

2001 No. 167

HEALTH AND PERSONAL SOCIAL SERVICES

**The General Medical Services (Amendment No. 2) Regulations
(Northern Ireland) 2001**

Made 11th April 2001

Coming into operation 21st May 2001

The Department of Health, Social Services and Public Safety^(a), in exercise of the powers conferred on it by Articles 56, 106(b) and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972^(b), and of all other powers enabling it in that behalf, and in conjunction with the Department of Finance and Personnel and after consultation with such organisations as appeared to the Department to be representative of the medical profession, as required by Article 56(5) of that Order, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the General Medical Services (Amendment No. 2) Regulations (Northern Ireland) 2001 and shall come into operation on 21st May 2001.

(2) In these Regulations, “the principal Regulations” means the General Medical Services Regulations (Northern Ireland) 1997^(c).

Amendment of the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with the following provisions.

(2) In regulation 2 (interpretation), in the appropriate places in alphabetical order, insert—

““nurse prescriber” means a nurse or health visitor of a description specified in regulation 2A;”;

““professional register” means the register maintained by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting under section 7 of the Nurses, Midwives and Health Visitors Act 1997^(d);”.

(a) S.I. 1999/283 (N.I. 1), *see* Article 3(6)

(b) S.I. 1972/1265 (N.I. 14), as amended by Article 12 of the Health and Personal Social Services (Northern Ireland) Order 1978 (S.I. 1978/1907 (N.I. 26)); Article 7 of the Health and Personal Social Services and Public Health (Northern Ireland) Order 1986 (S.I. 1986/2229 (N.I. 24)); Article 4(5) of the Health and Medicines (Northern Ireland) Order 1988 (S.I. 1988/2249 (N.I. 24)); Article 29(1) of, and Schedule 6 to, the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)); section 4 of, and paragraph 30(a) and (b) of the Schedule to, the Medical (Professional Performance) Act 1995 (1995 c. 51); and Article 23 of, and Schedule 2 to, the Health Services (Primary Care) (Northern Ireland) Order 1997 (S.I. 1997/1177 (N.I. 7))

(c) S.R. 1997 No. 380; as amended by S.R. 1998 No. 9 and S.R. 1999 No. 100

(d) 1997 c. 24

(3) After regulation 2, insert—

“Specified description of nurse or health visitor

2A. The specified description of nurse or health visitor mentioned in the definition of “nurse prescriber” in regulation 2 is—

(a) a person who—

- (i) is registered in Part 1 or 12 of the professional register; and
- (ii) has a district nursing qualification additionally recorded in the professional register under rule 11 of the Nurses, Midwives and Health Visitors Rules 1983(a); and
- (iii) is at the time of ordering the listed drug or medicine or appliance, employed by a Board or an HSS trust as a district nurse, or employed as a nurse by a medical practitioner whose name is included in the medical list or who, at that time, is assisting in the performance of personal medical services under a pilot scheme under the 1997 Order; or

(b) a person who—

- (i) is registered in Part 11 of the professional register as a health visitor; and
- (ii) is, at the time of ordering the listed drug or medicine or appliance, employed by a Board or an HSS trust as a health visitor, or employed as a nurse by a medical practitioner whose name is included in the medical list or who, at that time, is assisting in the performance of personal medical services under a pilot scheme under the 1997 Order;

and against whose name (in each case) is recorded in the professional register an annotation signifying that he is qualified to order drugs, medicines and appliances for patients.”

(4) In Schedule 2 to the principal Regulations (terms of service for doctors), after paragraph 35 (employees), insert—

“35A.—(1) Where—

- (a) a doctor employs a nurse prescriber whose functions will include prescribing in his practice; or
- (b) the functions of a nurse prescriber whom he already employs are extended to include prescribing,

he shall notify the Board within the period of seven days beginning with the date on which the event occurred.

(2) Where—

- (a) the doctor ceases to employ a nurse prescriber whose functions included prescribing in his practice;
- (b) the functions of a nurse prescriber whom he employs in his practice are changed so that they no longer include prescribing in his practice; or

(a) Approved by S.I. 1983/873, to which there are amendments not relevant to these Regulations

- (c) the doctor becomes aware that a nurse prescriber whom he employs has been removed or suspended from the professional register,

he shall notify the Board by the end of the second day after the day when the event occurred.

(3) A doctor shall provide the following information when he notifies the Board in accordance with sub-paragraph (1)—

- (a) the nurse's full name;
- (b) her professional qualifications;
- (c) her identifying number which appears in the professional register;
- (d) the date on which her entry in the professional register was annotated to the effect that she was qualified to order drugs, medicines and appliances for patients;
- (e) the date—
 - (i) on which she was employed, if her functions include prescribing in his practice, or
 - (ii) on which one of her functions became to prescribe in his practice.

(4) A doctor shall provide the following information when he notifies the Board in accordance with sub-paragraph (2)—

- (a) the nurse's full name;
- (b) her professional qualifications;
- (c) her identifying number which appears in the professional register;
- (d) the date—
 - (i) she ceased to be employed in his practice,
 - (ii) her functions changed so as no longer to include prescribing, or
 - (iii) on which she was removed or suspended from the professional register.”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 11th April 2001.

(L.S.)

D. A. Baker
Senior Officer of the Department of
Health, Social Services and Public Safety

Sealed with the Official Seal of the Department of Finance and Personnel on 11th April 2001.

(L.S.)

Jack Layberry
Senior Officer of the Department of
Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the General Medical Services Regulations (Northern Ireland) 1997 (“the principal Regulations”), which regulate the terms on which doctors provide general medical services under the Health and Personal Social Services (Northern Ireland) Order 1972.

Regulation 2(2) adds definitions of “nurse prescriber” and “professional register” to regulation 2 of the principal Regulations, and regulation 2(3) sets out the specified description of nurse or health visitor referred to in the definition of “nurse prescriber”.

Regulation 2(4) inserts a new paragraph 35A in Schedule 2 to the principal Regulations, to impose an obligation on a general practitioner to notify the relevant Health and Social Services Board when he employs, or ceases to employ, a nurse prescriber whose functions include prescribing in his practice, or when the functions of a nurse prescriber whom he already employs are extended to include, or changed so as not to include, prescribing. This regulation also imposes an obligation on a general practitioner to notify the Health and Social Services Board when he becomes aware that a nurse prescriber in his practice has been removed or suspended from the professional register. The information the doctor shall provide in each event is specified.