

# MEDIA RELEASE

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## Unfair rules are depriving Australian prisoners of equitable healthcare

Australian prisoners are suffering with complex medical conditions and are unable to receive equitable healthcare due to unfair rules that must be reformed.

The Australian Medical Association is calling on the federal government to update unfair rules that prevent people in custodial settings from accessing Medicare and medicines subsidised by the Pharmaceutical Benefits Scheme (PBS).

[In a submission to the Pharmaceutical Benefits Advisory Committee's \(PBAC\) March 2024 meeting agenda item on access to medicines for people in custodial settings](#), the AMA raises serious concerns about inequitable healthcare for Australians in custody.

AMA President Professor Steve Robson said health services in custodial settings must be of equivalent professional, ethical and technical standards to the wider Australian community.

"It is appalling and an affront to Australia's human rights status that prisoners in this country aren't allowed to receive the same quality of healthcare as the wider community," Professor Robson said.

"Because of legislation dating back to 1973, people in custodial settings are not able to receive treatment under the country's universal health insurance scheme, Medicare, nor are they allowed to receive medicines subsidised by the PBS."

The legislation was designed to avoid duplication of services, with state and territory governments funding prison-based health services. However, as the AMA's submission notes, this exclusion has led to significant health treatment disparities for Australian prisoners.

People in custodial settings with complex medical conditions that require high-cost drugs currently have their treatment determined by state justice health departments, while everyone else in the community has access to the PBS.

"People in custodial settings experience higher rates of chronic physical diseases, mental health conditions, communicable diseases and addiction," Professor Robson said.

"All these issues are only being exacerbated by the inequitable healthcare delivery in prisons and other custodial settings.

"However, the AMA is pleased PBAC has acknowledged barriers preventing people in custody from accessing PBS medicines, and we look forward to the PBAC meeting in March when the committee will provide an update on the advice received from jurisdictions and various submissions."

[Read the submission](#)

[Read the AMA Health Care in Custodial Settings Position Statement](#)

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