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STATUTORY INSTRUMENTS

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**2010 No. 2389**

**The National Health Service (General Medical Services Contracts) (Prescription of Drugs etc.) (Amendment) Regulations 2010**

**Amendment to the National Health Service (General Medical Services Contracts) (Prescription of Drugs etc.) Regulations 2004**

2.—(1) Schedule 2 (drugs, medicines and other substances that may be ordered only in certain circumstances) to the National Health Service (General Medical Services Contracts) (Prescription of Drugs etc.) Regulations 2004<sup>(1)</sup> is amended as follows.

(2) For the entry for “Oseltamivir (Tamiflu)” which is referred to in column 1—

(a) in the part which relates to “Treatment of influenza” (as mentioned in column 3), in column 2, in paragraph (1), from the words “At-risk adult” to the end of sub-paragraph (a), substitute—

“A patient who is aged 1 year or over and who is at clinical risk or a patient who is pregnant or aged 65 years or over, where—

(a) the Department of Health has notified general medical practitioners that the influenza virus is circulating in the community<sup>(2)</sup>”; and

(b) in the part which relates to “Prophylaxis of influenza” (as mentioned in column 3), in column 2, in paragraph (2), from the words “At-risk patients” to the end of sub-paragraph (a), substitute—

“A patient who is aged 1 year or over and who is at clinical risk or a patient who is pregnant or aged 65 years or over, where—

(a) the Department of Health has notified general medical practitioners that the influenza virus is circulating in the community;”.

(3) For the entry for “Zanamivir (Relenza)” which is referred to in column 1, in the part which relates to “Treatment of influenza” (as mentioned in column 3), in column 2, in paragraph (1)—

(a) from the words “At-risk adult” to the end of sub-paragraph (a), substitute—

“A patient who is aged 5 years or over and who is at clinical risk or a patient who is pregnant or aged 65 years or over, where—

(a) the Department of Health has notified general medical practitioners that the influenza virus is circulating in the community;” and

(b) for sub-paragraph (c) substitute—

“(c) in the case of a patient—

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(1) [S.I. 2004/629](#); amending instruments are [S.I. 2004/3215](#) and [2009/2230](#).

(2) Notification is given via the Central Alerting System, a web-based system used for distributing information relating to such matters as safety alerts, drug alerts and emergency alerts to general medical practitioners as well as other professionals in or connected with the health service. In addition, the notification is placed on the Department of Health’s website which is [www.dh.gov.uk](http://www.dh.gov.uk).

- (i) who has attained the age of 5 years but not the age of 13 years, that patient can start therapy within 36 hours of the onset of symptoms; and
  - (ii) who is aged 13 years or over, that patient can start therapy within 48 hours of the onset of symptoms.”.
- (4) At the end of the Table, in the interpretation provision—
  - (a) omit the definitions of “at-risk” and “child”; and
  - (b) in the appropriate alphabetical order, insert—
    - ““at clinical risk” means in relation to a patient, a patient who—
    - (a) has chronic respiratory disease;
    - (b) has asthma that requires continuous or repeated use of inhaled or systemic steroids or with previous exacerbations requiring hospital admission;
    - (c) has chronic heart disease;
    - (d) has chronic renal failure;
    - (e) has chronic liver disease;
    - (f) has chronic neurological disease;
    - (g) has diabetes; or
    - (h) is immunosuppressed;” and
    - ““general medical practitioner” has the same meaning as in the National Health Services (General Medical Services Contracts) Regulations 2004(3);”.