STATUTORY RULES OF NORTHERN IRELAND

2001 No. 167

HEALTH AND PERSONAL SOCIAL SERVICES

The General Medical Services (Amendment No. 2) Regulations (Northern Ireland) 2001

Made - - - -	*11th April 2001*
Coming into operation	*21st May 2001*

The Department of Health, Social Services and Public Safety(**1**), in exercise of the powers conferred on it by Articles 56, 106(*b*) and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(**2**), and of all other powers enabling it in that behalf, and in conjunction with the Department of Finance and Personnel and after consultation with such organisations as appeared to the Department to be representative of the medical profession, as required by Article 56(5) of that Order, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the General Medical Services (Amendment No. 2) Regulations (Northern Ireland) 2001 and shall come into operation on 21st May 2001.

(2) In these Regulations, "the principal Regulations" means the General Medical Services Regulations (Northern Ireland) 1997(**3**).

Amendment of the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with the following provisions.

(2) In regulation 2 (interpretation), in the appropriate places in alphabetical order, insert—

""nurse prescriber" means a nurse or health visitor of a description specified in regulation 2A;"; and

(**1**) S.I.1999/283 (N.I. 1), *see* Article 3(6)

(**2**) S.I. 1972/1265 (N.I. 14), as amended by Article 12 of the Health and Personal Social Services (Northern Ireland) Order 1978 (S.I. 1978/1907 (N.I. 26)); Article 7 of the Health and Personal Social Services and Public Health (Northern Ireland) Order 1986 (S.I. 1986/2229 (N.I. 24)); Article 4(5) of the Health and Medicines (Northern Ireland) Order 1988 (S.I. 1988/2249 (N.I. 24)); Article 29(1) of, and Schedule 6 to, the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)); section 4 of, and paragraph 30(*a*) and (*b*) of the Schedule to, the Medical (Professional Performance) Act 1995 (1995 c. 51); and Article 23 of, and Schedule 2 to, the Health Services (Primary Care) (Northern Ireland) Order 1997 (S.I. 1997/1177(N.I. 7))

(**3**) S.R. 1997 No. 380; as amended by S.R. 1998 No. 9 and S.R. 1999 No. 100

""professional register" means the register maintained by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting under section 7 of the Nurses, Midwives and Health Visitors Act 1997(**4**);".

(3) After regulation 2, insert—

"**Specified description of nurse or health visitor**

2A. The specified description of nurse or health visitor mentioned in the definition of "nurse prescriber" in regulation 2 is—

(a) a person who—

(i) is registered in Part 1 or 12 of the professional register; and

(ii) has a district nursing qualification additionally recorded in the professional register under rule 11 of the Nurses, Midwives and Health Visitors Rules 1983(**5**); and

(iii) is at the time of ordering the listed drug or medicine or appliance, employed by a Board or an HSS trust as a district nurse, or employed as a nurse by a medical practitioner whose name is included in the medical list or who, at that time, is assisting in the performance of personal medical services under a pilot scheme under the 1997 Order; or

(b) a person who—

(i) is registered in Part 11 of the professional register as a health visitor; and

(ii) is, at the time of ordering the listed drug or medicine or applicance, employed by a Board or an HSS trust as a health visitor, or employed as a nurse by a medical practitioner whose name is included in the medical list or who, at that time, is assisting in the performance of personal medical services under a pilot scheme under the 1997 Order;

and against whose name (in each case) is recorded in the professional register an annotation signifying that he is qualified to order drugs, medicines and appliances for patients.".

(4) In Schedule 2 to the principal Regulations (terms of service for doctors), after paragraph 35 (employees), insert—

"**35A.**—(1) Where—

(a) a doctor employs a nurse prescriber whose functions will include prescribing in his practice; or

(b) the functions of a nurse prescriber whom he already employs are extended to include prescribing,

he shall notify the Board within the period of seven days beginning with the date on which the event occurred.

(2) Where—

(a) the doctor ceases to employ a nurse prescriber whose functions included prescribing in his practice;

(b) the functions of a nurse prescriber whom he employs in his practice are changed so that they no longer include prescribing in his practice; or

(**4**) 1997 c. 24
(**5**) Approved by S.I. 1983/873, to which there are amendments not relevant to these Regulations