EXECUTIVE NOTE

THE NATIONAL HEALTH SERVICES (FREE PRESCRIPTIONS AND CHARGES FOR DRUGS AND APPLIANCES) (SCOTLAND) REGULATIONS 2011

SSI 2011/55

The above instrument was made in exercise of the powers conferred on Scottish Ministers by sections 17E, 17K, 17N, 17P, 27, 28(1) and (2), 69, 70(1), 73(a), 74(a), 75(a), 75A, 105(6) and (7), and 108(1) of the National Health Service (Scotland) Act 1978. The instrument is subject to negative resolution procedure.

Policy Objectives

The Scottish Government believes that removing the financial barrier of prescription charges will ensure patients are not deterred from obtaining prescribed medication due to cost. This will be of benefit to everyone who pays prescription charges, particularly those with long term health conditions. If patients are deterred from taking the medication they need to best manage their conditions, the beneficial effects will be lost. This can result in higher costs to other parts of the NHS including possible admission to hospital.

The main purpose of this instrument is to remove NHS prescription charges for items prescribed in Scotland. The first stage of this policy was introduced by the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 2008 (SSI 2008/27) and further reductions were introduced by SSI 2009/37 and SSI 2010/1.

Removal of prescription charges in Scotland

This latest instrument signals the final step in delivery of the policy by providing that there will be no charge in Scotland for prescription items ordered on Scottish prescription forms. It revokes The National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 2008, as amended. In doing so however, it maintains the current practice of charging the rate in England where a prescription is presented on an English prescription form. It also maintains existing exemption criteria ensuring current reciprocal arrangements can continue whereby exempt patients presenting Scottish prescription forms in England can collect their medication free of charge and vice versa.

Financial Effects

The estimated cost of removing prescription charges in 2011/12 is £57m which has been included in NHS Boards draft 2011/12 budgets.

The Scottish Government Health Directorates January 2011