OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2024 Rhif 1065 (Cy. 178)

2024 No. 1065 (W. 178)

Y GWASANAETH IECHYD GWLADOL, CYMRU

NATIONAL HEALTH SERVICE, WALES

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Rhagnodi Cyffuriau Etc.) (Cymru) (Diwygio) (Rhif 2) 2024

The National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) (Amendment) (No. 2) Regulations 2024

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) (Rhagnodi Cyffuriau Etc.) (Cymru) 2004 (O.S. 2004/1022 (Cy. 119)) ("y prif Reoliadau"), sy'n gwneud darpariaethau ynghylch y cyffuriau, y meddyginiaethau neu'r sylweddau eraill y caniateir eu harchebu ar gyfer cleifion wrth ddarparu gwasanaethau meddygol o dan gontract gwasanaethau meddygol cyffredinol ("contract GMC") o fewn ystyr adran 42 o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p. 42).

Mae rheoliad 2(2) yn hepgor y diffiniad o "general medical practitioner" er mwyn ehangu i bwy y mae'r cyfyngiadau yn y prif Reoliadau yn gymwys. Mae'r newid hwn yn cydnabod y cynnydd yn y defnydd o ragnodwyr annibynnol (gan gynnwys rhagnodwyr meddygol ac anfeddygol) mewn lleoliadau GMC ac mae'n ei gwneud yn eglur bod y cyfyngiadau yn gymwys i unrhyw berson sy'n rhagnodi o dan gontract gwasanaethau meddygol cyffredinol, gan gynnwys rhagnodi gan ragnodwyr annibynnol.

Mae rheoliad 2(3) yn diwygio'r geiriad yn Atodlen 2 i'r prif Reoliadau er mwyn egluro bod y cyfyngiadau'n ymwneud ag unrhyw bresgripsiynau o analog hormon sy'n rhyddhau gonadotroffin ("GnRH") o dan gontract GMC.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) Regulations 2004 (S.I. 2004/1022 (W. 119)) ("the principal Regulations"), which make provisions as to the drugs, medicines or other substances that may be ordered for patients in the provision of medical services under a general medical services contract ("GMS contract") within the meaning of section 42 of the National Health Service (Wales) Act 2006 (c. 42).

Regulation 2(2) omits the definition of "general medical practitioner" to widen who the restrictions in the principal Regulations apply to. This change recognises the increase in the use of independent prescribers (including medical and non-medical prescribers) in GMS settings and makes clear that the restrictions apply to any person prescribing under a general medical services contract including prescribing by independent prescribers.

Regulation 2(3) amends the wording in Schedule 2 to the principal Regulations to clarify that the restrictions relate to any prescriptions of gonadotrophin-releasing hormone ("GnRH") analogue under a GMS contract.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Y Grŵp Iechyd a Gwasanaethau Cymdeithasol, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained by contacting the Health and Social Services Group, Welsh Government, Cathays Park, Cardiff CF10 3NQ and is published on www.gov.wales.

2024 Rhif 1065 (Cy. 178)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Rhagnodi Cyffuriau Etc.) (Cymru) (Diwygio) (Rhif 2) 2024

Gwnaed *am 9.18 a.m. ar 25 Hydref 2024*

Gosodwyd gerbron Senedd Cymru *am 3.45 p.m. ar 25 Hydref 2024*

Yn dod i rym *15 Tachwedd 2024*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 46(2), 203(9) a (10) a 204(1)(b) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(**1**), yn gwneud y Rheoliadau a ganlyn.

Enwi a dod i rym

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Rhagnodi Cyffuriau Etc.) (Cymru) (Diwygio) (Rhif 2) 2024.

(2) Daw'r Rheoliadau hyn i rym ar 15 Tachwedd 2024.

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

2024 No. 1065 (W. 178)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) (Amendment) (No. 2) Regulations 2024

Made *at 9.18 a.m. on 25 October 2024*

Laid before Senedd Cymru *at 3.45 p.m. on 25 October 2024*

Coming into force *15 November 2024*

The Welsh Ministers in exercise of the powers conferred by sections 46(2), 203(9) and (10) and 204(1)(b) of the National Health Service (Wales) Act 2006(**1**), make the following Regulations.

Title and coming into force

1.—(1) The title of these Regulations is the National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) (Amendment) (No. 2) Regulations 2024.

(2) These Regulations come into force on 15 November 2024.

(**1**) 2006 c. 42.

Diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Rhagnodi Cyffuriau Etc.) (Cymru) 2004

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

(2) Ar ôl rheoliad 1 (enwi, cychwyn a chymhwyso) mewnosoder—

"Interpretation

1A. In these Regulations, "general medical services contract" means a general medical services contract under section 42 of the National Health Service (Wales) Act 2006(**2**) (general medical services contracts: introductory)."

(3) Yn Atodlen 2 (cyffuriau neu feddyginiaethau sydd i'w harchebu o dan amgylchiadau penodol yn unig)—

(a) Yn y tabl, yng ngholofn 2 (*claf*), yn y cofnod ar gyfer "GnRH analogue", ym mharagraff (2), yn lle "to whom the general medical practitioner is providing treatment under the contract" rhodder "who is receiving treatment under a general medical services contract".

(b) Ar ôl y tabl, yn y ddarpariaeth ddehongli, hepgorer y diffiniad o "general medical practitioner".

Amendment to the National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) Regulations 2004

2.—(1) The National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) Regulations 2004(**1**) are amended as follows.

(2) After regulation 1 (citation, commencement and application) insert—

"Interpretation

1A. In these Regulations, "general medical services contract" means a general medical services contract under section 42 of the National Health Service (Wales) Act 2006(**2**) (general medical services contracts: introductory)."

(3) In Schedule 2 (drugs or medicines to be ordered only in certain circumstances)—

(a) In the table, in column 2 (*patient*), in the entry for "GnRH analogue", in paragraph (2), for "to whom the general medical practitioner is providing treatment under the contract" substitute "who is receiving treatment under a general medical services contract".

(b) After the table, in the interpretation provision omit the definition of "general medical practitioner".

Jeremy Miles

Ysgrifennydd y Cabinet dros Iechyd a Gofal Cymdeithasol, un o Weinidogion Cymru
Am 9.18 a.m. ar 25 Hydref 2024

Cabinet Secretary for Health and Social Care, one of the Welsh Ministers
At 9.18 a.m. on 25 October 2024

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

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(**1**) O.S. 2004/1022 (Cy. 119); yr offerynnau diwygio perthnasol yw O.S. 2005/366 (Cy. 32), O.S. 2009/1838 (Cy. 166), O.S. 2013/683 (Cy. 81), O.S. 2014/109 (Cy. 09), O.S. 2016/90 (Cy. 43), O.S. 2020/1396 (Cy. 309) ac O.S. 2024/774 (Cy. 115).
(**2**) 2006 p. 42.

(**1**) S.I. 2004/1022 (W. 119); relevant amending instruments are S.I. 2005/366 (W. 32), S.I. 2009/1838 (W. 166), S.I. 2013/683 (W. 81), S.I. 2014/109 (W. 09), S.I. 2016/90 (W. 43), S.I. 2020/1396 (W. 309) and S.I. 2024/774 (W. 115).
(**2**) 2006 c. 42.

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