OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2019 Rhif 149 (Cy. 34)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Parafeddyg-Ragnodydd Annibynnol a Pharafeddyg-Ragnodydd Atodol) (Cymru) (Diwygiadau Amrywiol) 2019

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004, Rheoliadau'r Gwasanaeth Iechyd Gwladol (Presgripsiynau am Ddim a Ffioedd am Gyffuriau a Chyfarpar) (Cymru) 2007 a Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) (Cymru) 2013 i estyn y diffiniad o ragnodydd i gynnwys parafeddygon-ragnodwyr annibynnol. Maent hefyd yn diwygio'r diffiniad o ragnodydd atodol yn y Rheoliadau hynny i gynnwys parafeddygon-ragnodwyr atodol.

Mae'r Rheoliadau hyn hefyd yn diwygio Rheoliadau Codi Tâl am Fagiau Siopa Untro (Cymru) 2010 drwy estyn yr esemptiad rhag y gofyniad i godi tâl am fagiau siopa untro i gynnwys cynhyrchion a ragnodir gan barafeddyg-ragnodydd annibynnol a pharafeddyg-ragnodydd atodol.

Mae'r diwygiadau hyn wedi eu gwneud o ganlyniad i gyflwyno rhagnodi annibynnol a rhagnodi atodol ar gyfer parafeddygon cofrestredig o dan ddiwygiadau a wnaed i Reoliadau Meddyginiaethau Dynol 2012 gan Reoliadau Meddyginiaethau Dynol (Diwygio) 2018.

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

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.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

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.

OFFERYNNAU STATUDOL CYMRU

2019 Rhif 149 (Cy. 34)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Parafeddyg-Ragnodydd Annibynnol a Pharafeddyg-Ragnodydd Atodol) (Cymru) (Diwygiadau Amrywiol) 2019

Gwnaed *29 Ionawr 2019*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *31 Ionawr 2019*

Yn dod i rym *22 Chwefror 2019*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 47, 80, 83, 121 a 203(9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(**1**), ac adrannau 77 a 90 o Ddeddf Newid yn yr Hinsawdd 2008(**2**) a pharagraff 3 o Atodlen 6 i'r Ddeddf honno, yn gwneud y Rheoliadau a ganlyn.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Parafeddyg-Ragnodydd Annibynnol a Pharafeddyg-Ragnodydd Atodol) (Cymru) (Diwygiadau Amrywiol) 2019 a deuant i rym ar 22 Chwefror 2019.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(**1**) 2006 p. 42.

(**2**) 2008 p. 27. Mae'r pwerau perthnasol o dan Ddeddf Newid yn yr Hinsawdd 2008 wedi eu rhoi i'r "relevant national authority" ("yr awdurdod cenedlaethol perthnasol"). Mae adran 77(3) o'r Ddeddf yn darparu mai Gweinidogion Cymru yw'r awdurdod cenedlaethol perthnasol o ran Cymru. Y Rheoliadau cyntaf a wnaed gan Weinidogion Cymru o dan y pwerau hyn oedd Rheoliadau Codi Tâl am Fagiau Siopa Untro (Cymru) 2010 (O.S. 2010/2880 (Cy. 238)).

WELSH STATUTORY INSTRUMENTS

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

Made *29 January 2019*

Laid before the National Assembly for Wales *31 January 2019*

Coming into force *22 February 2019*

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.

(**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)).

Diwygiadau i Reoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004

2.—(1) Mae Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1) (dehongli)—

(a) yn y lle priodol yn nhrefn yr wyddor mewnosoder y diffiniadau a ganlyn—

""paramedic independent prescriber" means a person—

(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) yn y diffiniad o "prescriber"—

(i) ym mharagraff (g) hepgorer "; and" ac ar ôl "prescriber" mewnosoder ",";

(ii) ym mharagraff (h), ar ôl "prescriber," mewnosoder "and";

(iii) ar ôl paragraff (h) mewnosoder—

"(i) a paramedic independent prescriber,";

(c) yn y diffiniad o "relevant register", ar ôl paragraff (c)(ia) mewnosoder—

"(ib) paramedics;";

(d) yn y diffiniad o "supplementary prescriber", ar ôl paragraff (b)(iv)(dd) mewnosoder—

"(ee) paramedics, or".

(3) Yn Atodlen 6 (telerau contractiol eraill)—

(a) ym mharagraff 49(3) a (4) ar ôl "therapeutic radiographer independent prescriber" ym mhob lle y mae'n digwydd mewnosoder ", a paramedic independent prescriber";

(b) ym mhennawd paragraff 64, ar ôl "therapeutic radiographer independent prescriber"

(**1**) O.S. 2004/478 (Cy. 48); gwnaed diwygiadau perthnasol gan O.S. 2006/358 (Cy. 46), O.S. 2007/205 (Cy. 19), O.S. 2012/1479, O.S. 2014/2291 (Cy. 226) ac O.S. 2016/1221 (Cy. 292).

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(**1**) 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—

(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

(**1**) 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).

mewnosoder “, paramedic independent prescriber”;

(c) ym mharagraff 64(1) a (2) ar ôl “therapeutic radiographer independent prescriber” ym mhob lle y mae’n digwydd mewnosoder “, a paramedic independent prescriber”.

Diwygio Rheoliadau’r Gwasanaeth Iechyd Gwladol (Presgripsiynau am Ddim a Ffioedd am Gyffuriau a Chyfarpar) (Cymru) 2007

3.—(1) Mae Rheoliadau’r Gwasanaeth Iechyd Gwladol (Presgripsiynau am Ddim a Ffioedd am Gyffuriau a Chyfarpar) (Cymru) 2007(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1) (dehongli)—

(a) yn y lle priodol yn nhrefn yr wyddor mewnosoder y diffiniadau a ganlyn—

“ystyr “parafeddyg cofrestredig” (“*registered paramedic*”) yw person sydd wedi ei gofrestru yn Rhan 8 o gofrestr y Cyngor Proffesiynau Iechyd a Gofal;”;

“ystyr “parafeddyg-ragnodydd annibynnol” (“*paramedic independent prescriber*”) yw person—

(a) sy’n barafeddyg cofrestredig, a

(b) y cofnodir yn erbyn ei enw yn y gofrestr berthnasol nodyn yn dynodi bod y person yn gymwys i archebu cyffuriau, meddyginiaethau a chyfarpar fel parafeddyg-ragnodydd annibynnol;”

(b) yn y diffiniad o “rhagnodydd”—

(i) ym mharagraff (e) hepgorer “; ac” ac ar ôl “annibynnol” mewnosoder “,”;

(ii) ym mharagraff (f), ar ôl “annibynnol,” mewnosoder “ac”;

(iii) ar ôl paragraff (f) mewnosoder—

“(ff) parafeddyg-ragnodydd annibynnol”;

(c) yn y diffiniad o “cofrestr berthnasol”, ar ôl paragraff (c)(ia) mewnosoder—

“(ib) parafeddygon;”;

(d) yn y diffiniad o “rhagnodydd atodol”—

(i) ar ôl “deietegwyr,” hepgorer “neu”; a

(ii) ar ôl paragraff (a)(iv)(chch) mewnosoder—

“(dd) parafeddygon, neu”.

(**1**) O.S. 2007/121 (Cy. 11); gwnaed diwygiadau perthnasol gan O.S. 2012/1479, O.S. 2014/2291 (Cy. 226) ac O.S. 2016/1221 (Cy. 292).

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(**1**) 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 “,”;

(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”.

(**1**) 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).

Diwygio Rheoliadau Codi Tâl am Fagiau Siopa Untro (Cymru) 2010

4.—(1) Mae Rheoliadau Codi Tâl am Fagiau Siopa Untro (Cymru) 2010(**1**) wedi eu diwygio fel a ganlyn.

(2) Yn Atodlen 1 (esemptiadau), ym mharagraff 1—

(a) yn is-baragraff (2)(a), ar ôl "radiograffydd therapiwtig-ragnodydd annibynnol" mewnosoder ", parafeddyg-ragnodydd annibynnol";

(b) yn is-baragraff (3), ar ôl y diffiniad o "nyrs sy'n rhagnodi'n annibynnol" mewnosoder—

"mae i "parafeddyg-ragnodydd annibynnol" ("*paramedic independent prescriber*") yr ystyr a roddir yn rheoliad 2(1) o Reoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) (Cymru) 2013(**2**); ".

Diwygiadau i Reoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) (Cymru) 2013

5.—(1) Mae Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) (Cymru) 2013 wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1) (dehongli)—

(a) yn y lle priodol yn nhrefn yr wyddor mewnosoder y diffiniad a ganlyn—

"ystyr "parafeddyg-ragnodydd annibynnol" ("*paramedic independent prescriber*") yw person—

(a) sydd wedi ei gofrestru'n barafeddyg yn Rhan 8 o gofrestr y Cyngor Proffesiynau Iechyd a Gofal; a

(b) y cofnodir yn erbyn ei enw yn Rhan 8 o'r gofrestr honno nodyn yn dynodi bod y person yn gymwys i archebu cyffuriau, meddyginiaethau a chyfarpar fel parafeddyg-ragnodydd annibynnol;";

(b) yn y diffiniad o "rhagnodydd", ar ôl "radiograffydd therapiwtig-ragnodydd annibynnol" mewnosoder ", parafeddyg-ragnodydd annibynnol";

(c) ym mharagraff (c)(i) o'r diffiniad o "rhagnodydd atodol", ar ôl "deietegwyr," mewnosoder "parafeddygon,".

(**1**) O.S. 2010/2880 (Cy. 238); gwnaed diwygiadau perthnasol gan O.S. 2014/2291 (Cy. 226) ac O.S. 2016/1221 (Cy. 292).

(**2**) O.S. 2013/898 (Cy. 102); gwnaed diwygiadau perthnasol gan O.S. 2014/2291 (Cy. 226) ac O.S. 2016/1221 (Cy. 292).

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

4.—(1) The Single Use Carrier Bags Charge (Wales) Regulations 2010(**1**) 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(**2**);".

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,".

(**1**) S.I. 2010/2880 (W. 238); relevant amendments were made by S.I. 2014/2291 (W. 226) and S.I. 2016/1221 (W. 292).

(**2**) S.I. 2013/898 (W. 102); relevant amendments were made by S.I. 2014/2291 (W. 226) and S.I. 2016/221 (W. 292)

Vaughan Gething

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
29 Ionawr 2019

Minister for Health and Social Services, one of the Welsh Ministers
29 January 2019

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