



**HUMBERSIDE**  
**LMCs**

The professional voice of general practice

## **Direction of Prescribing**

**Clinical and Prescribing**

Patients should always have a free choice as to where they have their NHS prescriptions dispensed (and this includes patients of Dispensing Practices) and practices should refrain from directing their patients to a particular pharmacy. This is covered by the GMC's Good Practice Guidelines and also the GMS/PMS Regulations concerning electronic prescription transmission. Pharmacists' terms of Service also preclude a pharmacist from receiving an inducement to process prescriptions.

Most pharmacies now provide services which include collection of prescription from the surgery as well as delivery to vulnerable and disabled patients and those in other defined categories. This type of service is often most helpful to patients. In addition it is helpful where doctors and practice staff get to know their regular pharmacists and know what services are available from pharmacies so that they can provide their patients with comprehensive information. Doctors should be particularly circumspect if they have any financial interest in a pharmacy. Below are the definitive guidelines from the GMC and the Regulations.

### **Extract from GMC Guidelines**

## **Good Practice in Prescribing Medicines (2008)**

### **Doctors' interests in pharmacies**

10. You should ensure that your patients have access to information about your own and (where known) your employers' financial or commercial interests in any pharmacy they are likely to use.
11. Patients should be free to choose from which pharmacy to have their prescribed medicines dispensed. Advice about specialist pharmacies or those that offer collection and delivery services, for example, can be helpful. It might not be practical or clinically appropriate for patients to use alternative pharmacies when in hospital or visiting clinics at which medicines are dispensed free of charge.
12. You must not allow your own or your employers' financial or commercial interests in a pharmacy to influence the way you advise patients. You should not accept any inducement which may affect or be seen to affect the advice you give patients. You must not pressurise patients to use a particular pharmacy in any event, either personally or through an agent, nor should you disparage or otherwise undermine patients' trust in a pharmacy or pharmacist by making malicious or unfounded criticisms.

## Extract from GMS/PMS Regulations

### Nomination of dispensers for the purpose of electronic prescriptions

**39B** (1) A contractor which operates the ETP service for its patients shall, if requested to do so by a patient, enter in that patient's NHS Care Record -

(a) where he does not have a nominated dispenser, the dispenser chosen by that patient; and

(b) where he does have a nominated dispenser -

(i) a replacement dispenser, or

(ii) a further dispenser,

chosen by that patient.

(2) Sub-paragraph (1)(b)(ii) shall not apply if the number of nominated dispensers would thereby exceed the maximum number permitted by the ETP service.

(3) Paragraph 15(4) shall apply in relation to requests under sub-paragraph (1) as it applies to applications for inclusion in a list of patients.

(4) A contractor -

(a) shall not seek to persuade a patient to nominate a dispenser recommended by the prescriber or the contractor; and

(b) shall, if asked by the patient to recommend a chemist whom he might nominate as **his dispenser, provide the patient with the list of all the chemists in the area who provide an ETP service** as given to the contractor by the Primary Care Trust.

## Pharmacists' Terms of Service

(Schedule 4 Part 2 para 30 of the NHS (Pharmaceutical Services) Regulations 2013)

### Inducements etc.

**30.**—(1) An NHS pharmacist (P) (including P's staff) must not give, promise or offer to any person any gift or reward (whether by way of a share of or dividend on the profits of P's business or by way of discount or rebate or otherwise) as an inducement to or in consideration of a person

(X)— (a) presenting an order for drugs or appliances on a prescription form or repeatable prescription, non-electronic prescription form or non-electronic repeatable prescription;

(b) nominating P as X's dispensing contractor (or one of them) in X's PDS patient details;

or

(c) receiving from P any directed services.

(2) Promising, offering or providing an auxiliary aid in relation to the supply of drugs or a home delivery service is not a gift or reward for the purposes of sub-paragraph (1).

(3) Nothing in sub-paragraph (1) prohibits P from providing to a patient to whom P is providing any directed services any gift which (a) is supplied as part of the provision of any directed service to that patient;

- (b) is directly related to that directed service;
- (c) is supplied in order to encourage or promote health or well-being or the adoption by the patient or the patient's family of a healthy lifestyle; and
- (d) in the case of a gift which—
  - (i) is not a medicine, has a monetary value not exceeding £10, or
  - (ii) is a medicine, is supplied as part of the provision of a minor ailments service.





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