
STATUTORY INSTRUMENTS

2015 No. 1879

The National Health Service (Personal Medical Services Agreements) Regulations 2015

PART 9

Prescribing and dispensing

Nomination of dispensers for the purpose of electronic prescriptions

51.—(1) A contractor authorised to use the Electronic Prescription Service for its patients must enter into the particulars relating to the patient which are held in the Patient Demographic Service operated by the Health and Social Care Information Centre⁽¹⁾—

- (a) where the patient does not have a nominated dispenser, the dispenser chosen by the patient;
- (b) where the patient does have a nominated dispenser—
 - (i) a replacement dispenser, or
 - (ii) a further dispenser,chosen by the patient.

(2) Paragraph (1)(b)(ii) does not apply if the number of the nominated dispensers would thereby exceed the maximum number permitted by the Electronic Prescription Service.

(3) A request for a nomination of a dispenser may be made—

- (a) where the patient is a child, on behalf of the patient—
 - (i) by either parent, or in the absence of both parents, the guardian or other adult who has care of the patient,
 - (ii) by a person duly authorised by a local authority to whose care the patient has been committed under the Children Act 1989⁽²⁾, or
 - (iii) by a person duly authorised by a voluntary organisation by which the patient is being accommodated under the provisions of the Children Act 1989; or
- (b) where the patient is an adult who lacks capacity to make such a request, by a relative or a primary carer of the patient, a donee of a lasting power of attorney granted by the patient or a deputy appointed for the patient by the court under the provisions of the Mental Capacity Act 2005.

(4) A contractor must—

- (a) not seek to persuade the patient to nominate a dispenser recommended by the prescriber or the contractor; and

⁽¹⁾ The Health and Social Care Information Centre is a body corporate established by section 252(1) of the Health and Social Care Act 2012 (c.7).

⁽²⁾ 1989 c.41.

- (b) if asked by the patient to recommend a chemist whom the patient might nominate as the patient's dispenser, provide the patient with the list given to the contractor by the Board of all chemists in the area who provide an Electronic Prescription Service.