

**1999 No. 326**

**NATIONAL HEALTH SERVICE, ENGLAND AND  
WALES**

**The National Health Service (General Medical Services)  
Amendment Regulations 1999**

*Made - - - - - 10th February 1999*

*Laid before Parliament 15th February 1999*

*Coming into force 8th March 1999*

The Secretary of State for Health, in exercise of powers conferred on him by sections 15(1), 29, and 126(4) of the National Health Service Act 1977(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the National Health Service (General Medical Services) Amendment Regulations 1999 and shall come into force on 8th March 1999.

(2) In these Regulations, “the 1992 Regulations” means the National Health Service (General Medical Services) Regulations 1992(b).

**Amendment of regulation 2 of the 1992 Regulations**

2. In regulation 2(1) of the 1992 Regulations (interpretation), in the appropriate alphabetical positions, insert—

““nurse prescriber” has the meaning ascribed to it by regulation 2 of the National Health Service (Pharmaceutical Services) Regulations 1992(c);

“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);”.

**Amendment of Schedule 2 to the 1992 Regulations**

3. In Schedule 2 to the 1992 Regulations (terms of service for doctors), after paragraph 28 (employees), there shall be inserted the following paragraph—

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(a) 1977 c. 49; *See* section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”. Section 15(1) was amended by the Health and Social Security Act 1984 (c. 48), section 5(2); by the 1990 Act, section 12(1); and by the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), Schedule 1, paragraph 6. Section 29 was extended by the Health and Medicines Act 1988 (c. 49), section 17; and amended by the Health Services Act 1980 (c. 53), sections 1 and 7 and Schedule 1, paragraph 42(b); by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 6, paragraph 2; by the Medical Act 1983 (c. 54), section 56(1) and Schedule 5, paragraph 16(a); by S.I. 1985/39, article 7(3); by the 1995 Act, Schedule 1, paragraph 18; and by the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, paragraph 8. Section 126(4) was amended by the 1990 Act, section 65(2).

(b) S.I. 1992/635; relevant amending instruments are S.I. 1995/3093, 1997/2468, 1998/682 and 1998/2838.

(c) S.I. 1992/662, amended by S.I. 1994/2402 and 1996/698.

(d) 1997 c. 24.

“28A.—(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 Health Authority 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
- (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 Health Authority 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 Health Authority 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 Health Authority 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.”.

10th February 1999

*Frank Dobson*  
One of Her Majesty’s Principal Secretaries of State  
Department of Health

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations further amend the National Health Service (General Medical Services) Regulations 1992 (“the 1992 Regulations”), which regulate the terms on which general medical services are provided under the National Health Service Act 1977.

Two new definitions are inserted in regulation 2 of the 1992 Regulations (regulation 1).

New paragraph 28A in Schedule 2 to the 1992 Regulations (inserted by regulation 2) imposes an obligation on GPs to notify the relevant Health Authority 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. He is also under an obligation to notify the Health Authority 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.

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