

**EXPLANATORY MEMORANDUM TO  
THE HEALTH PROFESSIONS (PARTS OF AND ENTRIES IN THE  
REGISTER) (AMENDMENT) ORDER OF COUNCIL 2006**

**2006 No. 1996**

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

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Description**

2.1 This instrument enables the Health Professions Council (HPC) to mark its register to show which of its chiropody and podiatry, physiotherapy, and radiography registrants are qualified to perform as a supplementary prescriber of medicines. It also enables HPC to mark its register for other purposes as it thinks fit, so that other qualifications or competences may also be shown.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None

4. **Legislative Background**

4.1 The Health Professions Order SI 2001/254 (HPO) requires the HPC to keep a register of persons who meet its registration requirements so that they may be legally entitled to practise in the professions it regulates. Article 6 (3) (a) of the HPO provides for an Order of Council to allow HPC to include entries indicating the possession of qualifications or competence in a particular field or practice at a particular level.

4.2 This Order is required as a consequence of the Medicines for Human Use (Prescribing) Order 2005 (SI 2005/765), which amended the Prescription Only Medicines (Human Use) Order 1997 (SI 1997/1830). The effect of that amendment (in so far as it relates to this Order) was that suitably-qualified chiropodists and podiatrists, physiotherapists and radiographers may act as supplementary prescribers, provided that the register held by the HPC is annotated to show that such persons may act as supplementary prescribers. Accordingly, this Order amends the existing Order of Council concerning the HPC's register (SI 2003/1571) to allow the HPC to annotate the register as required by the Prescription Only Medicines (Human Use) Order 1997.

5. **Extent**

5.1 This instrument applies to all of the United Kingdom.

## **6. European Convention on Human Rights**

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 extension of prescribing responsibilities to health professionals other than doctors is designed to make health service provision more convenient and quicker for the patient and also to make better use of staff resources and capabilities. The Medicines for Human Use (Prescribing) Order 2005 enables members of the chiropody and podiatry, physiotherapy, and radiography professions to undertake supplementary prescribing after appropriate training. This means that they may prescribe medicines for individual patients according to a Clinical Management Plan for the patient, agreed with the doctor. To ensure that patient safety is preserved, only those staff who have been appropriately trained may carry out supplementary prescribing, and to ensure that those who are so trained are entitled to prescribe, their names will be marked on their regulator's register. This provides a check for both the patient and the employer of the health professional.

## **8. Impact**

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 The impact on the public sector is that prescription of some drugs may be more quickly and conveniently provided by a wider range of qualified staff than now. No public sector cost is involved since the registrants themselves already pay HPC registration fees which covers the cost of the entire regulatory function, including the maintenance of the register.

## **9. Contact**

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