
STATUTORY INSTRUMENTS

2020 No. 1126

The National Health Service (Charges and Pharmaceutical and Local Pharmaceutical Services) (Amendment) Regulations 2020

PART 5

Amendment of Schedule 4 to the PLPS Regulations

Amendment of paragraph 9

8. In paragraph 9(1) (refusal to provide drugs or appliances ordered)—

(a) in sub-paragraph (2A), after “(or at all)” insert—

“, but where P does so, P must take all reasonable steps to ensure that the product ordered by the prescriber is supplied within a reasonable timescale, which may include (depending on what steps or combination of steps the circumstances require)—

- (a) providing details of other NHS pharmacists or LPS chemists whose premises are situated in the same area and who may be able to provide the product ordered by the prescriber;
- (b) urgent supply without a prescription in accordance with paragraph 6;
- (c) arranging for the urgent provision of a non-electronic prescription form by the prescriber.”; and

(b) after sub-paragraph (4) insert—

“(5) P may refuse to provide an order for a drug that is or is purportedly in accordance with a PTP where—

- (a) P reasonably believes it is not a genuine order for the person who requests, or on whose behalf is requested, the provision of the drug;
- (b) providing it would be contrary to P’s clinical judgement;
- (c) P or other persons are subjected to or threatened with violence by the person who requests the provision of the drug, or by any person accompanying that person; or
- (d) the person who requests the provision of the drug, or any person accompanying that person, commits or threatens to commit a criminal offence.

(6) P must refuse to provide, pursuant to a PTP, an order for a drug that is or is purportedly in accordance with the PTP where P is not satisfied that it is in accordance with the PTP.”.