



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2007 Rhif 205 (Cy.19)

2007 No. 205 (W.19)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Diwygiadau Amrywiol
Ynghylch Nyrsys Sy'n Rhagnodi'n
Annibynnol, Rhagnodwyr Atodol,
Nyrsys-ragnodwyr Annibynnol a
Fferyllwyr-ragnodwyr Annibynnol)
(Cymru) 2007

The National Health Service
(Miscellaneous Amendments
Concerning Independent Nurse
Prescribers, Supplementary
Prescribers, Nurse Independent
Prescribers and Pharmacist
Independent Prescribers) (Wales)
Regulations 2007

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn gwneud diwygiadau i'r setiau canlynol o Reoliadau:

These Regulations make amendments to the following sets of Regulations:

1. Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd am Gyffuriau a Chyfarpar) (Cymru) 2001 ("y Rheoliadau Ffioedd am Gyffuriau a Chyfarpar");
2. Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) 1992 ("y Rheoliadau Gwasanaethau Fferyllol"); a
3. Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004 ("y Rheoliadau Contractau GMS").

1. The National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001 ("the Charges for Drugs and Appliances Regulations");
2. The National Health Service (Pharmaceutical Services Regulations 1992 ("the Pharmaceutical Services Regulations"); and
3. The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004 ("the GMS Contracts Wales Regulations").

Mae angen y newidiadau o ganlyniad i ychwanegu dau gategori newydd o ragnodwyr at Orchymyn Meddyginiaethau drwy Bresgripsiwn yn Unig (I'w Defnyddio gan Bobl) 1997 ("y Gorchymyn POM").

The changes are required as a result of the addition of two new categories of prescriber to the Prescription Only Medicines (Human Use) Order 1997 ("the POM Order").

Y ddau gategori newydd yw: nyrsys-ragnodwyr annibynnol a fferyllwyr-ragnodwyr annibynnol.

The two new categories are: nurse independent prescribers and pharmacist independent prescribers.

Caiff nyrsys-ragnodwyr annibynnol ragnodi'n unol ag Erthygl 3A o'r Gorchymyn POM. Caiff fferyllwyr-ragnodwyr annibynnol ragnodi'n unol ag Erthygl 3B(2)(c) o'r Gorchymyn POM.

Nurse independent prescribers may prescribe in accordance with Article 3A of the POM Order. Pharmacist independent prescribers may prescribe in accordance with Article 3B(2)(c) of the POM Order.

Mae'r Rheoliadau hyn yn darparu y bydd nyrs yng Nghymru, sydd wedi'i chofrestru yn y Gofrestr Nyrsio a Bydwreigiaeth, yn gallu rhagnodi fel nyrs-ragnodydd annibynnol pan fydd wedi llwyddo mewn cwrs a achredwyd. Bydd fferylllydd yn gallu rhagnodi fel fferylllydd-ragnodydd annibynnol ar yr amod y bydd y gofrestr fferyllol berthnasol yn dangos ei fod wedi cymhwyso i archebu cyffuriau, meddyginiaethau a chyfarpar fel fferylllydd-ragnodydd annibynnol.

Mae'r Rheoliadau hyn hefyd yn diweddarau'r diffiniad o "supplementary prescriber" a geir yn y Rheoliadau Gwasanaethau Fferyllol a "rhagnodydd atodol" a geir yn y Rheoliadau Ffioedd am Gyffuriau a Chyfarpar i gynnwys optometryddion. Mae optometryddion eisoes yn gynwysedig yn y diffiniad o ragnodydd atodol yn y Rheoliadau Contractau GMS Cymru.

Mae'r Rheoliadau hyn hefyd yn diweddarau'r diffiniad o "nyrs sy'n rhagnodi'n annibynnol".

These Regulations provide that a nurse in Wales who is registered in the Nursing and Midwifery Register will be able to prescribe as a nurse independent prescriber once he or she has passed an accredited course. A pharmacist will be able to prescribe as a pharmacist independent prescriber provided the relevant pharmaceutical register shows that he or she is qualified to order drugs, medicines and appliances as a pharmacist independent prescriber.

These Regulations also update the definition of "supplementary prescriber" in the Pharmaceutical Services Regulations and the Charges for Drugs and Appliances Regulations to include optometrists. Optometrists are already included in the definition of supplementary prescriber in the GMS Contracts Wales Regulations.

These Regulations also update the definition of "independent nurse prescriber".

2007 Rhif 205 (Cy.19)**2007 No. 205 (W.19)****Y GWASANAETH IECHYD
GWLADOL, CYMRU****NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Diwygiadau Amrywiol
Ynghylch Nyrsys Sy'n Rhagnodi'n
Annibynnol, Rhagnodwyr Atodol,
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(Cymru) 2007

The National Health Service
(Miscellaneous Amendments
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Wedi'u gwneud 30 Ionawr 2007

Made 30 January 2007

Yn dod i rym 1 Chwefror 2007

Coming into force 1 February 2007

Mae Cynulliad Cenedlaethol Cymru, ac yntau'n arfer y pwerau a roddwyd gan adrannau 28V, 41, 42, 43, 77 a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(1), drwy hyn yn gwneud y Rheoliadau a ganlyn:

The National Assembly for Wales in exercise of the powers conferred by sections 28V, 41, 42, 43, 77 and 126(4) of the National Health Service Act 1977(1) hereby makes the following Regulations:

(1) 1977 p.49; mewnosodwyd adran 28V gan adran 175(1) o Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 (p.43) ("Ddeddf 2003"); amnewidiwyd adran 41 gan Ddeddf Iechyd a Gofal Cymdeithasol 2001 (p.15) ("Ddeddf 2001") ac fe'i diwygiwyd gan Atodlen 11, paragraffau 7, 18(1), (2) a (3) o Ddeddf 2003, gan O.S. 2003/1590 ac O.S. 2005/2011; amnewidiwyd adran 42 gan Ddeddf y Gwasanaeth Iechyd Gwladol (Diwygio) 1986 (p.66), adran 3(1); fe'i hestynnwyd gan Ddeddf Iechyd a Meddyginiaethau 1988 (p.49), adran 17; ac fe'i diwygiwyd gan O.S.1987/2202, erthygl 4; gan Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal yn y Gymuned 1990 (p.19) ("Ddeddf 1990"), adran 12(3); gan Ddeddf Awdurdodau Iechyd 1995 (p.17) ("Ddeddf 1995"), Atodlen 1, paragraff 30; gan Ddeddf 2001, adrannau 20(6), 43(2), (3) a (4) a chan Atodlen 6, Rhan 1; a chan Ddeddf Diwygio'r Gwasanaeth Iechyd Gwladol a Phroffesiynau Gofal Iechyd 2002, Atodlen 2, paragraff 17; diwygiwyd adran 43 gan Ddeddf 1995, Atodlen 1, paragraff 31; gan Ddeddf Gwasanaethau Iechyd 1980 (p.53), adran 21(2); gan Ddeddf y Gwasanaeth Iechyd Gwladol (Gofal Sylfaenol) 1997, adran 29(1) ac Atodlen 2, paragraffau 3 ac 14; gan Ddeddf 1990, Atodlen 9, paragraff 18(2) a chan Ddeddf 2001, adrannau 20(1) a (7), 42(2) a 43(5); diwygiwyd adran 77 gan Ddeddf 2003, Atodlen 11, paragraffau 7 a 28; diwygiwyd adran 126(4) gan Ddeddf 1990, adran 65(2) a Ddeddf Iechyd 1999 (p.8), Atodlen 4, paragraff 37(6). Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S. 1999/672.

(1) 1977 c.49; section 28V was inserted by section 175(1) of the Health and Social Care (Community Health and Standards) Act 2003(c.43) ("the 2003 Act"); section 41 was substituted by the Health and Social Care Act 2001 (c.15) ("the 2001 Act") and amended by Schedule 11, paragraphs 7, 18(1), (2) and (3) of the 2003 Act, by S.I. 2003/1590 and S.I. 2005/2011; section 42 was substituted by the National Health Service (Amendment) Act 1986 (c.66), section 3(1); extended by the Health and Medicines Act 1988 (c.49), section 17; and amended by S.I.1987/2202, article 4; by the National Health Service and Community Care Act 1990 (c.19) ("the 1990 Act"), section 12(3); by the Health Authorities Act 1995 (c.17) ("the 1995 Act"), Schedule 1, paragraph 30; by the 2001 Act, sections 20(6), 43(2), (3) and (4) and by Schedule 6 Part 1; and by the National Health Service Reform and Health Care Professions Act 2002, Schedule 2, paragraph 17; section 43 was amended by the 1995 Act, Schedule 1, paragraph 31; by the Health Services Act 1980 (c.53), section 21(2); by the National Health Service (Primary Care) Act 1997, section 29(1) and Schedule 2, paragraphs 3 and 14; by the 1990 Act, Schedule 9, paragraph 18(2) and by the 2001 Act, sections 20(1) and (7), 42(2) and 43(5); section 77 was amended by the 2003 Act, Schedule 11, paragraphs 7 and 28; section 126(4) was amended by the 1990 Act, section 65(2) and the Health Act 1999 (c.8), Schedule 4, paragraph 37(6). The functions of the Secretary of State under section 126(4) of the National Health Service Act 1977 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672.

Enwi, cychwyn, cymhwyso a dehongli

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Diwygiadau Amrywiol Ynghylch Nyrsys Sy'n Rhagnodi'n Annibynnol, Rhagnodwyr Atodol, Nyrsys-ragnodwyr Annibynnol a Fferyllwyr-ragnodwyr Annibynnol) (Cymru) 2007.

(2) Daw'r Rheoliadau hyn i rym ar 1 Chwefror 2007.

(3) Mae'r Rheoliadau hyn yn gymwys i Gymru.

(4) Yn y Rheoliadau hyn-

ystyr "Rheoliadau Contractau GMS Cymru" ("*GMS Contracts Wales Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004(1);

ystyr "Rheoliadau Ffioedd am Gyffuriau a Chyfarpar" ("*Charges for Drugs and Appliances Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd am Gyffuriau a Chyfarpar) (Cymru) 2001(2);

ystyr "Rheoliadau Gwasanaethau Fferyllol 1992" ("*Pharmaceutical Services Regulations 1992*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) 1992(3).

Diwygio'r Rheoliadau Ffioedd am Gyffuriau a Chyfarpar

2.-(1) Diwygir rheoliad 2(1) o'r Rheoliadau Ffioedd am Gyffuriau a Chyfarpar yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Yn lle'r diffiniad o "nyrs sy'n rhagnodi'n annibynnol" rhodder-

"ystyr "nyrs sy'n rhagnodi'n annibynnol" ("*independent nurse prescriber*") yw person-

- (a) sydd wedi'i gofrestru yn y Gofrestr Nyrsio a Bydwreigiaeth, a
- (b) y mae nodyn yn ei gylch yn dynodi ei fod yn gymwys i archebu cyffuriau, meddyginiaethau a chyfarpar-

Title, commencement, application and interpretation

1.-(1) These Regulations are called the National Health Service (Miscellaneous Amendments Concerning Independent Nurse Prescribers, Supplementary Prescribers, Nurse Independent Prescribers and Pharmacist Independent Prescribers) (Wales) Regulations 2007.

(2) These Regulations come into force on 1 February 2007.

(3) These Regulations apply to Wales.

(4) In these Regulations-

"Charges for Drugs and Appliances Regulations" ("*Rheoliadau Ffioedd am Gyffuriau a Chyfarpar*") means the National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001(1);

"GMS Contracts Wales Regulations" ("*Rheoliadau Contractau GMS Cymru*") means the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004(2); and

"Pharmaceutical Services Regulations 1992" ("*Rheoliadau Gwasanaethau Fferyllol 1992*") means the National Health Service (Pharmaceutical Services) Regulations 1992(3).

Amendment of the Charges for Drugs and Appliances Regulations

2.-(1) Regulation 2(1) of the Charges for Drugs and Appliances Regulations are amended in accordance with the following provisions of this regulation.

(2) For the definition of "independent nurse prescriber" substitute-

"Independent nurse prescriber" ("*nyrs sy'n rhagnodi'n annibynnol*") means a person-

- (a) who is registered in the Nursing and Midwifery Register, and
- (b) in respect of whom an annotation signifying that he or she is qualified to order drugs, medicines and appliances from-

(1) O.S.2004/478 (Cy.48); yr offeryn diwygio perthnasol yw O.S. 2006/358 (Cy.46).

(2) O.S. 2001/1358 (Cy.86); yr offerynnau diwygio perthnasol yw O.S. 2003/2624 (Cy.252), 2004/1018 (Cy.115), 2004/1771, 2005/1915 (Cy.158).

(3) O.S. 1992/662; yr offerynnau diwygio perthnasol yw O.S.1996/698, 1998/681, 1999/696, 2001/1396 (Cy.91), 2002/3189 (Cy.305), 2003/2624 (Cy.252) a 2005/1013 (Cy.67).

(1) S.I. 2001/1358 (W.86); the relevant amending instruments are S.I. 2003/2624 (W.252), 2004/1018 (W.115), 2004/1771, 2005/1915 (W.158).

(2) S.I.2004/478 (W.48); the relevant amending instrument is S.I. 2006/358 (W.46).

(3) S.I. 1992/662; the relevant amending instruments are S.I.1996/698, 1998/681, 1999/696, 2001/1396 (W.91), 2002/3189 (W.305), 2003/2624 (W.252) and 2005/1013 (W.67).

- (i) o'r Llyfr Fferyllol Nyrsys sy'n Rhagnodi sydd ar gyfer Nyrsys Ardal ac Ymwelwyr Iechyd yn Rhan XVIIB(i) o'r Tariff Cyffuriau; neu
- (ii) o'r Llyfr Fferyllol Nyrsys sy'n Rhagnodi sydd ar gyfer Ymarferwyr Cymunedol yn Rhan XVIIB(i) o'r Tariff Cyffuriau

hefyd wedi'i gofnodi yn y gofrestr honno. At ddibenion y Gorchymyn POM mae nyrs sy'n rhagnodi'n annibynnol yn nyrs sy'n ymarferydd cymunedol ac sy'n rhagnodi;"

(3) Yn lle'r diffiniad o "cofrestr proffesiwn nyrsys a bydwragedd" rhodder-

"ystyr "Cofrestr Nyrsio a Bydwreigiaeth" ("*Nursing and Midwifery Register*") yw'r gofrestr a gedwir gan y Cyngor Nyrsio a Bydwreigiaeth o dan Orchymyn Nyrsio a Bydwreigiaeth 2001(1);"

(4) Yn lle'r diffiniad o "rhagnodydd atodol" rhodder-

"ystyr "rhagnodydd atodol" ("*supplementary prescriber*") yw person-

- (a) y mae ei enw wedi'i gofrestru yn-
 - (i) y Gofrestr Nyrsio a Bydwreigiaeth,
 - (ii) y Gofrestr Fferyllwyr Fferyllol a gedwir yn unol ag adran 2(1) o Ddeddf Fferylliaeth 1954(2),
 - (iii) y gofrestr a gedwir yn unol ag Erthyglau 6 a 9 o Orchymyn Fferylliaeth (Gogledd Iwerddon) 1976(3),
 - (iv) y rhan o'r gofrestr a gedwir gan y Cyngor Proffesiynau Iechyd yn unol ag Erthygl 5 o Orchymyn Proffesiynau Iechyd 2001 sy'n ymwneud ag-
 - (aa)ciropodyddion a phodiatryddion;
 - (bb) ffisiotherapyddion; neu
 - (cc)radiograffyddion: diagnostig neu therapiwtig, neu
 - (v) yn y gofrestr optometryddion a gedwir gan y Cyngor Optegol Cyffredinol yn unol ag adran 7 o Ddeddf Optegwyr 1989, a
- (b) y cofnodir yn erbyn ei enw yn y gofrestr berthnasol nodyn neu gofnod yn dynodi ei fod yn gymwys i archebu cyffuriau, meddyginiaethau a chyfarpar fel rhagnodydd atodol;"

(5) Yn y safleoedd priodol yn nhrefn yr wyddor, mewnosoder y diffiniadau canlynol-

- (i) the Nurse Prescribers' Formulary for District Nurses and Health Visitors in Part XVIIB(i) of the Drug Tariff, or
- (ii) the Nurse Prescribers' Formulary for Community Practitioners in Part XVIIB(i) of the Drug Tariff

is also recorded in that register. For the purposes of the POM Order an independent nurse prescriber is a community practitioner nurse prescriber:"

(3) For the definition of "nurses and midwives' professional register" substitute-

"Nursing and Midwifery Register" ("*Cofrestr Nyrsio a Bydwreigiaeth*") means the register maintained by the Nursing and Midwifery Council under the Nursing and Midwifery Order 2001(1);" .

(4) For the definition of "supplementary prescriber" substitute-

"supplementary prescriber" ("*rhagnodydd atodol*") means a person-

- (a) whose name is registered in-
 - (i) the Nursing and Midwifery Register,
 - (ii) the Register of Pharmaceutical Chemists maintained in pursuance of section 2(1) of the Pharmacy Act 1954(2),
 - (iii) the register maintained in pursuance of Articles 6 and 9 of the Pharmacy (Northern Ireland) Order 1976(3),
 - (iv) the part of the register maintained by the Health Professions Council in pursuance of Article 5 of the Health Professions Order 2001 relating to-
 - (aa)chiropodists and podiatrists;
 - (bb)physiotherapists; or
 - (cc) radiographers: diagnostic or therapeutic, or
 - (v) the register of optometrists maintained by the General Optical Council in pursuance of section 7 of the Opticians Act 1989, and
- (b) against whose name is recorded in the relevant register an annotation or entry signifying that he or she is qualified to order drugs, medicines and appliances as a supplementary prescriber;"

(5) In the appropriate places in the alphabetical order, insert the following definitions-

(1) O.S. 2001/253.

(2) 1954 p.61.

(3) O.S. 1976/1213.

(1) S.I. 2001/253.

(2) 1954 c.61.

(3) S.I. 1976/1213.

"ystyr "cofrestr berthnasol" ("*relevant register*") yw-

- (a) mewn perthynas â nyrs neu fydwraig, y Gofrestr Nyrsio a Bydwreigiaeth;
- (b) mewn perthynas â fferylllydd, y gofrestr a gedwir yn unol ag adran 2(1) o Ddeddf Fferylliaeth 1954 neu'r gofrestr a gedwir yn unol ag Erthyglau 6 a 9 o Orchymyn Fferylliaeth (Gogledd Iwerddon);
- (c) mewn perthynas â pherson y mae ei enw wedi'i gofrestru yn y rhan o'r gofrestr a gedwir gan y Cyngor Proffesiynau Iechyd yn unol ag Erthygl 5 o Orchymyn Proffesiynau Iechyd 2001 sy'n ymwneud â-
 - (i) ciropodyddion a phodiatryddion;
 - (ii) ffisiotherapyddion; neu
 - (iii) radiograffyddion: diagnostig neu therapiwtig; y gofrestr honno; ac
- (ch) mewn perthynas ag optometrydd cofrestredig, y gofrestr optometryddion a gedwir o dan adran 7(a) o Ddeddf Optegwyr 1989;"

ystyr "cwrs a achredwyd" ("*accredited course*") yw cwrs a achredwyd gan y Cyngor Nyrsio a Bydwreigiaeth;"

ystyr "fferylllydd-ragnodydd annibynnol" ("*pharmacist independent prescriber*") yw person -

- (a) sy'n fferylllydd, a
- (b) y cofnodir yn erbyn ei enw yn y gofrestr berthnasol nodyn yn dynodi ei fod yn gymwys i archebu cyffuriau, meddyginiaethau a chyfarpar fel fferylllydd-ragnodydd annibynnol;"

ystyr "Gorchymyn POM" ("*POM Order*") yw Gorchymyn Meddyginiaethau drwy Bresgripsiwn yn Unig (I'w Defnyddio gan Bobl) 1997(1);"

ystyr "nyrs-ragnodydd annibynnol" ("*nurse independent prescriber*") yw person-

- (a) y mae ei enw wedi'i gofrestru yn y Gofrestr Nyrsio a Bydwreigiaeth, a
- (b) sydd, o ran y person sy'n ymarfer yng Nghymru ar 1 Chwefror 2007 neu ar ôl y dyddiad hwnnw, wedi llwyddo mewn cwrs a achredwyd ar gyfer ymarfer fel nyrs-ragnodydd annibynnol;"

(6) Yn y diffiniad o "rhagnodydd" ("*prescriber*"), hepgorer y gair "ac" sy'n dod ar ôl y geiriau "nyrs annibynnol sy'n rhagnodi" a mewnosoder ar ôl y geiriau "rhagnodydd atodol;"-

- (ch) nyrs-ragnodydd annibynnol; ac
- (d) fferylllydd-ragnodydd annibynnol;"

"accredited course" ("*cwrs a achredwyd*") means a course accredited by the Nursing and Midwifery Council;"

"nurse independent prescriber" ("*nyrs-ragnodydd annibynnol*") means a person-

- (a) whose name is registered in the Nursing and Midwifery Register, and
- (b) who, in respect of a person practising in Wales on or after 1 February 2007, has passed an accredited course to practise as a nurse independent prescriber;" ;

"pharmacist independent prescriber" ("*fferylllydd-ragnodydd annibynnol*") means a person-

- (a) who is a pharmacist, and
- (b) against whose name is recorded in the relevant register an annotation signifying that he or she is qualified to order drugs, medicines and appliances as a pharmacist independent prescriber;" ;

"POM Order" ("*Gorchymyn POM*") means the Prescription Only Medicines (Human Use) Order 1997(1);"

"relevant register" ("*cofrestr berthnasol*") means-

- (a) in relation to a nurse or a midwife, the Nursing and Midwifery Register;
- (b) in relation to a pharmacist, the register maintained in pursuance of section 2(1) of the Pharmacy Act 1954 or the register maintained in pursuance of Articles 6 and 9 of the Pharmacy (Northern Ireland) Order;
- (c) in relation to a person whose name is registered in the part of the register maintained by the Health Professions Council in pursuance of Article 5 of the Health Professions Order 2001 relating to-
 - (i) chiropodists and podiatrists;
 - (ii) physiotherapists; or
 - (iii) radiographers: diagnostic or therapeutic;

that register; and

- (d) in relation to a registered optometrist, the register of optometrists maintained under section 7(a) of the Opticians Act 1989;"

(6) In the definition of "prescriber" ("*rhagnodydd*"), omit the word "and" following the words "independent nurse prescriber" and following the words "a supplementary prescriber;" insert-

- "(d)nurse independent prescriber; and
- (e) pharmacist independent prescriber;"

(1) O.S. 1997/1830, yr offeryn diwygio perthnasol yw O.S. 2006/915

(1) S.I. 1997/1830, relevant amending instrument is S.I. 2006/915.

Diwygio Rheoliadau Gwasanaethau Fferyllol 1992.

3.-(1) Diwygir Rheoliad 2(1) o Reoliadau Gwasanaethau Fferyllol 1992 yn unol â darpariaethau'r rheoliad hwn.

(2) Yn lle'r diffiniad o "independent nurse prescriber" rhodder-

""independent nurse prescriber" means a person-

- (a) who is registered in the Nursing and Midwifery Register, and
- (b) in respect of whom an annotation signifying that he or she is qualified to order drugs, medicines and appliances from-
 - (i) the Nurse Prescribers' Formulary for District Nurses and Health Visitors in Part XVIIB(i) of the Drug Tariff, or
 - (ii) the Nurse Prescribers' Formulary for Community Practitioners under Part XVIIB(i) of the Drug Tariff

is also recorded in that register. For the purposes of the POM Order, an independent nurse prescriber is a community practitioner nurse prescriber;".

(3) Yn lle'r diffiniad o "nurses and midwives' professional register" rhodder-

""Nursing and Midwifery Register" means the register maintained by the Nursing and Midwifery Council under the Nursing and Midwifery Order 2001;".

(4) Yn lle'r diffiniad o "supplementary prescriber" rhodder-

""supplementary prescriber" means a person-

- (a) whose name is registered in-
 - (i) the Nursing and Midwifery Register,
 - (ii) the Register of Pharmaceutical Chemists maintained in pursuance of section 2(1) of the Pharmacy Act 1954,
 - (iii) the register maintained in pursuance of Articles 6 and 9 of the Pharmacy (Northern Ireland) Order 1976,
 - (iv) the part of the register maintained by the Health Professions Council in pursuance of Article 5 of the Health Professions Order 2001 relating to-
 - (aa) chiropodists and podiatrists;
 - (bb) physiotherapists; or
 - (cc) radiographers: diagnostic or therapeutic, or
 - (v) the register of optometrists maintained by the General Optical Council in pursuance of section 7 of the Opticians Act 1989, and

Amendment of the Pharmaceutical Services Regulations 1992

3.-(1) Regulation 2(1) of the Pharmaceutical Services Regulations 1992 are amended in accordance with the provisions of this regulation.

(2) For the definitions of "independent nurse prescriber" substitute-

""independent nurse prescriber" means a person-

- (a) who is registered in the Nursing and Midwifery Register, and
- (b) in respect of whom an annotation signifying that he or she is qualified to order drugs, medicines and appliances from-
 - (i) the Nurse Prescribers' Formulary for District Nurses and Health Visitors in Part XVIIB(i) of the Drug Tariff, or
 - (ii) the Nurse Prescribers' Formulary for Community Practitioners under Part XVIIB(i) of the Drug Tariff

is also recorded in that register. For the purposes of the POM Order, an independent nurse prescriber is a community practitioner nurse prescriber ;".

(3) For the definition of "nurses and midwives' professional register" substitute-

""Nursing and Midwifery Register" means the register maintained by the Nursing and Midwifery Council under the Nursing and Midwifery Order 2001;".

(4) For the definition of "supplementary prescriber" substitute -

""supplementary prescriber" means a person-

- (a) whose name is registered in-
 - (i) the Nursing and Midwifery Register,
 - (ii) the Register of Pharmaceutical Chemists maintained in pursuance of section 2(1) of the Pharmacy Act 1954,
 - (iii) the register maintained in pursuance of Articles 6 and 9 of the Pharmacy (Northern Ireland) Order 1976,
 - (iv) the part of the register maintained by the Health Professions Council in pursuance of Article 5 of the Health Professions Order 2001 relating to-
 - (aa) chiropodists and podiatrists;
 - (bb) physiotherapists; or
 - (cc) radiographers: diagnostic or therapeutic, or
 - (v) the register of optometrists maintained by the General Optical Council in pursuance of section 7 of the Opticians Act 1989, and

(b) against whose name is recorded in the relevant register an annotation or entry signifying that he or she is qualified to order drugs, medicines and appliances as a supplementary prescriber;"

(5) Yn y safleoedd priodol yn nhrefn yr wyddor mewnosoder y diffiniadau canlynol-

"accredited course" means a course accredited by the Nursing and Midwifery Council;"

"nurse independent prescriber" means a person-

(a) whose name is registered in the Nursing and Midwifery Register, and

(b) who, in respect of a person practising in Wales on or after 1 February 2007, has passed an accredited course to practise as a nurse independent prescriber;"

"pharmacist independent prescriber" means a person-

(a) who is a pharmacist, and

(b) against whose name is recorded in the relevant register an annotation signifying that he or she is qualified to order drugs, medicines and appliances as a pharmacist independent prescriber;"

"POM Order" means the Prescription Only Medicines (Human Use) Order 1997;"

"relevant register" means-

(a) in relation to a nurse or a midwife, the Nursing and Midwifery Register;

(b) in relation to a pharmacist, the register maintained in pursuance of section 2(1) of the Pharmacy Act 1954 or the register maintained in pursuance of Articles 6 and 9 of the Pharmacy (Northern Ireland) Order;

(c) in relation to a person whose name is registered in the part of the register maintained by the Health Professions Council in pursuance of Article 5 of the Health Professions Order 2001 relating to-

(i) chiropodists and podiatrists;

(ii) physiotherapists; or

(iii) radiographers: diagnostic or therapeutic; that register; and

(d) in relation to a registered optometrist, the register of optometrists maintained under section 7(a) of the Opticians Act 1989;"

(6) Yn y diffiniad o "prescriber" ar ôl y geiriau "an independent nurse prescriber" mewnosoder y canlynol ", a nurse independent prescriber, a pharmacist independent prescriber".

(b) against whose name is recorded in the relevant register an annotation or entry signifying that he or she is qualified to order drugs, medicines and appliances as a supplementary prescriber;"

(5) In the appropriate places in the alphabetical order, insert the following definitions-

"accredited course" means a course accredited by the Nursing and Midwifery Council;" ;

"nurse independent prescriber" means a person-

(a) whose name is registered in the Nursing and Midwifery Register, and

(b) who, in respect of a person practising in Wales on or after 1 February 2007, has passed an accredited course to practise as a nurse independent prescriber;" ;

"pharmacist independent prescriber" means a person-

(a) who is a pharmacist, and

(b) against whose name is recorded in the relevant register an annotation signifying that he or she is qualified to order drugs, medicines and appliances as a pharmacist independent prescriber;" ;

"POM Order" means the Prescription Only Medicines (Human Use) Order 1997;" ;

"relevant register" means-

(a) in relation to a nurse or a midwife, the Nursing and Midwifery Register;

(b) in relation to a pharmacist, the register maintained in pursuance of section 2(1) of the Pharmacy Act 1954 or the register maintained in pursuance of Articles 6 and 9 of the Pharmacy (Northern Ireland) Order;

(c) in relation to a person whose name is registered in the part of the register maintained by the Health Professions Council in pursuance of article 5 of the Health Professions Order 2001 relating to-

(i) chiropodists and podiatrists;

(ii) physiotherapists; or

(iii) radiographers: diagnostic or therapeutic;

that register; and

(d) in relation to a registered optometrist, the register of optometrists maintained under section 7(a) of the Opticians Act 1989;"

(6) In the definition of "prescriber" following the words "an independent nurse prescriber" insert the following ", a nurse independent prescriber, a pharmacist independent prescriber".

Diwygio rheoliad 2(1) o'r Rheoliadau Contractau GMS Cymru

4.-(1) Diwygir Rheoliad 2(1) o'r Rheoliadau Contractau GMS Cymru yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Yn lle'r diffiniad o "independent nurse prescriber" rhodder-

""independent nurse prescriber" means a person-

- (a) who is either engaged or employed by the contractor or is a party to the contract,
- (b) who is registered in the Nursing and Midwifery Register, and
- (c) in respect of whom an annotation signifying that he or she is qualified to order drugs, medicines and appliances from-
 - (i) the Nurse Prescribers' Formulary for District Nurses and Health Visitors in Part XVIIB(i) of the Drug Tariff, or
 - (ii) the Nurse Prescribers' Formulary for Community Practitioners under Part XVIIB(i) of the Drug Tariff

is also recorded in that register. For the purposes of the POM Order, an independent nurse prescriber is a community practitioner nurse prescriber ;".

(3) Yn y safleoedd priodol yn nhrefn yr wyddor, mewnosoder y diffiniadau canlynol-

""accredited course" means a course accredited by the Nursing and Midwifery Council;";

"nurse independent prescriber" means a person-

- (a) who is either engaged or employed by the contractor or is a party to the contract,
- (b) whose name is registered in the Nursing and Midwifery Register, and
- (c) who, in respect of a person practising in Wales on or after 1 February 2007, has passed an accredited course to practise as a nurse independent prescriber;";

"pharmacist independent prescriber" means a person-

- (a) who is either engaged or employed by the contractor or is a party to the contract,
- (b) who is a pharmacist, and
- (c) against whose name is recorded in the relevant register an annotation signifying that he or she is qualified to order drugs, medicines and appliances as a pharmacist independent prescriber;".

(4) Yn y diffiniad o "relevant register", ar ôl y geiriau "the Pharmacy (Northern Ireland) Order 1976;" mewnosoder y canlynol-

Amendment of regulation 2(1) of the GMS Contracts Wales Regulations

4.-(1) Regulation 2(1) of the GMS Contracts Wales Regulations is amended in accordance with the following provisions of this regulation.

(2) For the definition of "independent nurse prescriber" substitute-

""independent nurse prescriber" means a person-

- (a) who is either engaged or employed by the contractor or is a party to the contract,
- (b) who is registered in the Nursing and Midwifery Register, and
- (c) in respect of whom an annotation signifying that he or she is qualified to order drugs, medicines and appliances from-
 - (i) the Nurse Prescribers' Formulary for District Nurses and Health Visitors in Part XVIIB(i) of the Drug Tariff, or
 - (ii) the Nurse Prescribers' Formulary for Community Practitioners under Part XVIIB(i) of the Drug Tariff

is also recorded in that register. For the purposes of the POM Order, an independent nurse prescriber is a community practitioner nurse prescriber ;".

(3) In the appropriate places in the alphabetical order, insert the following definitions-

""accredited course" means a course accredited by the Nursing and Midwifery Council;";

"nurse independent prescriber" means a person-

- (a) who is either engaged or employed by the contractor or is a party to the contract,
- (b) whose name is registered in the Nursing and Midwifery Register, and
- (c) who, in respect of a person practising in Wales on or after 1 February 2007, has passed an accredited course to practise as a nurse independent prescriber;";

"pharmacist independent prescriber" means a person-

- (a) who is either engaged or employed by the contractor or is a party to the contract,
- (b) who is a pharmacist, and
- (c) against whose name is recorded in the relevant register an annotation signifying that he or she is qualified to order drugs, medicines and appliances as a pharmacist independent prescriber;".

(4) In the definition of "relevant register" following the words "the Pharmacy (Northern Ireland) Order 1976;" insert the following-

"(c)in relation to a person whose name is registered in the part of the register maintained by the Health Professions Council in pursuance of Article 5 of the Health Professions Order 2001 relating to-

- (i) chiropodists and podiatrists;
 - (ii) physiotherapists; or
 - (iii) radiographers: diagnostic or therapeutic; that register; and
- (d) in relation to a registered optometrist, the register of optometrists maintained under section 7(a) of the Opticians Act 1989;"

(5) Yn y diffiniad o "prescriber", ym mharagraff (b) dileer y gair "and", ac ar ôl paragraff "(c) supplementary prescriber," mewnosoder-

- "(d)a nurse independent prescriber, and
- (e) a pharmacist independent prescriber,"

Diwygio Atodlen 6 i'r Rheoliadau Contractau GMS Cymru

5.-(1) Diwygir Atodlen 6 (amodau contract eraill) i'r Rheoliadau Contractau GMS Cymru yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Ym mharagraff 49(3) a (4) (amodau sy'n berthnasol i ddarparu gwasanaethau gweinyddu) ar ôl "independent nurse prescriber", ym mhob man y ceir y geiriau hynny, mewnosoder ", nurse independent prescriber, a pharmacist independent prescriber or a supplementary prescriber whose name is registered in the Nursing and Midwifery Register and against whose name is recorded in that register an annotation or entry signifying that he or she is qualified to order drugs, medicines and appliances as a supplementary prescriber".

(3) Ym mharagraff 64(1) a (2) (sy'n ymwneud â nyrsys sy'n rhagnodi'n annibynnol a rhagnodwyr atodol), ar ôl "independent nurse prescriber", ym mhob man y ceir y geiriau hynny, mewnosoder ", a nurse independent prescriber, a pharmacist independent prescriber".

(4) Yn y pennawd i baragraff 64, ar ôl "independent nurse prescribers" mewnosoder ", nurse independent prescribers, pharmacist independent prescribers".

"(c)in relation to a person whose name is registered in the part of the register maintained by the Health Professions Council in pursuance of Article 5 of the Health Professions Order 2001 relating to-

- (i) chiropodists and podiatrists;
 - (ii) physiotherapists; or
 - (iii) radiographers: diagnostic or therapeutic; that register; and
- (d) in relation to a registered optometrist, the register of optometrists maintained under section 7(a) of the Opticians Act 1989;"

(5) In the definition of "prescriber", in paragraph (b) remove the word "and", following paragraph "(c) supplementary prescriber," insert-

- "(d)a nurse independent prescriber, and
- (e) a pharmacist independent prescriber," .

Amendment of Schedule 6 to the GMS Contracts Wales Regulations

5.-(1) Schedule 6 (other contractual terms) of the GMS Contracts Wales Regulations is amended in accordance with the following provisions of this regulation.

(2) In paragraph 49(3) and (4) (terms relating to the provision of dispensing services) after "independent nurse prescriber" at each place where it occurs insert ", nurse independent prescriber, a pharmacist independent prescriber or a supplementary prescriber whose name is registered in the Nursing and Midwifery Register and against whose name is recorded in that register an annotation or entry signifying that he or she is qualified to order drugs, medicines and appliances as a supplementary prescriber".

(3) In paragraph 64(1) and (2) (which relate to independent nurse prescribers and supplementary prescribers), after independent nurse prescriber, at each place where it occurs insert ", a nurse independent prescriber, a pharmacist independent prescriber".

(4) In the heading for paragraph 64, after "independent nurse prescribers" insert ", nurse independent prescribers, pharmacist independent prescribers".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(1)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(1).

30 Ionawr 2007

30 January 2007

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

2007 Rhif 205 (Cy.19)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Diwygiadau Amrywiol
Ynghylch Nyrsys Sy'n Rhagnodi'n
Annibynnol, Rhagnodwyr Atodol,
Nyrsys-ragnodwyr Annibynnol a
Fferyllwyr-ragnodwyr Annibynnol)
(Cymru) 2007

2007 No. 205 (W.19)

**NATIONAL HEALTH
SERVICE, WALES**

The National Health Service
(Miscellaneous Amendments
Concerning Independent Nurse
Prescribers, Supplementary
Prescribers, Nurse Independent
Prescribers and Pharmacist
Independent Prescribers) (Wales)
Regulations 2007

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