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STATUTORY INSTRUMENTS

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**2015 No. 1879**

**The National Health Service (Personal Medical Services Agreements) Regulations 2015**

**PART 9**

**Prescribing and dispensing**

**Orders for drugs, medicines or appliances**

**49.**—(1) Subject to paragraphs (2) and (3) and to the restrictions on prescribing in regulations 54 and 55, a prescriber must order any drugs, medicines or appliances which are needed for the treatment of a patient who is receiving treatment under the agreement by—

- (a) issuing to the patient a non-electronic prescription form or non-electronic repeatable prescription completed in accordance with paragraph (6);
- (b) creating and transmitting an electronic prescription in circumstances to which regulation 50(1) applies,

and a non-electronic prescription form, non-electronic repeatable prescription or electronic prescription that is for health service use must not be used in any other circumstances.

(2) A healthcare professional must order any home oxygen services which are needed for the treatment of a patient who is receiving treatment under the agreement by issuing a home oxygen order form.

(3) During an outbreak of an illness for which a listed medicine may be used for a treatment or for prophylaxis, if—

- (a) the Secretary of State or the Board has made arrangements for the distribution of a listed medicine free of charge; and
- (b) that listed medicine is needed for treatment or prophylaxis of any patient who is receiving treatment under the agreement,

a prescriber may order that listed medicine by using a listed medicines voucher and must sign that listed medicines voucher if one is used.

(4) During an outbreak of an illness for which a listed medicine may be used for treatment or for prophylaxis, if—

- (a) the Secretary of State or the Board has made arrangements for the distribution of a listed medicine free of charge;
- (b) those arrangements contain criteria set out in a protocol which enable persons who are not prescribers to identify the symptoms of, and whether there is a need for treatment or prophylaxis of, that disease;
- (c) a person acting on behalf of the contractor, who is not a prescriber but who is authorised by the Board to order listed medicines, has applied the criteria referred to in sub-paragraph (b) to a patient who is receiving treatment under the agreement; and

- (d) having applied the criteria, that person has concluded that the listed medicine is needed for the treatment or prophylaxis of the patient,  
that person may order that listed medicine by using a listed medicines voucher and must sign that listed medicines voucher if one is used.
- (5) A prescriber may only order drugs, medicines or appliances on a repeatable prescription where the drugs, medicines or appliances are to be provided more than once.
- (6) In issuing a non-electronic prescription form or non-electronic repeatable prescription the prescriber must—
- (a) sign the prescription form or repeatable prescription in ink in the prescriber's own handwriting, and not by means of a stamp, with the prescriber's initials, or forenames, and surname; and
  - (b) only sign the prescription or repeatable prescription after particulars of the order have been inserted in the prescription form or repeatable prescription.
- (7) A prescription form or repeatable prescription must not refer to any previous prescription form or repeatable prescription.
- (8) A separate prescription form or repeatable prescription must be used for each patient, except where a bulk prescription is issued for a school or institution under regulation 54.
- (9) A home oxygen order form must be signed by a health care professional.
- (10) Where a prescriber orders the drug buprenorphine or diazepam or a drug specified in Schedule 2 to the Misuse of Drugs Regulations 2001(1) (controlled drugs to which regulations 14 to 16, 18, 21, 23, 26 and 27 of those Regulations apply) for supply by instalments for treating addiction to any drug specified in that Schedule, that prescriber must—
- (a) use only the non-electronic prescription form provided specially for the purposes of supply by instalments;
  - (b) specify the number of instalments to be dispensed and the interval between each instalment; and
  - (c) only order such quantity of the drug as will provide treatment for a period not exceeding 14 days.
- (11) The prescription form provided specially for the purpose of supply by instalments must not be used for any purpose other than ordering drugs in accordance with paragraph (10).
- (12) In an urgent case, a prescriber may only request a chemist to dispense a drug or medicine before a prescription form or repeatable prescription is issued or created if—
- (a) the drug or medicine is not a Scheduled drug;
  - (b) the drug is not a controlled drug within the meaning of section 2 of the Misuse of Drugs Act 1971(2) (which relates to controlled drugs and their classification for the purposes of that Act), other than a drug which is for the time being specified in Part 1 of Schedule 4 (controlled drugs subject to the requirements of regulations 22, 23, 26 and 27) or Schedule 5 (controlled drugs excepted from the prohibition of importation, exportation and possession and subject to the requirements of regulations 24 and 26) to the Misuse of Drugs Regulations 2001(3); and
  - (c) the prescriber undertakes to—

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(1) S.I. 2001/3998. Schedule 2 was amended by S.I. 2003/1432, S.I. 2009/3136, S.I. 2011/448, S.I. 2014/1275 and 3277 and S.I. 2015/891.

(2) 1971 c.38. Section 2 was amended by paragraphs 1 and 2 of Schedule 17 to the Police Reform and Social Responsibility Act 2011 (c. 13).

(3) S.I. 2001/3998; Schedule 4 was amended by S.I. 2003/1432, S.I. 2005/3372, S.I. 2007/2154, S.I. 2009/3136, S.I. 2013/625, S.I. 2014/1275 and 3277 and S.I. 2015/891. Schedule 5 was amended by S.I. 2005/2864.

- (i) provide the chemist within 72 hours from the time of the request with a non-electronic prescription form or a non-electronic repeatable prescription completed in accordance with paragraph (6), or
  - (ii) transmit by the Electronic Prescription Service within 72 hours from the time of the request an electronic prescription.
- (13) In an urgent case, a prescriber may only request a chemist to dispense an appliance before a prescription form or repeatable prescription form is issued or created if—
  - (a) the appliance does not contain a Scheduled drug, or a controlled drug within the meaning of section 2 of the Misuse of Drugs Act 1971 (which relates to controlled drugs and their classification for the purposes of that Act), other than a drug which is for the time being specified in Schedule 5 to the Misuse of Drugs Regulations 2001 (controlled drugs excepted from the prohibition on importation, exportation and possession and subject to the requirements of regulations 24 and 26);
  - (b) in the case of a restricted availability appliance, the patient is a person, or it is for a purpose, specified in the Drug Tariff; and
  - (c) the prescriber undertakes to—
    - (i) provide the chemist within 72 hours from the time of the request with a non-electronic prescription form or non-electronic repeatable prescription completed in accordance with paragraph (6), or
    - (ii) transmit by the Electronic Prescription Service within 72 hours from the time of the request an electronic prescription.