

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

The National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001

24.—(1) The National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001(1) shall be amended as provided in this paragraph.

(2) In regulation 2 (interpretation), in paragraph (1)—

(a) after the definitions of “appliance” insert—

““batch issue” means a form provided by a Local Health Board and issued by a prescriber at the same time as a repeatable prescription to enable a chemist to receive payment for the provision of repeat dispensing services, which is in the format specified in Part 2 of Schedule 1 to the GMS Contract Regulations, and which—

- (a) is generated by a computer and not signed by a prescriber;
- (b) relates to a particular repeatable prescription and contains the same date as that prescription;
- (c) is issued as one of a sequence of forms, the number of which is equal to the number of occasions on which the drugs or appliances ordered on the repeatable prescription may be provided; and
- (d) specifies a number denoting its place in the sequence referred to in paragraph (c);”;

(b) after the definition of “chemist” insert—

““dispensing services” means “services corresponding to pharmaceutical services under the terms of a GMS contract which give effect to paragraphs 47 to 51 of Schedule 6 to the GMS Contract Regulations”;

(c) after the definition of “exemption certificate” insert—

““the GMS Contract Regulations” means the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004(2);

“GMS contract” means a general medical services contract under section 28Q of the Act(3);”;

(d) omit the definition of “medical list”;

(e) in the definition of “patient”, for paragraph (a) substitute—

“(a) any person who is provided with primary medical services under Part 1 of the Act;”;

(f) omit the definition of “pilot scheme”;

(g) after the definition of “pre-payment certificate” insert—

““prescriber” means a doctor, an independent nurse prescriber and a supplementary prescriber;”;

(h) in the definition of “prescription form”, for “doctor, dentist, supplementary prescriber or independent nurse prescriber” substitute “prescriber or dentist”;

(1) S.I. 2001/1358 (W.86).

(2) S.I.2004/478 (W.48)

(3) Section 28Q was inserted into the Act by section 175(1) of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) (“the 2003 Act”).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) after the definition of “repeat dispensing services”, insert—
 - ““repeatable prescriber” means a prescriber who is—
 - (a) a GMS contractor who provides repeatable prescribing services under the terms of its contract which give effect to paragraph 40 of Schedule 6 to the GMS Regulations; or
 - (b) employed or engaged by a GMS contractor who provides repeatable prescribing services under the terms of a contract which give effect to paragraph 40 of Schedule 6 to the GMS Regulations ;”.
 - (j) for the definition of “repeatable prescription” substitute—
 - ““repeatable prescription” means a prescription contained in a form provided by a Local Health Board and issued by a repeatable prescriber to enable a person to obtain pharmaceutical services or local pharmaceutical services, which is in the format specified in Part 1 of Schedule 1 to the GMS Contract Regulations, and which—
 - (a) is generated by a computer but signed by a repeatable prescriber; and
 - (b) indicates that the drugs or appliances ordered on that form may be provided more than once, and specifies the number of occasions on which they may be provided;”;
 - (k) in the definition of “terms of service”, omit “general medical services”.
- (3) After regulation 2(3) insert—
- “(3A) For as long as there are in existence contracts entered into under article 13 of the General Medical Services Transitional and Consequential (Wales) Provisions Order 2004(4) (“default contracts”) any reference in these Regulations to a GMS contract shall be read as including a reference to a contract entered into under that article and any reference to a term of a GMS contract shall be read as including a reference to the equivalent term of the default contract.”.
- (3) In regulation 3 (supply of drugs and appliances by chemists), in paragraph (3)(c), omit from “doctor” to the end and insert “prescriber pursuant to the term of a general medical services contract which gives effect to paragraph 44(2) of Schedule 6 to the GMS Contract Regulations or of other arrangements for the provision of primary medical services made under section 16CC(2) of the Act”.
- (4) In regulation 4 (supply of drugs and appliances by doctors), in paragraph (7), for “doctor in respect of the provision by him of general medical services or personal medical services in connection with a pilot scheme” substitute “contractor under a GMS contract, or arrangements made under section 16CC(2) of the Act”.
- (5) In regulation 6 (supply of drugs and appliances at walk-in centres), in paragraph (1) for “doctor, supplementary prescriber or independent nurse prescriber” substitute “prescriber”.

(4) [S.I. 2004/477 \(W.47\)](#).