

EXECUTIVE NOTE

The National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment (No. 2) Regulations 2006 SSI/2006/246

The above instrument was made in exercise of the powers conferred on Scottish Ministers by sections 27(2), 69(1), 105(7) and 108(1) of the National Health Service (Scotland) Act 1978. The instrument is subject to negative resolution procedure.

The Executive is committed to consolidating these regulations but it has proved impossible to complete the necessary work in time for the laying of the amendments explained below. It is now proposed to consolidate by July 2006, when further amendments will require to be inserted into the 2001 regulations.

Policy Objectives

The purpose of this instrument is to amend the NHS (Charges for Drugs and Appliances) (Scotland) Regulations 2001 in respect of the provisions set out below:

Expansion of Nurse Prescribing and the Introduction of Nurse Independent Prescribers

These amendment regulations bring into these regulations the effects of changes made to the Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2006 No. 1015, and other changes to reserved legislation in respect of independent prescribing by nurses.

New titles for nurse prescribers will be introduced by means of that Order. The new titles for nurse prescribers are:

- Community Practitioner Nurse Prescriber
- Nurse Independent Prescriber
- Nurse Independent/Supplementary Prescriber.

Provision for independent nurse prescribing within a limited formulary is retained. Limited formulary prescribing will be undertaken by Community Practitioner Nurse Prescribers. In addition, these amendments replace provision for appropriately qualified nurses to prescribe from an "extended formulary" with provision to enable appropriately qualified and registered nurses to prescribe any licensed medicine for any medical condition. This group of nurse prescribers will be known as Nurse Independent Prescribers. They will be required to work within their employers' clinical governance frameworks and they will be accountable to both their employers and regulatory bodies for their actions.

Nurse independent prescribers who are also practising as supplementary prescribers will be known as "nurse independent/supplementary prescribers".

A definition of "Nursing and Midwifery Register" is substituted for the definition of "nurses and midwives' professional register" which appeared in earlier versions of the NHS (Charges for Drugs and Appliances) (Scotland) Regulations.

Consultation

There has been no consultation on the preparation of this instrument. However, the expansion of independent nurse prescribing was subject to public consultation in 2005 and was considered by the Committee on Safety of Medicines.

Financial Effects

No significant costs are expected to arise as a result of the new prescribing provisions. The overall number of prescriptions written should not increase.

Scottish Executive Health Department
May 2006