

EXPLANATORY MEMORANDUM TO
THE NURSES AND MIDWIVES (PARTS OF AND ENTRIES IN THE
REGISTER) AMENDMENT ORDER OF COUNCIL 2006

2006 No.1015

1. This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.

2. **Description**
 - 2.1 The Order is needed to amend the recorded titles of nurses who have qualified following training as nurse prescribers. The Order coincides with the expansion of the licensed medicines which nurse prescribers may prescribe independently.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None

4. **Legislative Background**
 - 4.1 This Order makes amendments to the Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2004 which determines the Parts into which the register established and maintained under article 5 of the Nursing and Midwifery Order 2001 is divided, and the designated titles which may be used only by persons included in the register. The Order also provides for the register to include entries indicating a registrant's field of practice or the possession of qualifications or competence, in this case prescribing.
 - 4.2 This Order removes the recordable qualifications of 'Extended Formulary Nurse Prescriber' and 'District Nurse/Health Visitor Prescriber' from the Nursing and Midwifery Council Register and replaces them with 'Nurse Independent/Supplementary Prescriber' and 'Community Practitioner Nurse Prescriber' respectively.
 - 4.3 These changes mirror those being made to the Prescription Only Medicines Order, which also amends the recordable qualifications at 4.2 above.

5. **Extent**

5.1 This instrument applies to all of the United Kingdom.

6. **European Convention on Human Rights**

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. **Policy background**

7.1 The changes relate to prescribing. They form part of the Government's policy of modernising the NHS; they also enable appropriately trained nurse prescribers to prescribe medicines and improve patient care by appropriate use of their professional skills.

7.2 Nurse Independent Prescriber replaces the previous title of Extended Formulary Nurse Prescriber because the Extended Formulary is to be abolished. A qualified Nurse Independent Prescriber may prescribe any licensed medicine that he/she is competent to prescribe independently except some Controlled Drugs. When acting as a Supplementary Prescriber, a Nurse Independent/Supplementary Prescriber may prescribe any medicine, in partnership with and with the agreement of a doctor.

7.3 The proposed amendments to expand nurse prescribing were subject to wide public consultation and advice to Ministers by the then Committee on Safety of Medicines. Detailed analysis of the outcome of the public consultation exercise has been published on the Medicines and Healthcare products Regulatory Agency website: www.mhra.gov.uk There was general support for the proposal, with 62 % of responses supporting prescribing of any licensed medicine within a nurse prescriber's competence.

7.4 Community Practitioner Nurse Prescriber replaces District Nurse/Health Visitor Prescriber. This is necessary because the title of Health Visitor no longer exists formally. A Community Practitioner Nurse Prescriber can prescribe dressings, appliances and some medicines from the Nurse Prescribers' Formulary for Community Practitioners.

8. **Impact**

8.1 The proposal does not impose a cost compliance on business, charities or voluntary bodies. It will be for those providing health care services within and outside the NHS to decide whether they wish to implement independent prescribing by nurses. However if they wish to do so, there will be some costs associated with, for example, training. The

Department of Health is funding these costs through Strategic Health Authorities for NHS nurses in England who are training to prescribe. A Regulatory Impact Assessment (RIA) was prepared on this basis for the consultation but is only indirectly related to these changes of title. The RIA is available on the Medicines and Healthcare products Regulatory Agency website: www.mhra.gov.uk

8.2 The impact on the public sector is principally to benefit patient care, by providing improved access to the medicines that patients need.

9. **Contact**

Paul Robinson at the Department of Health Tel: 0113 2545695 or e-mail: paul.g.robinson@dh.gsi.gov.uk can answer any questions regarding the instrument.