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STATUTORY INSTRUMENTS

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**2004 No. 3215**

**The National Health Service (General Medical Services Contracts) (Prescription of Drugs etc.) (Amendment) Regulations 2004**

**Amendment of Schedule 2 to the Prescription of Drugs etc. Regulations**

2. In Schedule 2 to the Prescription of Drugs etc. Regulations (drugs, medicines and other substances that may be ordered only in certain circumstances)—

- (a) In the appropriate alphabetical place in the table having regard to the name of the drug, insert respectively in columns 1, 2 and 3—

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“Oseltamivir (Tamiflu)	(1) At-risk adult and child patients where—	Treatment of influenza
	(a) It has been determined in accordance with a community based virological surveillance scheme that influenza A or influenza B is circulating in the locality in which the patient resides or is present or was present at the time that the virus was circulating;	
	(b) the patient has an influenza-like illness; and	
	(c) the patient can start therapy within 48 hours of the onset of symptoms.	
	(2) At-risk patients aged 13 years and older where—	Prophylaxis of influenza”; and
	(a) It has been determined in accordance with	

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a community based virological surveillance scheme that influenza A or influenza B is circulating in the locality in which the patient resides;

- (b) the patient has been exposed to an influenza-like illness through being in close contact with someone with whom he lives who is or has been suffering from an influenza-like illness;
- (c) the patient is not effectively protected by vaccination against influenza because—
  - (i) he has not been vaccinated because vaccination is contraindicated;
  - (ii) he has not been vaccinated since the previous influenza season;
  - (iii) he has been vaccinated but it has yet to take effect; or
  - (iv) he has been vaccinated but the

vaccine is not well matched to the strain of influenza circulating in the locality in which the patient resides or is or has been present;

- (d) the patient lives in a residential care establishment and another resident or member of staff of the establishment has an influenza-like illness; and
- (e) the patient can start prophylaxis within 48 hours of exposure to an influenza-like illness.

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“Zanamivir (Relenza)	At-risk adult patients	Treatment of influenza”.
	where—	
	<ul style="list-style-type: none"><li>(a) It has been determined in accordance with a community based virological surveillance scheme that influenza A or influenza B is circulating in the locality in which the patient resides or is present or was present at the time that the virus was circulating;</li><li>(b) the patient has an influenza-like illness; and</li><li>(c) the patient can start therapy within 48</li></ul>	

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hours of the onset of symptoms.

- (d) After the words “in this Schedule—” insert in the appropriate alphabetical place—
- ““at-risk” means an adult or child patient or a patient over the age of 13 who—
- (a) has chronic respiratory disease (including asthma and chronic obstructive pulmonary disease);
  - (b) has significant cardiovascular disease, excluding an adult or child patient who has hypertension only;
  - (c) has chronic renal disease;
  - (d) are immunocompromised;
  - (e) has diabetes mellitus; or
  - (f) is aged 65 years or over;”;
- ““child” means any person under the age of 16;”;
- ““patient” has the same meaning as in the National Health Services (General Medical Services Contracts) Regulations 2004(1);”;
- ““residential care establishment” means a place where persons reside on a long term basis in order to receive continuing care.”.