

POLICY NOTE

THE NATIONAL HEALTH SERVICE (PHARMACEUTICAL SERVICES) (SCOTLAND) AMENDMENT REGULATIONS 2021

SSI 2021/367

The above instrument was made in exercise of the powers conferred by section sections 27, 28(2) and 105(7) of the National Health Service (Scotland) Act 1978. The instrument is subject to negative procedure.

This instrument amends the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009 to permit the dispensing of medicinal products from premises which are not a registered pharmacy premises as part of collection and delivery arrangement as defined by regulation 248 of The Human Medicines Regulations 2012.

Policy Objectives

Regulation 248 of The Human Medicines Regulations 2012 provides an exception to the normal rules regarding supply of medicinal products, allowing for the collection of prescriptions for, and delivery of such products from premises which are not a registered pharmacy in certain circumstances. The existing National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009, (“the 2009 regulations”) prevent pharmaceutical services being provided other than at a registered pharmacy. This is contrary to regulation 248 of the Human Medicines Regulations 2012 in respect of the collection and delivery of medicines. The amendments will allow for the provision of dispensed medicines at premises which are not a registered pharmacy, in line with the exception created by regulation 248 of the Human Medicines Regulations 2012.

Consultation

The Scottish Government consulted with the contractors representative body in Scotland, Community Pharmacy Scotland, on terms of the amendments to the 2009 regulations and the operational guidance for collection and delivery services.

Impact Assessments

An impact assessment has not been prepared for this instrument. The amendments made by these regulations are enabling and the amended arrangements for collection and delivery of medicines will have minimal impact on the provision of prescription medicines dispensed by community pharmacy contractors. The use of collection and delivery arrangements provide patients with additional options for accessing their prescribed medicines both in and out of hours. The operational model to provide a collection and delivery is a commercial choice by the community pharmacy contractor. Those existing providers in the same area may see a decrease in dispensing activity should some patients choose to access such services from contractors who offer collection and delivery services for prescription medicines.

Financial Effects

No BRIA has been completed as the instrument has no financial effects on the Scottish Government or Health Board finances. Collection and delivery services do not form part of the remuneration arrangements for the provision of pharmaceutical care services.

Scottish Government

Directorate for Chief Medical Officer

Pharmacy and Medicines

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