
STATUTORY INSTRUMENTS

2006 No. 1501

The National Health Service (Primary Medical Services and Pharmaceutical Services) (Miscellaneous Amendments) Regulations 2006

PART 3

AMENDMENT OF THE PMS AGREEMENTS REGULATIONS

Amendment of regulation 2 of the PMS Agreements Regulations

4. In regulation 2(1) (interpretation) of the PMS Agreements Regulations—
- (a) in the definition of “independent nurse prescriber”, for sub-paragraph (c) substitute the following sub-paragraph—
 - “(c) against whose name in that register is recorded an annotation signifying that he is qualified to order drugs, medicines and appliances as a community practitioner nurse prescriber, a nurse independent prescriber or as a nurse independent/supplementary prescriber;”;
 - (b) insert the following definition at the appropriate place in the alphabetical order—
 - ““pharmacist independent prescriber” means a person—
 - (a) who is either engaged or employed by the contractor or is party to the agreement,
 - (b) who is registered in the Register of Pharmaceutical Chemists maintained in pursuance of section 2(1) of the Pharmacy Act 1954(1) or the register maintained in pursuance of Articles 6 and 9 of the Pharmacy (Northern Ireland) Order 1976(2), and
 - (c) against whose name in that register is recorded an annotation signifying that he is qualified to order drugs, medicines and appliances as a pharmacist independent prescriber;”;
 - (c) in the definition of “prescriber”, after sub-paragraph (a) insert the following sub-paragraph—
 - “(aa) a pharmacist independent prescriber;” and
 - (d) in the definition of “supplementary prescriber”, in sub-paragraph (c), after “prescriber” insert “or, in the case of the Nursing and Midwifery Register, a nurse independent/supplementary prescriber”.

(1) 1954 c. 61.

(2) S.I. 1976/1213 (N.I. 22).

Amendment of Schedule 5 to the PMS Agreements Regulations

5. In Schedule 5 (other contractual terms) to the PMS Agreements Regulations—
- (a) in paragraph 50(3) and (4) (terms relating to the provision of dispensing services), after “independent nurse prescriber” at each place where it occurs (four times), insert “or a pharmacist independent prescriber”;
 - (b) in paragraph 53(2) (qualifications of performers)—
 - (i) omit the final “or” in paragraph (b);
 - (ii) in paragraph (c) for “began.” substitute “began; or”; and
 - (iii) after paragraph (c), add the following paragraph—
 - “(d) a medical practitioner, who—
 - (i) is not a GP Registrar;
 - (ii) is undertaking a programme of post-registration supervised clinical practice supervised by the Postgraduate Medical Education and Training Board (“a post-registration programme”);
 - (iii) has notified the Primary Care Trust that he will be undertaking part or all of a post-registration programme in its area at least 24 hours before commencing any part of that programme taking place in that the Primary Care Trust’s area; and
 - (iv) has, with that notification, provided the Primary Care Trust with evidence sufficient for it to satisfy itself that he is undertaking a post-registration programme,but only in so far as any medical services that the medical practitioner performs constitute part of a post-registration programme.”;
 - (c) in paragraph 59(1) (which relates to conditions for employment and engagement), after the word “agreement”, insert “, other than a medical practitioner falling within paragraph 53(2)(d),”;
 - (d) in paragraphs 65(2) and (3) (which relate to independent nurse prescribers and supplementary prescribers), after “independent nurse prescriber”, at each place where it occurs (seven times), insert “, a pharmacist independent prescriber”; and
 - (e) in the heading for paragraph 65, after “independent nurse prescribers” insert “, pharmacist independent prescribers”.