

GUERNSEY STATUTORY INSTRUMENT
2018 No. 43

**The Health Service (Benefit) (Limited List) (Pharmaceutical
Benefit) (Amendment No. 7) Regulations, 2018**

<i>Made</i>	<i>4th September, 2018</i>
<i>Coming into operation</i>	<i>5th September, 2018</i>
<i>Laid before the States</i>	<i>, 2018</i>

THE COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY, in exercise of the powers conferred on it by sections 10 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990^a and section 1 of the Health Service (Benefit) (Limited Lists) Ordinance, 2004^b, and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment to the 2004 Regulations.

1. In the Schedule to the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) Regulations, 2004^c ("the Schedule") -

^a Ordres en Conseil Vol. XXXII, p. 192; Vol. XLIII(1), p. 246; Order in Council No. II of 2011; Recueil d'Ordonnances 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, Ordinance No. XXXIV of 2013, and Ordinance No. XXV of 2017. Extended to Alderney with modification by Recueil d'Ordonnances Tome XXV, p. 204.

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

^c G.S.I. No. 9 of 2004 as amended by G.S.I. No. 42 of 2004; No's 18, 25 and 38 of 2005; No's 11, 18, 26, 36 and 46 of 2006; No's 3, 5, 6, 16, 17 and 32 of 2007; No's 11, 23, 29, 31, 47, 50 and 76 of 2008; No's 16, 35, 43, 47 and 56 of 2009; No's 5, 32, 48, 88, 91 and 99 of 2010; No's 5, 13, 19, 37, 38 and 52 of 2011; No's 5, 25, 33 and 52 of 2012; No's 5, 27, 35, 42, 68, 78 and 87 of 2013; No's 8, 11, 16, 25, 57, 69 and 99 of 2014, No's 9, 33 and 106 of 2015, No's. 10, 17, 25, 31 and 49 of 2016; No's. 48, 69, 78, 88 and 117 of 2017 and No. 6, 9, 16, 28, 35 and 40 of 2018.

- (a) insert the rows set out in Schedule 1 to these Regulations in the appropriate places and under the appropriate headings, as set out in the Schedule, and
- (b) substitute all entries relating to Melatonin, Biomelatonin and Empaglifozin in the rows of the Schedule referred to in columns 1 and 2 of Schedule 2 to these Regulations for the appropriate entries set out in column 3 of Schedule 2 to these Regulations.

Interpretation.

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

"**enactment**" includes a Law, an Ordinance and any subordinate legislation and includes any provision or portion of a Law, an Ordinance or any subordinate legislation, and

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislative effect, but does not include an Ordinance.

- (2) 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.

- (3) The Interpretation (Guernsey) Law, 1948^d applies to the interpretation of these Regulations.

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

Citation, commencement and extent.

3. (1) These Regulations may be cited as the Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 7) Regulations, 2018, and shall come into force on the 5th day of September, 2018.

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

Dated this 4th day of September, 2018.



M. K. LE CLERC

President of the States Committee for Employment & Social Security

For and on behalf of the Committee

SCHEDULE 1

ROWS TO BE INSERTED IN THE SCHEDULE TO THE 2004 REGULATIONS

British National Formulary (BNF) Section	Heading	Pharmaceutical Benefit
8.1	Cytotoxic drugs	Niraparib capsules 100mg (For BRCA positive patients only and when prescribed only by on-island Consultant Oncologist)
13.13	Protease modulating matrix	Vliwasorb Pro: all sizes in the current Drug Tariff

SCHEDULE 2

ROWS TO BE SUBSTITUTED IN THE SCHEDULE TO THE 2004 REGULATIONS

British National Formulary (BNF) Section	Heading	Pharmaceutical Benefit
4.1.1	Hypnotic	Melatonin oral solution 5mg/5ml, Melatonin modified release tablets 2mg: To be prescribed only by CAMHS Consultants or MSG Paediatricians.
4.1.1	Hypnotics	Biomelatonin tablets 3mg: To be prescribed only by CAMHS Consultants for patients prescribed it pre-September 2018 only.
6.1.2	Natidiabetic drugs	Empagliflozin tablets 10mg: Only according to NICE and Local Guidelines.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations add a number of drugs to the list of drugs that may be prescribed as pharmaceutical benefit and substitute three drugs on that list with other forms of the same drug.

These Regulations come into force on the 5th September, 2018.