

**The Health Service (Pharmaceutical Benefit) (Amendment)  
Regulations, 2013**

*Made* 10<sup>th</sup> December, 2013  
*Coming into operation* 1 January, 2014  
*Laid before the States*, 2014

**THE SOCIAL SECURITY DEPARTMENT**, in exercise of the powers conferred on it by sections 11 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990<sup>a</sup> and of all other powers enabling it in that behalf, hereby makes the following Regulations:-

**Amendment of Health Service (Pharmaceutical Benefit) Regulations, 1990.**

1. The Health Service (Pharmaceutical Benefit) Regulations, 1990<sup>b</sup> are amended as follows.

2. For regulation 1(1), substitute the following -

<sup>a</sup> 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. As extended and applied by the Health Service (Benefit) (Nurse Prescribers) Ordinance, 2013 (approved by the States of Deliberation on the 27th November, 2013).

<sup>b</sup> G.S.I. No. 36 of 1990; as amended by No. 13 of 1991; No. 25 of 1994; Nos. 4 and 17 of 1995; No. 6 of 1996; No. 39 of 1999; No. 30 of 2000; No. 28 of 2005 and No. 92 of 2009.

"1. (1) In these regulations –

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

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

3. In regulation 2(1) –

(a) immediately after paragraph (c), delete the word "and", and

(b) immediately after paragraph (d), insert the word "and" and the following paragraph –

"(e) a nurse prescriber shall be in the form set out in Part VI of the First Schedule to these regulations and shall contain the particulars required therein."

4. In regulation 3 –

(a) in paragraphs (1) and (8), for "or approved dentist" in each place where it occurs, substitute ", approved dentist or nurse prescriber,"

(b) in paragraphs (5), (6) and (9), immediately after

"approved dentist" in each place where it occurs, insert "or a nurse prescriber", and

- (c) in paragraph (9)(b), immediately after "approved dentist", insert "or the normal place of practice of the nurse prescriber".

5. Immediately after Part V of the First Schedule, insert the Part set out in the Schedule to these Regulations.

**Interpretation.**

6. (1) In these Regulations, unless the context requires otherwise –

"**enactment**" means any Law, Ordinance or subordinate legislation, 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) The Interpretation (Guernsey) Law, 1948<sup>c</sup> applies to the interpretation of these Regulations throughout the Islands of Guernsey, Alderney, Herm and Jethou.

(3) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

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<sup>c</sup> Ordres en Conseil Vol. XIII, p. 355.

**Extent**

7. These Regulations have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

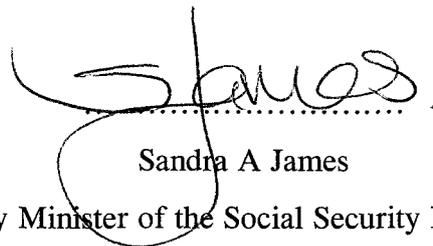
**Citation**

8. These Regulations may be cited as the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2013.

**Commencement.**

9. These Regulations come into force on the 1<sup>st</sup> January, 2014.

Dated this 10th day of December, 2013

A handwritten signature in black ink, appearing to read 'Sandra A James', is written over a horizontal dotted line. The signature is fluid and cursive.

Sandra A James

Deputy Minister of the Social Security Department

For and on behalf of the Department.

# SCHEDULE

Reg. 5

## "PART VI

Form of medical prescription for use by a nurse prescriber

### GUERNSEY SOCIAL SECURITY DEPARTMENT

Pharmacy Stamp	Age  D.o.B.	Title, Forename, Surname & Address
Please don't stamp over age box		Patient Med. Appl. No.
Endorsements		
Signature of Nurse Prescriber	Date	
For dispenser: No. of Prescns. on form		
PS60713	<b>IMPORTANT!</b> Complete appropriate declaration overlaid, if applicable	

**IMPORTANT NOTES FOR PATIENT**

1. This prescription may be dispensed by a pharmacist/chemist in Guernsey or Alderney.
2. A prescription charge must be paid for each item unless the patient is entitled to exemption from charge.
3. If the patient is entitled to exemption from charge the DECLARATION OF EXEMPTION must be completed.
4. If the patient is a visitor to Guernsey, Alderney, Herm or Jethou from Jersey, Isle of Man or Gibraltar who does not intend to remain for longer than three months, the Visitor declaration below must be completed by or on behalf of the Patient.

**COLLECTORS OF SCHEDULE 2 & 3 CDs MUST SIGN BELOW**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**DECLARATION OF EXEMPTION**

The patient does not have to pay because he/she:

- A  is 65 years of age or over
- B  is covered under Supplementary Benefit, the Medical Expenses Assistance Scheme or Attendance Allowance
- C  has a valid exemption certificate

Pharmacy use only  
Evidence not seen

I \_\_\_\_\_ declare that the patient named overleaf is entitled to exemption from prescription charge. I understand that enquiries may be made to check this declaration and that a false statement may lead to prosecution.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Print address if different from overleaf: \_\_\_\_\_

**VISITOR DECLARATION**

I DECLARE that the patient named overleaf is a visitor to Guernsey/Alderney/Herm/Jethou from Jersey, Isle of Man or Gibraltar and does not intend to remain longer than **three months** following his/her arrival on \_\_\_\_\_ 20 \_\_\_\_\_

AND THAT I AM

- please  the patient
- sick  the patient's parent or guardian
- one  the patient's representative

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

NAME AND HOME ADDRESS (Block letters): \_\_\_\_\_

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Nurse prescribers are authorised by the Health Service (Benefits) (Nurse Prescribers) Ordinance, 2013 to issue medical prescriptions for pharmaceutical benefits.

These Regulations amend the Health Service (Pharmaceutical Benefit) Regulations, 1990 ("**1990 Regulations**") to insert the form required to be used by nurse prescribers issuing such medical prescriptions. This form is set out in the Schedule to these Regulations.

These Regulations also extend provisions relating to medical prescriptions in the 1990 Regulations to medical prescriptions issued by nurse prescribers.

These Regulations come into force on the 1<sup>st</sup> January, 2014.