

GUERNSEY STATUTORY INSTRUMENTS GUERNSEY

2007 No. 47

The Health Service (Payment of Authorised Suppliers) (Amendment No. 2) Regulations, 2007

Made	...	...	...	...	...	...	...	...	...	19th December 2007
Laid before the States	...	...	...	...	...	...	...	...	...
Coming into operation	...	...	...	...	...	...	...	...	...	1st January 2008

THE SOCIAL SECURITY DEPARTMENT, in exercise of the powers conferred upon it by sections 14 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990, as amended^(a), and of all other powers enabling it in that behalf, hereby orders:-

Amendment of the Health Service (Payment of Authorised Suppliers) Regulations, 2003

1. The First Schedule to the Health Service (Payment of Authorised Suppliers) Regulations, 2003, as amended^(b) is revoked and replaced by the schedule set out in the First Schedule to these regulations.

2. The Second Schedule to the Health Service (Payment of Authorised Suppliers) Regulations, 2003, as amended is revoked and replaced by the schedule set out in the Second Schedule to these regulations.

3. In the Health Service (Payment of Authorised Suppliers) Regulations, 2003, as amended -

(1) insert the following definitions in Regulation 1(1):

“medicines use review” means an approved system of review of the medicines prescribed to a patient, carried out in accordance with the terms and conditions that may be determined by the Social Security Department from time to time;

“monitored dosage system” means a medication storage, handling and administration system, for use in nursing and residential homes, provided in accordance with the terms and conditions that may be determined by the Social Security Department from time to time;

^(a) Ordres en Conseil Vol. XXXII, p. 192; amended by Order in Council No. IX of 2003 and by Ordinance Nos. XLIV and XLVI of 1990, No. XVII of 1991, No. XIV of 1993; Nos. XXXIV, XXXV, XXXVI, XL and XLI of 1995, No. XI of 1997, No. I of 1998, Nos. XXII, XXVII, XXIX and XXXIII of 2002, No. XXI of 2003, No. XLI of 2004 and No. XLII of 2006. Extended to Alderney with modification by Ordinance No. XLVI of 1990.

^(b) S.I. No. 51 of 2003; S.I. No. 32 of 2006; S.I. No. 2 of 2007.

"community pack" means a medication storage, handling and administration system for use in the community, provided in accordance with the terms and conditions that may be determined by the Social Security Department from time to time;"

(2) insert the following Regulations after Regulation 4:

"Additional Payments to Authorised Suppliers who are Pharmacists not Employed by Medical Practices in Respect of Medicines Use Reviews

4A. An authorised supplier who is a pharmacist not employed by a medical practice or the Health and Social Services Department shall be paid out of the Fund, in respect of a medicines use review carried out by that authorised supplier, the sum set out in the Fourth Schedule to these regulations.

Additional Payments to Authorised Suppliers who are Pharmacists not Employed by Medical Practices in Respect of Monitored Dosage Systems

4B. An authorised supplier who is a pharmacist not employed by a medical practice or the Health and Social Services Department shall be paid out of the Fund, in respect of monitored dosage systems provided by that authorised supplier, the sum set out in the Fifth Schedule to these regulations.

Additional Payments to Authorised Suppliers who are Pharmacists not Employed by Medical Practices in Respect of Community Packs

4C. An authorised supplier who is a pharmacist not employed by a medical practice or the Health and Social Services Department shall be paid out of the Fund, in respect of community packs provided by that authorised supplier, the sum set out in the Fifth Schedule to these regulations."

(3) after the Third Schedule insert the schedule set out in the Third Schedule to these regulations, and

(4) after the Fourth Schedule (as inserted by paragraph (3)) insert the schedule set out in the Fourth Schedule to these regulations.

Interpretation

4. (1) Except where the context otherwise requires, any reference in these regulations to any enactment or regulations shall be construed as including a reference to that enactment or those regulations, as the case may be, as amended, repealed, replaced, revoked, extended or applied, by or under any other enactment or by any other regulations.

(2) The Interpretation Guernsey Law, 1948^(c) shall apply to the interpretation of these regulations as it applies to the interpretation of a Guernsey enactment.

Citation

5. These regulations may be cited as the Health Service (Payment of Authorised Suppliers) (Amendment No. 2) Regulations, 2007.

Commencement

6. These regulations shall come into force on the 1st day of January 2008.

Dated this 19th day of December 2007.



D P Le Cheminant
Deputy Minister of the Social Security Department
for and on behalf of the Department

^(c) Ordres en Conseil Vol. XIII, p.355.

FIRST SCHEDULE Regulation 1

"FIRST SCHEDULE Regulation 2(1)

PART I

Dispensing Fees payable in respect of pharmaceutical benefit

(1)	(2)
Classes of authorised supplier	Dispensing fee
<p>A dentist; or a medical practitioner; or a pharmacist employed by a medical practice;</p> <p> where the number of relevant items does not exceed 3,000</p> <p> where the number of relevant items exceeds 3,000 but does not exceed 6,000</p> <p> where the number of relevant items exceeds 6,000</p>	<p>85p per item</p> <p>85p per item for 3,000 relevant items and 79p for each additional item</p> <p>85p per item for 3,000 relevant items, 79p per item for 3,000 relevant items and 73p for each additional item.</p>
<p>A pharmacist employed by the Board of Health</p> <p>A pharmacist not employed by a medical practice or the Board of Health;</p> <p> where the number of relevant items does not exceed 1,500</p> <p> where the number of relevant items exceeds 1,500</p>	<p>0p per item</p> <p>£2.41 per item</p> <p>£2.41 per item for 1,500 relevant items and £1.19 for each additional item</p>

PART II

Additional dispensing fees payable in respect of pharmaceutical benefit for all
authorised suppliers except pharmacists employed by the Health and Social Services
Department

(1)	(2)
Description of pharmaceutical benefit	Additional dispensing fee
<p>Pharmaceutical benefit extemporaneously dispensed, aseptically dispensed, or extemporaneously sterilised and supplied on a medical prescription which is endorsed with the words:-</p> <p>(a) "Extemporaneously dispensed"</p> <p>(i) unit dosage forms eg. sachets, capsules, pills, lozenges, pastilles, pessaries, powders</p> <p>(ii) liquids being 'special formula preparations', eg mixtures, lotions, nasal drops (not including dilutions)</p> <p>(iii) liquid preparations prepared by straightforward dilution (not including reconstitution)</p> <p>(iv) special formula powders</p> <p>(v) ointments, creams, pastes being 'special formula preparations' (not including dilutions)</p> <p>(vi) ointments, creams, pastes prepared by dilution or admixture of standard or proprietary ointments, creams and pastes</p>	<p>£5.47 for each unit of 10 or less</p> <p>£1.88</p> <p>£1.02</p> <p>£1.88</p> <p>£5.47</p> <p>£1.88</p>

(1)	(2)
Description of pharmaceutical benefit	Additional dispensing fee
<p>(b) "aseptically dispensed" preparation when aseptically dispensed (excluding proprietary preparations)</p> <p>(i) unit dosage forms, eg injections</p> <p>(ii) non-unit dosage forms, eg eye drops</p> <p>(c) "extemporaneously sterilised" liquids, semi-solids, solids prepared with a BP sterilisation process</p>	<p>£18.74 for each unit of 10 or less</p> <p>£16.46</p> <p>£16.46</p>
<p>Where an item of pharmaceutical benefit which is:</p> <p>(a) a liquid preparation requiring extemporaneous dispensing otherwise than in accordance with sub-paragraph (b) and (c) above; and</p> <p>(b) the medical prescription on which that item is supplied specifies that the pharmaceutical benefit must be supplied in more than one container; and</p> <p>(c) the medical prescription is endorsed with the words "extemporaneously dispensed".</p>	<p>£1.88</p>
<p>Where an item of pharmaceutical benefit which:</p> <p>(a) requires the addition by an authorised supplier of a vehicle/diluent, has a stability of less than fourteen days and it is necessary for pharmaceutical reasons for it to be supplied in more than one container; and</p>	

(1)	(2)
Description of pharmaceutical benefit	Additional dispensing fee
<p>(b) the medical prescription on which that item is supplied is endorsed with the number of additional containers in which that item is supplied by an authorised supplier.</p>	<p>£0.63</p>
<p>Where an item of pharmaceutical benefit is a controlled drug within the meaning of the Misuse of Drugs (Bailiwick of Guernsey) Ordinance, 1997 and has been supplied on a prescription endorsed with the initial letters "C.D." by an authorised supplier:-</p> <p>i) where the controlled drug is contained within Schedule 1 or 2 of the aforementioned Ordinance;</p> <p>ii) where the controlled drug is contained within Schedule 3 of the aforementioned Ordinance.</p>	<p>£3.01</p> <p>£1.33</p>
<p>Where an item of pharmaceutical benefit contains methadone hydrochloride and has been ordered by an approved medical practitioner as part of an approved methadone maintenance programme and the taking of the drug has been supervised by an authorised supplier and supplied on a prescription endorsed with the initial letters "SUP" by an authorised supplier.</p>	<p>£3.01</p>

SECOND SCHEDULE Regulation 2

"SECOND SCHEDULE Regulation 3

Additional dispensing fees payable in respect of pharmaceutical benefit supplied on a prescription endorsed "URGENT" or "DISPENSED URGENTLY" in accordance with Regulation 3 of these Regulations.

(1)	(2)
Time of Supply	Dispensing fee
On any day, other than a non-business day, between the time the premises of the authorised supplier are closed for the supply of pharmaceutical benefit and 11pm.	£19.81
On a non-business day, between 8am and 11pm, except whilst the premises are open for the purposes of any scheme prepared by the Authority under Section 12(3)(d) of the Law.	£25.04
On any day between 11pm and 8am the next day or such earlier time at which the premises are opened for the supply of pharmaceutical benefit (on any day except a non-business day).	£65.02

THIRD SCHEDULE Regulation 3(3)

"FOURTH SCHEDULE Regulation 4A

Fees payable in respect of medicines use reviews carried out by authorised suppliers who are pharmacists not employed by medical practices or the Health and Social Services Department in accordance with Regulation 4A of these Regulations.

(1)	(2)
Description of pharmaceutical benefit	Fee
Medicines Use Review	£36.72

FOURTH SCHEDULE Regulation 3(4)

"FIFTH SCHEDULE Regulations 4B and 4C

Fees payable in respect of monitored dosage systems and community packs provided by authorised suppliers who are pharmacists not employed by medical practices or the Health and Social Services Department in accordance with Regulations 4B and 4C of these Regulations.

(1)	(2)
Description of pharmaceutical benefit	Fee
Monitored dosage system	£10 per patient per month
Community pack	£5 per patient per week

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EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations:

- (a) amend the Schedules to the Health Service (Payment of Authorised Suppliers) Regulations, 2003, as amended;
- (b) provide for the payment of authorised suppliers who are pharmacists not employed by medical practices or the Health and Social Services Department, in respect of:
 - (i) medicines use reviews¹ carried out by that supplier in accordance with the terms and conditions that may be determined by the Social Security Department from time to time;
 - (ii) monitored dosage systems provided by that supplier in accordance with the terms and conditions that may be determined by the Social Security Department from time to time;
 - (iii) community packs provided by that supplied in accordance with the terms and conditions that may be determined by the Social Security Department from time to time.

¹ Medicines use reviews provide a mechanism to review the medicines prescribed to a patient in order to improve his knowledge and use of drugs and thereby optimize therapy, improve health outcomes, reduce the likelihood of medicine related problems and cut wastage.