



Health and Care Act 2022

2022 CHAPTER 31

PART 6

MISCELLANEOUS

Pharmaceutical services

161 Pharmaceutical services: remuneration in respect of vaccines etc

- (1) In section 164 of the National Health Service Act 2006 (remuneration for persons providing pharmaceutical services)—
- (a) in subsection (8A) for “special medicinal products” substitute “any of the following—
 - (a) drugs or medicines used for vaccinating or immunising people against disease,
 - (b) anything used in connection with the supply or administration of drugs or medicines within paragraph (a),
 - (c) drugs or medicines, not within paragraph (a), that are used for preventing or treating a disease that, at the time the regulations are made, the Secretary of State considers to be a pandemic disease or at risk of becoming a pandemic disease,
 - (d) anything used in connection with the supply or administration of drugs or medicines within paragraph (c), or
 - (e) a product which is a special medicinal product for the purposes of regulation 167 of the Human Medicines Regulations 2012 ([S.I. 2012/1916](#)).”;
 - (b) in subsection (8D)—
 - (i) for “special medicinal products are” substitute “anything within subsection (8A)(a) to (e) is”;
 - (ii) in paragraph (b), for “special medicinal products” substitute “that thing”;
 - (c) in subsection (8E), omit the definition of “special medicinal product”;

Changes to legislation: There are currently no known outstanding effects for the Health and Care Act 2022, Cross Heading: Pharmaceutical services. (See end of Document for details)

(d) after subsection (8E) insert—

“(8F) Where regulations include provision made in reliance on subsection (8A)(c) or (d) and the Secretary of State considers that the disease to which it relates is no longer a pandemic disease or at risk of becoming a pandemic disease, the Secretary of State must revoke that provision within such period as the Secretary of State considers reasonable (taking into account, in particular, the need for any transitional arrangements).”

(2) In section 88 of the National Health Service (Wales) Act 2006 (remuneration for persons providing pharmaceutical services)—

(a) in subsection (8A) for “special medicinal products” substitute “any of the following—

- (a) drugs or medicines used for vaccinating or immunising people against disease,
- (b) anything used in connection with the supply or administration of drugs or medicines within paragraph (a),
- (c) drugs or medicines, not within paragraph (a), that are used for preventing or treating a disease that, at the time the regulations are made, the Welsh Ministers consider to be a pandemic disease or at risk of becoming a pandemic disease,
- (d) anything used in connection with the supply or administration of drugs or medicines within paragraph (c), or
- (e) a product which is a special medicinal product for the purposes of regulation 167 of the Human Medicines Regulations 2012 (S.I. 2012/1916);

(b) in subsection (8D)—

- (i) for “special medicinal products are” substitute “anything within subsection (8A)(a) to (e) is”;
- (ii) in paragraph (b), for “special medicinal products” substitute “that thing”;

(c) in subsection (8E), omit the definition of “special medicinal product”;

(d) after subsection (8E) insert—

“(8F) Where regulations include provision made in reliance on subsection (8A)(c) or (d) and the Welsh Ministers consider that the disease to which it relates is no longer a pandemic disease or at risk of becoming a pandemic disease, the Welsh Ministers must revoke that provision within such period as the Welsh Ministers consider reasonable (taking into account, in particular, the need for any transitional arrangements).”

Commencement Information

- I1** S. 161 not in force at Royal Assent, see **s. 186(2)(6)**
- I2** S. 161(1) in force at 1.7.2022 by S.I. 2022/734, reg. 2(a), **Sch.** (with regs. 13, 29, 30)
- I3** S. 161(2) in force at 22.11.2022 by S.I. 2022/1202, **reg. 2**

Changes to legislation:

There are currently no known outstanding effects for the Health and Care Act 2022, Cross
Heading: Pharmaceutical services.