

CONSULTATION ON PROPOSED CHANGES TO THE PHARMACEUTICAL SERVICES REGULATIONS (NI) 1997

The Department of Health is conducting an eight week targeted consultation on proposed amendments to the Pharmaceutical Services Regulations (NI) 1997, which regulate the provision of community pharmaceutical services. In particular, these regulations contain the terms of service for contractors providing community pharmaceutical services.

The Department is proposing to make two amendments to the Regulations as follows:

New prescribing arrangements

Recent changes to the UK wide Human Medicines Regulations 2012 has created two new groups of prescribers and provides for registered therapeutic radiographers to independently prescribe medicines while registered dieticians are able to enter into supplementary prescribing arrangements. (Supplementary prescribing is an arrangement whereby, after diagnosis by an independent prescriber, the supplementary prescriber can prescribe medicines as part of the patient's agreed clinical management plan.)

Although these new prescribers require appropriate training, increasing the range of prescribers makes it easier for patients to get the medicines they need, increases patient choice and makes better use of the skills of health care professionals.

The changes to the Human Medicines Regulations 2012 necessitate consequential amendments to the definitions of prescribers in the Pharmaceutical Services Regulations (NI) 1997 to allow community pharmacists to dispense prescriptions issued by these new prescribers.

Refusal to supply drugs or appliances

The Pharmaceutical Services Regulations (NI) 1997 set out the terms of service for pharmacy contractors which outline the framework for the delivery of community pharmacy services.

The Department is proposing to amend these terms of service to clarify that community pharmacy contractors will not be in breach of the terms of service if they (or their staff) refuse to provide pharmaceutical services to a person who is violent, threatens violence, commits or threatens to commit a criminal offence. Similarly, it is proposed that they can also refuse to provide pharmaceutical services if anyone accompanying the person seeking pharmaceutical service behaves in this manner.

The proposed amendment is in line with a wider policy position across the HSC that attacks on health professionals are not acceptable.

Consultation

Consultation is being carried out with key stakeholders: The Health Committee; The Regional Health and Social Care Board; The Pharmaceutical Society of Northern Ireland; Community Pharmacy NI; British Medical Association; Patient Client Council; Ulster Chemists' Association; National Pharmacy Association; Pharmacists' Defence Association; Pharmacy Forum NI; Society of Radiographers; and the British Dietetic Association

Equality screening

In accordance with guidance produced by the Equality Commission for Northern Ireland and in keeping with section 75 of the Northern Ireland Act 1998, the proposed amendments have been equality screened and a preliminary decision has been taken that a full equality impact assessment (EQIA) is not required. This preliminary decision is subject to change following analysis of feedback received during this consultation.

Freedom of Information

Please see the attached annex concerning the confidentiality of responses to consultations.

Responding to this consultation

Responses can be sent by post or e-mail to:

Medicines Policy Branch
Department of Health
Room D3.1
Castle Buildings
Stormont Estate
Belfast
BT4 3SQ

e-mail: communitypharmacy@health-ni.gov.uk

The deadline for consultation responses is 21st October 2016

Freedom of Information Act 2000 – Confidentiality of Consultations

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential. If you do not wish information about your identity to be made public please include an explanation in your response.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Secretary of State for Constitutional Affairs' Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature;
- acceptance by the Department of confidentiality provisions must be for good

reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner's Office or see web site at:

<https://ico.org.uk>

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RESPONSE FORM

Please indicate your answer to the questions by placing an **X** by your selection. You can also provide further comments in the free text field.

If possible, please send responses electronically using the response sheet below.

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Respondent details

I am responding: as an individual **or** on behalf of an organisation (please highlight)

Name	
Job Title	
Organisation	
Address (optional)	
Email	
Contact tel (optional)	

Information about you

**** Please complete this section if you are responding as an organisation**

Which of the following categories best describes your organisation?

Pharmacy representative body

Body representing patients or public

Government department

HSC organisation

Regulatory body

Other (please give details)

Responding as an individual

**** Please complete this section if you are responding as an individual**

Which of the following categories best describes you?

Pharmacist

Pharmacy student

Pre-registration student

Community pharmacy owner

Member of the public

Other healthcare professional

Other (please give details)

Consultation questions

Q1. Following the changes to the Human Medicines Regulations 2012, do you agree with the Department's proposal to amend the General Pharmaceutical Services Regulations (NI) 1997 to recognise registered therapeutic radiographers as independent prescribers and registered dieticians as supplementary prescribers. This will ensure community pharmacy contractors can dispense prescriptions issued by these new prescribers.

Yes

No

Further comments

Q2. Do you agree with the Department's proposals to amend the terms of service for community pharmacy contractors so that they will not be in breach of their terms of service if they refuse to supply drugs or appliances to a patient if they (or a person accompanying them) are violent, threaten violence, commit or threaten to commit a criminal offence?

Yes

No

Further comments

Any other comments