

EXECUTIVE NOTE

The National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2006 SSI/2006/149

The above instrument was made in exercise of the powers conferred on Scottish Ministers by sections 27(2), 69(1) and (2), 105(7) and 108(1) of the National Health Service (Scotland) Act 1978. The instrument is subject to negative resolution procedure.

The Executive is committed to consolidating these regulations but it has proved impossible to complete the necessary work in time for the laying of the amendments explained below. It is now proposed to consolidate by July 2006, when further amendments will require to be inserted into the 2001 regulations.

Policy Objectives

The purpose of this instrument is to amend the NHS (Charges for Drugs and Appliances) (Scotland) Regulations 2001 (SSI 2001/430) (the 2001 regulations) in respect of the provisions set out below:

The Prescription Charge and Other Health Charges

These amendment regulations are made while the consultation phase of the review of prescription charges is under way. The policy of the Executive is to continue on the basis of the current charging arrangements until the review is completed and decisions can be taken on the way forward.

This instrument effects a 15 pence increase (to £6.65) of the per item prescription charge and an equivalent (2.3%) uprating of other health charges with the effect from 1 April 2006. The prescription charge has been uprated by 10 pence each year since 1999, with the equivalent percentage uplift in other charges. This increase remains below the current rate of inflation. Income from health charges contributes a significant amount to NHS resources. In 2005-06, income from prescription charges is expected to be around £45m.

Charges for Wigs

The policy of the Executive is to apply equitable charging arrangements for patients. This instrument reduces the charge payable for modacrylic wigs from £53.90 in 2005-06 to £6.65. The reduction follows an examination of the arrangement for supplying wigs on the NHS and is made in recognition of the fact that wigs are supplied to both hospital inpatients and patients based in the community, but only patients receiving treatment in the community are required to pay a charge for their wigs. The purpose of this change is to move towards a more equitable application of NHS charges. A detailed review of the charges payable for wigs of all types is currently under way.

Exemption from Health Charges – Wigs

In addition to a reduction in the charge for modacrylic wigs, this instrument amends the exemption from charges criteria in respect of all the types of wigs supplied on the NHS to

patients in the community. The effect of this amendment is to make the exemption criteria for wigs the same as those which apply in respect of prescription charges.

Optometrist Supplementary Prescribing

This instrument amends the definition of “supplementary prescriber” in the 201 regulations to include optometrists in the list of health care professionals who may prescribe as supplementary prescribers, subject to obtaining appropriate qualifications and annotation in their professional register signifying that they are qualified to order drugs, medicine and appliances as a supplementary prescriber.

Prescriptions for Domiciliary Oxygen

This instrument amends the definition of “prescription form” to provide for pharmaceutical services to be provided to patients normally resident in England or Wales, who present for dispensing an order for domiciliary oxygen written by a prescriber on England or Wales. The need to add English and Welsh oxygen order forms for the definition of “prescription form” in Scotland arises from the recently introduced arrangements for domiciliary oxygen services in England and Wales, where oxygen is now prescribed only by hospital doctors on an order form which is presented by the patient to the holder of the oxygen supply contract for his or her region.

This amendment enables community pharmacists in Scotland to supply oxygen in cylinders and provides for oxygen order forms to be processed by National Services Scotland for reimbursement and remuneration of the dispensing pharmacist, subject to the order form being submitted together with the patient’s declaration that either a prescription charge has been paid or the patient is exempt from payment of the charge.

Consultation

There has been no consultation of the preparation of this instrument.

Financial Effects

Increases in the Prescription Charges and Other Health Charges

The upratings on health charges for 2006-07 will help maintain the value of charge income for NHSScotland.

Optometrist Supplementary Prescribers

No significant costs are expected to arise as a result of the new prescribing provisions. The overall number of prescriptions written should not increase.

Prescriptions for Domiciliary Oxygen

No additional costs are expected to arise from the acceptance for dispensing of oxygen order forms written in England and Wales. The effect of this amendment is to ensure continuation

of reciprocal cross-border dispensing services which have always been available to NHS patients.

Scottish Executive Health Department
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