

Island of



Guernsey

Ordinance of the States

XXXIV
2013

Made 27th November, 2013

Coming into Operation 1st January, 2014

The Health Service (Benefit) (Nurse Prescribers) Ordinance, 2013

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THE STATES, in pursuance of their Resolution of the 29th day of September, 2011^a, and in exercise of the powers conferred upon them by sections 10 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990^b and all other powers enabling them, hereby order:-

Nurse prescribers may issue medical prescriptions for pharmaceutical benefits.

1. (1) The application of section 10(2) of the Law is extended to authorise any nurse prescriber to issue medical prescriptions for the supply of pharmaceutical benefit for the purposes of the Law.

(2) Sections 11(a) and (e) of the Law apply in relation to nurse prescribers and medical prescriptions issued by nurse prescribers, as if a reference in those provisions to one or more approved medical practitioners includes a reference to one or more nurse prescribers.

(3) In this section, "**nurse prescriber**" means a person who –

- (a) is registered either in the Nurses: Sub-part 1, Midwives or the Specialist Community Public Health Nurses parts of the new register established by the

^a Article XIII of Billet d'État No. XV of 2011.

^b Ordres en Conseil Vol. XXXII, p. 192; as amended by Vol. XLIII(1), p. 246; Recueil d'Ordonnances Tome XXVI, p. 177; Tome XXIX, pp. 373 and 406; Tome XXXII, p. 628. The Law is applied, with modifications to the Island of Alderney by Recueil d'Ordonnances Tome XXV, p. 204. See also Recueil d'Ordonnances Tome XXVI, p. 484; Tome XXVII, p. 200; Tome XXVIII, p.1; Order in Council No. VII of 2008.

Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2004^c maintained by the Nursing and Midwifery Council,

- (b) has an annotation or entry recorded against the person's name in the register referred to in paragraph (a), signifying that that person is qualified to order drugs, medicines and appliances from the Nurse Prescribers Formulary for Community Practitioners in the current edition of the British National Formulary, and
- (c) is employed, contracted or engaged by the States Health and Social Services Department as a district nurse, or otherwise authorised by that Department to work as a district nurse.

Consequential amendment of 2004 Ordinance.

2. Section 1 of the Health Service (Benefit) (Limited Lists) Ordinance, 2004^d is amended by substituting, for "or dentists", ", dentists or nurse prescribers (within the meaning given by section 1(3) of the Health Service (Benefit) (Nurse Prescribers) Ordinance, 2013)".

^c United Kingdom S.I. 2004 No. 1765.

^d Recueil d'Ordonnances Tome XXIX, p. 441.

Consequential amendments to 1990 Ordinance.

3. The Health Service (Benefit) Ordinance, 1990^e is amended as follows.

4. In section 5(2)(e), immediately after "approved nurse", insert "or a nurse prescriber".

5. In section 5(5)(c), for "or dentist", substitute ", dentist or nurse prescriber".

6. In section 5(5)(e), immediately after "the Law", insert ", or in the case of a nurse prescriber, that the person concerned shall cease to be authorised to issue medical prescriptions for the supply of pharmaceutical benefit for the purposes of section 10(2) of the Law,".

7. In section 5(11) –

(a) immediately after paragraph (c), insert the following paragraph –

"(ca) where the person concerned is a nurse prescriber, a person who –

(i) is registered either in the Nurses: Sub-part 1, Midwives or the Specialist Community Public Health Nurses parts

^e Recueil d'Ordonnances Tome XXV, p. 191; as amended by Tome XXV, p. 310; Tome XXVII, pp. 114, 247 and 378; Tome XXVIII, p. 262; Tome XXIX, p. 406; Tome XXX, p. 20; Ordinance No. VI of 2012; and Ordinance No. XXXIX of 2012.

of the new register established by the Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2004 maintained by the Nursing and Midwifery Council, and

- (ii) has an annotation or entry recorded against the person's name in the register referred to in subparagraph (i), signifying that that person is qualified to order drugs, medicines and appliances from the Nurse Prescribers Formulary for Community Practitioners in the current edition of the British National Formulary," and

- (b) in paragraph (d), immediately after "nurse", insert "(other than a nurse prescriber)".

8. In sections 6(5) and (6), for "or dentist" in each place where it occurs, substitute ", dentist or nurse prescriber".

9. In section 6(10), including section 6(10)(b), immediately after "approval" in each place where it occurs, insert "or authorisation".

10. In section 9(1), immediately after the definition of "**the Law**", insert the following definition –

"**nurse prescriber**" has the meaning given by section 1(3) of the Health Service (Benefit) (Nurse Prescribers) Ordinance, 2013,".

11. In Schedule II, immediately after paragraph 1, insert the following paragraph –

"1A. The Policy Council shall ensure that the Nursing Panel includes at least three persons, each of whom is registered either in the Nurses: Sub-part 1, Midwives or the Specialist Community Public Health Nurses parts of the new register established by the Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2004 maintained by the Nursing and Midwifery Council."

Interpretation.

12. (1) In this Ordinance –

"**enactment**" means any Law, Ordinance or subordinate legislation,

"**the Law**" means the Health Service (Benefit) (Guernsey) Law, 1990, and

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect.

(2) Unless the context requires otherwise, references in this Ordinance to an enactment are references thereto as amended, re-enacted (with or without modification), extended or applied.

(3) The Interpretation (Guernsey) Law, 1948^f applies to the interpretation of this Ordinance throughout the Islands of Guernsey, Alderney, Herm and Jethou.

Extent.

13. This Ordinance has effect in the Islands of Guernsey, Alderney, Herm and Jethou.

Citation.

14. This Ordinance may be cited as the Health Service (Benefit) (Nurse Prescribers) Ordinance, 2013.

Commencement.

15. This Ordinance shall come into force on the 1st January, 2014.

S.M.D.ROSS,
Her Majesty's Deputy Greffier.

^f Ordres en Conseil Vol. XIII, p. 355.

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