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WELSH STATUTORY INSTRUMENTS

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**2019 No. 149 (W. 34)**

**NATIONAL HEALTH SERVICE, WALES**

**The National Health Service (Paramedic Independent Prescriber and Paramedic Supplementary Prescriber) (Wales) (Miscellaneous Amendments) Regulations 2019**

<i>Made</i>	- - - -	<i>29 January 2019</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>31 January 2019</i>
<i>Coming into force</i>	- -	<i>22 February 2019</i>

The Welsh Ministers, in exercise of the powers conferred by sections 47, 80, 83, 121 and 203(9) and (10) of the National Health Service (Wales) Act 2006(1), and sections 77 and 90 of, and paragraph 3 of Schedule 6 to, the Climate Change Act 2008(2) make the following Regulations.

**Title, commencement and application**

1.—(1) The title of these Regulations is the National Health Service (Paramedic Independent Prescriber and Paramedic Supplementary Prescriber) (Wales) (Miscellaneous Amendments) Regulations 2019 and they come into force on 22 February 2019.

(2) These Regulations apply in relation to Wales.

**Amendments to the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004**

2.—(1) The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004(3) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) in the appropriate place in the alphabetical order insert the following definitions—

““paramedic independent prescriber” means a person—

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(1) 2006 c. 42.

(2) 2008 c. 27. The relevant powers under the Climate Change Act 2008 are conferred on the “relevant national authority”. Section 77(3) of the Act provides that the Welsh Ministers are the relevant national authority in relation to Wales. The first Regulations made by the Welsh Ministers under these powers were the Single Use Carrier Bags Charge (Wales) Regulations 2010 (S.I. 2010/2880 (W. 238)).

(3) S.I. 2004/478 (W. 48); relevant amendments were made by S.I. 2006/358 (W. 46), S.I. 2007/205 (W. 19), S.I. 2012/1479, S.I. 2014/2291 (W. 226) and S.I. 2016/1221 (W. 292).

- (a) who is either engaged or employed by the contractor or who is a party to the contract,
  - (b) who is a registered paramedic, and
  - (c) against whose name is recorded in the relevant register an annotation signifying that the person is qualified to order drugs, medicines and appliances as a paramedic independent prescriber;”;
- ““registered paramedic” means a person registered in Part 8 of the Health and Care Professions Council register;”;
- (b) in the definition of “prescriber”—
    - (i) in paragraph (g) omit “; and” and after “prescriber” insert “;”;
    - (ii) in paragraph (h) after “prescriber,” insert “and”;
    - (iii) after paragraph (h) insert—
      - “(i) a paramedic independent prescriber;”;
  - (c) in the definition of “relevant register” after paragraph (c)(ia) insert—
    - “(ib) paramedics;”;
  - (d) in the definition of “supplementary prescriber” after paragraph (b)(iv)(dd) insert—
    - “(ee) paramedics, or”.
- (3) In Schedule 6 (other contractual terms)—
- (a) in paragraph 49(3) and (4) after “therapeutic radiographer independent prescriber” at each place where it occurs insert “, a paramedic independent prescriber”;
  - (b) in the heading for paragraph 64, after “therapeutic radiographer independent prescriber” insert “, paramedic independent prescriber”;
  - (c) in paragraph 64(1) and (2) after “therapeutic radiographer independent prescriber” at each place where it occurs insert “, a paramedic independent prescriber”.

### **Amendment of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007**

3.—(1) The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007(4) are amended as follows.

- (2) In regulation 2(1) (interpretation)—
  - (a) in the appropriate place in the alphabetical order insert the following definitions—
    - ““paramedic independent prescriber” (“*parafeddyg-ragnodydd annibynnol*”) means a person—
      - (a) who is a registered paramedic, and
      - (b) against whose name is recorded in the relevant register an annotation signifying that the person is qualified to order drugs, medicines and appliances as a paramedic independent prescriber;”
    - ““registered paramedic” (“*parafeddyg cofrestredig*”) means a person registered in Part 8 of the Health and Care Professions Council register;”;
  - (b) in the definition of “prescriber”—
    - (i) in paragraph (g) omit “; and” and after “prescriber” insert “;”;

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(4) S.I. 2007/121 (W. 11); relevant amendments were made by S.I. 2012/1479, S.I. 2014/2291 (W. 226) and S.I. 2016/1221 (W. 292).

- (ii) in paragraph (h) after “prescriber; insert “and”;
- (iii) after paragraph (h) insert—
  - “(i) a paramedic independent prescriber;”;
- (c) in the definition of “relevant register” after paragraph (c)(ia) insert—
  - “(ib) paramedics;”;
- (d) in the definition of “supplementary prescriber”—
  - (i) after “dietitians,” omit “or”; and
  - (ii) after paragraph (a)(iv)(dd) insert—
    - “(ee) paramedics, or”.

#### **Amendment of the Single Use Carrier Bags Charge (Wales) Regulations 2010**

4.—(1) The Single Use Carrier Bags Charge (Wales) Regulations 2010<sup>(5)</sup> are amended as follows.

- (2) In Schedule 1 (exemptions), in paragraph 1—
  - (a) in sub-paragraph (2)(a), after “a therapeutic radiographer independent prescriber” insert “, a paramedic independent prescriber”;
  - (b) in sub-paragraph (3) after the definition of “medicinal product” insert—
    - ““paramedic independent prescriber” (*“parafeddyg-ragnodydd annibynnol”*) has the meaning given in regulation 2(1) of the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013<sup>(6)</sup>”.

#### **Amendments to the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013**

5.—(1) The National Health Service (Pharmaceutical Services) (Wales) Regulations 2013 are amended as follows.

- (2) In regulation 2(1) (interpretation)—
  - (a) in the appropriate place in the alphabetical order insert the following definitions—
    - ““paramedic independent prescriber” (*“parafeddyg-ragnodydd annibynnol”*) means a person—
      - (a) who is registered as a paramedic in Part 8 of the Health and Care Professions Council register; and
      - (b) against whose name is recorded in Part 8 of that register an annotation signifying that the person is qualified to order drugs, medicines and appliances as a paramedic independent prescriber;”;
  - (b) in the definition of “prescriber” after “therapeutic radiographer independent prescriber” insert “, paramedic independent prescriber”;
  - (c) in paragraph (c)(i) of the definition of “supplementary prescriber” after “dietitians,” insert “ paramedics,”.

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<sup>(5)</sup> S.I. 2010/2880 (W. 238); relevant amendments were made by S.I. 2014/2291 (W. 226) and S.I. 2016/1221 (W. 292).

<sup>(6)</sup> S.I. 2013/898 (W. 102); relevant amendments were made by S.I. 2014/2291 (W. 226) and S.I. 2016/221 (W. 292)

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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29 January 2019

*Vaughan Gething*  
Minister for Health and Social Services, one of  
the Welsh Ministers

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## EXPLANATORY NOTE

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

These Regulations amend the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004, the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007 and the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013 to extend the definition of prescriber to include paramedic independent prescribers. They also amend the definition of supplementary prescriber in those Regulations to include paramedic supplementary prescribers.

These Regulations also amend the Single Use Carrier Bags Charge (Wales) Regulations 2010 by extending the exemption from the requirement to charge for single use carrier bags to include products prescribed by a paramedic independent prescriber and a paramedic supplementary prescriber.

These amendments are made as a result of the introduction of independent prescribing and supplementary prescribing for registered paramedics under amendments made to the Human Medicines Regulations 2012 by the Human Medicines (Amendment) Regulations 2018.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.