and Related Substances Act (Act 101 of 1965)
- (b) dispense medicines subject to the provisions of the Medicines and Related Substances Act
- **A person registered in terms of subsection (1) may-**


Prescribe medicines subject to the provisions of the relevant legislations



Section 6

Committed to Excellence in Quality Humane Nursing Care for All

- Despite the provisions of this Act, the said Medicines and Related Substances Act, Pharmacy Act (Act 53 of 1974) and the Health Professions Act (Act 56 of 1974), a nurse who is in service of-
- (a) National department
- (b) provincial department of health
- (c) municipality or
- (d) an organisation performing any health service designated by the Director General..... May in the course of such service perform with reference to-
 - (i) physical examination of any person
 - (II) diagnose of any physical defect, illness or deficiency in any person
 - (III) keeping of prescribed meds and their supply, admin or prescribing on prescribed conditions... which the said Director General, HOD, MO of health of municipality...after consultation with Council determine in general or in particular case ...if the services of a medical practitioner or pharmacist, as circumstances may require, are not available



Section 6

Proposed amendment

- **Notwithstanding the provisions of this Act**, the Medicines & Related Substances Act (**Act 101 of 1965**), Pharmacy Act (Act 53 of 1974) and the Health Professions Act (**Act 56 of 1974**), a **N**urse who is in the service of-
 - (a) the National **D**eartment of **H**ealth
 - (b) a **P**rovincial **D**eartment of **H**ealth
 - (c) a municipality
 - (d) an organisation performing any health service designated by the Director General after consultation with SAPC referred to in section 2 of the Pharmacy Act, Act no 53 of 1974

and who has been authorised by the DG, the head of such Provincial Department of Health, the medical officer of health of such municipality or the medical practitioner of such organisation, as the case may be may in the course of service perform with reference to-

- (I) the physical examination of any person
- (ii) the diagnosing of any physical defect, illness or deficiency in any person; or
- (iii) the keeping of prescribed meds and their supply, administration or prescribing on the prescribed conditions;

any act which the said Director-General, head of Provincial Department of Health, medical officer of health or medical practitioner, as the case may be, after consultation with the Council, determine in general or in particular case or in cases of a particular nature,

if the services of a medical practitioner or pharmacist, as the circumstances may require, are not available.

Sections 7 and 8 stay as is

- (7) A person contemplated in subsection (1) is not entitled to keep an open shop or pharmacy
- (8) For the purposes of subsection (7) “open shop” means a situation where the supply of medicines and scheduled substances to the public is not done by prescription by a person authorised within the scope of practice concerned to prescribe medicine

What is not addressed

- Who should dispense?
 - Prescriptions (private sector/ public sector)
 - Ward stock
- Section 56.6 (38A) permit for nurses with private practice
- Dispensing license
- Section 22c permit of Act 101

As contemplated in section 22C(1) of the Act, a medical practitioner, dentist, practitioner, nurse or any other person registered in terms of the Health Professions Act, 1974 (Act No. 56 of 1974) desiring to compound and dispense medicines shall apply to the Director-General for a licence to compound and/or dispense medicines.