GREFFE
ROYAL COURT
30 JAN 2013
GUERNSEY

GUERNSEY STATUTORY INSTRUMENT

2013 No. 8

The Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2013

Made	*8th January, 2013*
Coming into operation	*1st January, 2013*
Laid before the States	*, 2013*

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.

1. The First, Second, Third and Fifth Schedules to the Health Service (Payment of Authorised Suppliers) Regulations, 2003[b] are revoked and replaced by the appropriate Schedules set out in the Schedule to these Regulations.

Interpretation.

2. (1) Except where the context otherwise requires, any reference in these Regulations to any enactment or regulations shall be construed as including a

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[a] Ordres en Conseil Vol. XXXII, p. 192; Vol. XLIII(1), p. 246; Order in Council No. II of 2011; Recueil d'Ordonnances Tome XXV, p. 310; Tome XXVI, pp. 177, 483, and 495; Tome XXIX, pp. 182, 373, 406 and 580 and modified by Tome XXVI, pp. 484 and 491 and 495; Tome XXVII, p. 200; Tome XXVIII, p. 1; Tome XXIX, pp. 182, 196, 200 and 210; Tome XXXI, p. 628 and Tome XXXII, p. 628. Extended to Alderney with modification by Recueil d'Ordonnances Tome XXV, p. 204

[b] G.S.I. No. 51 of 2003 as amended by No. 32 of 2006; No's 2 and 47 of 2007; No. 68 of 2008, No. 3 of 2011 and No's 7 and 56 of 2012.

reference to that enactment or those regulations, as the case may be, as amended, repealed, replaced, revoked, extended or applied, by or under any other enactment or by any other regulations.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.

Revocation.

3. The Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2012[d] are revoked.

Citation, commencement and extent.

4. (1) These Regulations may be cited as the Health Service (Payment of Authorised Suppliers) (Amendment) Regulations, 2013 and shall be deemed to have come into force on the 1st day of January 2013.

(2) These Regulations shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

Dated this 8th day of January 2013.

Allister H Langlois
Minister of the Social Security Department
for and on behalf of the Department

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c Orders en Conseil Vol. XIII, p. 355.

d G.S.I. No. 7 of 2012.

EXPLANATORY NOTE

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

These Regulations revoke and replace the Schedules to the Health Service (Payment of Authorised Suppliers) Regulations, 2003. The amendments have the effect of increasing the graduated fees paid out of the Health Service Benefit Fund, in connection with the supply of certain pharmaceutical benefit, to pharmacists not employed by a medical practice.

These Regulations came into operation on 1st January 2013.

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
A dentist; or a medical practitioner; or a pharmacist employed by a medical practice;	
where the number of relevant items does not exceed 3,000	85p per item
where the number of relevant items exceeds 3,000 but does not exceed 6,000	85p per item for 3,000 relevant items and 79p for each additional item
where the number of relevant items exceeds 6,000	85p per item for 3,000 relevant items, 79p per item for 3,000 relevant items and 73p for each additional item.
A pharmacist employed by the Board of Health	0p per item
A pharmacist not employed by a medical practice or the Board of Health;	
where the number of relevant items does not exceed 1,500	£2.71 per item
where the number of relevant items exceeds 1,500	£2.71 per item for 1,500 relevant items and £1.34 for each additional item

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) Description of pharmaceutical benefit	(2) Additional dispensing fee
Pharmaceutical benefit extemporaneously dispensed, aseptically dispensed, or extemporaneously sterilised and supplied on a medical prescription which is endorsed with the words:-	
(a) "Extemporaneously dispensed" (i) unit dosage forms eg. sachets, capsules, pills, lozenges, pastilles, pessaries, powders	£6.13 for each unit of 10 or less
(ii) liquids being 'special formula preparations', eg mixtures, lotions, nasal drops (not including dilutions)	£2.11
(iii) liquid preparations prepared by straightforward dilution (not including reconstitution)	£1.14
(iv) special formula powders	£2.11
(v) ointments, creams, pastes being 'special formula preparations' (not including dilutions)	£6.13
(vi) ointments, creams, pastes prepared by dilution or admixture of standard or proprietary ointments, creams and pastes	£2.11

(1)	(2)
Description of pharmaceutical benefit	Additional dispensing fee
(b) "aseptically dispensed" preparation when aseptically dispensed (excluding proprietary preparations)	
(i) unit dosage forms, eg injections	£21.02 for each unit of 10 or less
(ii) non-unit dosage forms, eg eye drops	£18.45
(c) "extemporaneously sterilised" liquids, semi-solids, solids prepared with a BP sterilisation process	£18.45
Where an item of pharmaceutical benefit which is: (a) a liquid preparation requiring extemporaneous dispensing otherwise than in accordance with sub-paragraph (b) and (c) above; and (b) the medical prescription on which that item is supplied specifies that the pharmaceutical benefit must be supplied in more than one container; and (c) the medical prescription is endorsed with the words "extemporaneously dispensed".	£2.11
Where an item of pharmaceutical benefit which: (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	

(1)	(2)
Description of pharmaceutical benefit	Additional dispensing fee
(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.	£0.71
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:-	
i) where the controlled drug is contained within Schedule 1 or 2 of the aforementioned Ordinance;	£3.37
ii) where the controlled drug is contained within Schedule 3 of the aforementioned Ordinance.	£1.50
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.	£3.37

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.	£22.21
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.	£28.09
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).	£72.92

THIRD SCHEDULE

Regulation 2(1)(d)

Additional dispensing fees payable in respect of pharmaceutical benefit

(1)	(2)
Description of pharmaceutical benefit	Specified percentage
Pharmaceutical benefit, for which the authorised supplier has not received a discount on the basic price, supplied on a medical prescription which is endorsed with the letters "ZD" thereby declaring that a discount has not been obtained, and is contained in the "ZD List" in accordance with the appropriate conditions of the Drug Tariff where the class of authorised supplier is:-	
(a) dentist; or a medical practitioner; or a pharmacist employed by a medical practice;	7.5 per centum
(b) a pharmacist employed by the Board of Health;	Zero per centum
(c) a pharmacist not employed by a medical practice or the Board of Health.	7.5 per centum
Pharmaceutical benefit which has a basic price of the ingredients of £100 or more which has been supplied by: -	
(a) a dentist; or a medical practitioner; or a pharmacist employed by a medical practice; or a pharmacist employed by the Board of Health	Zero per centum
(b) a pharmacist not employed by a medical practice or the Board of Health	1.5 per centum

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	£11.21 per patient per month
Community pack	£5.61 per patient per week

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