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STATUTORY INSTRUMENTS

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**1996 No. 698**

**The National Health Service (Pharmaceutical Services) Amendment Regulations 1996**

**PART IV**

**MISCELLANEOUS**

**Nurse prescribing**

**8.** In regulation 2(1A) of the 1992 Regulations<sup>(1)</sup> (which describes nurse prescribers who may issue prescription forms), in each of sub-paragraphs (a)(iii) and (b)(ii), for the words from “a fund-holding practice” to “effect” substitute “a medical practitioner whose name is included in a medical list”.

**Supplemental services and additional professional services**

**9.—(1)** In regulation 16 of the 1992 Regulations (supplemental services), omit paragraphs (2)(b) and (3)(b), and the word “and” and immediately preceding the latter.

(2) In regulation 16A of the 1992 Regulations (additional professional services)<sup>(2)</sup>, after sub-paragraph (b) of paragraph (2) insert—

- “(c) keeping records in connection with drugs supplied to any person—
- (i) who claims exemption under regulation 6(1)(c) of the National Health Service (Charges for Drugs and Appliances) Regulations 1989<sup>(3)</sup> (which provides that those aged 60 or over are exempt from prescription charges), or
  - (ii) who, in the opinion of the pharmacist providing the drug, is likely to have difficulty understanding the nature and dosage of the drug provided and the times at which it is to be taken,

in circumstances where the nature of the drug is such that, in the opinion of the pharmacist providing it, the same or a similar drug is likely to be prescribed for that person regularly on future occasions.

(3) In paragraph (2)(c) above, “records” includes a record of—

- (a) the name and address of the person to whom the drug is supplied;
- (b) the name, quantity and dosage of the drug provided; and
- (c) the date on which it is provided.”

(3) In Schedule 2 (terms of service), in paragraph 8 (remuneration of chemists)—

- (a) omit sub-paragraph (1); and

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<sup>(1)</sup> Paragraph (1A) of regulation 2 was inserted by [S.I. 1994/2402](#).

<sup>(2)</sup> Regulation 16A was inserted by [S.I. 1993/2451](#) and amended by [S.I. 1995/644](#).

<sup>(3)</sup> [S.I. 1989/419](#); the relevant amending instrument is [S.I. 1995/2737](#).

## Rider B

- (b) in sub-paragraph (1A)(c), after “on request”, insert—
- “(a) make available to the Health Authority all records kept in accordance with regulation 16A(2)(c); and
- (b)”.

## Changes to discipline arrangements for pharmacists

- 10.**—(1) The 1992 Regulations are amended as follows.
- (2) In regulation 2 (interpretation), in paragraph (1)—
- (a) for the definition of “joint services committee” substitute—
- ““joint discipline committee” shall have the same meaning as in the National Health Service (Service Committees and Tribunal) Regulations 1992(4);”
- (b) after the definition of “patient” insert—
- ““pharmaceutical discipline committee” shall have the same meaning as in the National Health Service (Service Committees and Tribunal) Regulations 1992(5);”
- and
- (c) omit the definition of “pharmaceutical services committee”.
- (3) In regulation 24 (claims and overpayments), in paragraph (2)(b), for “regulation 7(1)” substitute “regulation 5(1)”; and for “regulation 10(1)(c)” substitute “regulation 9(1)(c)”.**(6)**
- (4) In Schedule 2 (terms of service), in paragraph 2 (incorporation of provisions), in sub-paragraph (c)(i), for “the pharmaceutical service committee and the joint services committee” substitute “the pharmaceutical discipline committee and the joint discipline committee”.

## Other amendments to Terms of Service

- 11.**—(1) Schedule 2 to the 1992 Regulations (terms of service for chemists) is amended as follows.
- (2) In paragraph 3 (provision of pharmaceutical services), after sub-paragraph (1) insert—
- “(1A) If the person presenting the prescription form asks the chemist to do so—
- (a) he shall give an estimate of the time when the drugs, medicines or appliances will be ready; and
- (b) if they are not ready by then, he shall give a revised estimate of the time when they will be ready (and so on).”
- (3) In paragraph 4 (premises and hours), in sub-paragraph (3)(7), after “Christmas Day” insert “, 28th December if 26th December is a Saturday.”
- (4) After paragraph 8 insert—

### “Professional Standards

- 8A.**—(1) A pharmacist whose name is on the pharmaceutical list shall provide pharmaceutical services and exercise any professional judgment in connection with the

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(4) S.I. 1992/664; the relevant amending instrument is S.I. 1996/703.

(5) S.I. 1992/664; the relevant amending instrument is S.I. 1996/703.

(6) These changes are made necessary by the amendments to S.I. 1992/664 made by S.I. 1996/703.

(7) Paragraph 4(3) was amended by S.I. 1995/644.

provision of such services in conformity with the standards generally accepted in the pharmaceutical profession.

(2) A chemist who employs a pharmacist in connection with the provision of pharmaceutical services shall secure that the pharmacist complies with the requirements set out in sub-paragraph (1).”