**EXECUTIVE NOTE**
**THE NATIONAL HEALTH SERVICE (CHARGES FOR DRUGS AND APPLIANCES) (SCOTLAND) AMENDMENT (NO. 2) REGULATIONS 2010 (SSI 2010/366)**

The above instrument was made in exercise of the powers conferred on Scottish Ministers by sections 27(1) and (2), 28(1), 69(1) and (2), 75(a), 75A, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978. The instrument is subject to negative resolution procedure.

## Background

From 1 April 2010 prescription charges were removed in Northern Ireland. At the same time the Department of Health, Social Services and Public Safety in Northern Ireland altered their prescription stationery to remove the patient declaration on the reverse of the form where the patient would normally have confirmed that a payment was made or which exemption was claimed.

## Policy Objectives

Under the terms of the NHS (Charges for Drugs and Appliances) (Scotland) Regulations 2008, the purpose of the signed prescription form is to act as a declaration of exemption status or to confirm that a charge was paid. As a result of the above change, it is no longer possible to get patients to sign a Northern Irish prescription form when it is presented in Scotland. A variety of options to tackle this have been explored but all would have resulted in costs as well as difficulties and additional work for pharmacists and others. As on average only around 200 Northern Irish prescriptions presented in Scotland each year are paid for, and as part of a reciprocal arrangement with Northern Ireland, the purpose of this instrument is to enable all Northern Irish prescriptions to be dispensed free of charge if presented for dispensing in Scotland. Similarly all Scottish prescriptions presented in Northern Ireland will be dispensed free of charge. By taking this approach we will avoid the difficulties and costs associated with the other alternatives.

A further purpose of this instrument is to ensure that only one charge is applied when patients are dispensed different strengths of the same drug to make up their prescribed dosage. This is necessary due to rare instances where some medication is not produced and available in the required strength so a prescription may be made up with more than one strength of medication to provide the patient with the dosage they require. This amendment will ensure that Regulations are in line with current policy.

## Financial Effects

On average 200 Northern Irish prescriptions presented for dispensing in Scotland each year are paid for. The estimated income that would be generated if charges were applied to the paid for prescription forms is approximately £2k per year. The amendments provided avoid the need to take other action such as design; production and distribution of an additional declaration form to collect exemption/payment data, at a total cost of approximately £2k. In actual terms therefore this option is cost neutral. However, this approach also avoids other costs such as the additional work and time involved for community pharmacists completing/endorsing any additional forms; the additional work required to process the

forms; and the possibility of remuneration errors if the pharmacist did not endorse the prescription form correctly.

The amendment to ensure that only one charge is applied when different strengths of the same drug are dispensed is in line with current policy and any associated costs are negligible.

**The Scottish Government Health Directorates**
**October 2010**