

PSNC Health Policy and Regulations Subcommittee Report, July 2017

There were no decisions required this month, and, therefore, no subcommittee meeting has been listed; instead, an update report on subcommittee business is set out below.

ETP – switching/issues

This item concerns financial losses suffered by community pharmacy due to the introduction of the Electronic Transmission of Prescriptions (ETP).

A tripartite meeting planned in June with the Department of Health (DH) and NHS England was cancelled by NHS England, because it had been unable to send a representative to review the PSNC data and information on the quantum of community pharmacy losses due to exempt electronic prescriptions submitted as paid. A re-scheduled meeting is planned for early August.

There is ongoing work with CCA multiples and the independent multiples to seek to identify the scale of losses due to prescriptions expired on the spine.

Pharmacy Access Scheme (PhAS)

This item concerns the problems with the design and implementation of PhAS.

A report is included in the FunCon agenda/papers. While DH has dealt with problems concerning methodology or calculation of the PhAS payments and adherence to the Drug Tariff identified by PSNC; a problem has now been identified with DH data, which may affect approximately 50 pharmacies. This concerns the Establishment Payment top up and whether this was included in the baseline data for 2015/16.

There has been ongoing work to ensure Local Pharmaceutical Services (LPS) pharmacies have the option to claim PhAS payments when/ if they return to the pharmaceutical list (before the end of March 2018). But, many LPS pharmacies with lower prescription volumes that did not receive the Establishment Payment (EP), will receive no money/top-up even if technically eligible for PhAS payments because of the new remuneration system - the single activity is higher than the former dispensing fee and there is no loss of EP. Also, PhAS does not continue or top up payments to LPS pharmacies that were not linked to the CPCF. Therefore, PSNC has asked DH/NHS England to ensure appropriate calculations are made before these contractors are notified about PhAS eligibility so their hopes are not raised, only to be dashed. An appropriate change will be made to the Drug Tariff.

Review of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013

A small working-group to identify and consider relevant issues is being assembled with subcommittee member Stephen Thomas. The review has not started yet, following the end of the purdah/the General Election.

General Pharmaceutical Council (GPhC) consultation on revalidation

A short PSNC consultation response supporting the proposals has been sent to the GPhC.

Review of the Safe Custody Regulations 1973

The Safe Custody Regulations set requirements for the storage of Schedule 2 and some Schedule 3 controlled drugs; for some persons who store controlled drugs. The aim of the review is to allow better

security to develop (not limited to the prescribed requirements) and extend the rules to all who store controlled drugs (presumably only those who store for subsequent retail supply).

The Home Office has been holding a series of stakeholder meetings and more are planned for August. In meetings, PSNC has indicated that because there is no evidence that the existing requirements are insufficient, any improvements or future-proofing of the regulations should carry no additional cost or regulatory burden to community pharmacy.

General Data Protection Regulation (GDPR)

The Director of Operations and Support has contacted the Information Governance Alliance (NHS Digital) and volunteered to review national GDPR guidance; a reply is awaited.

Primary Care Support England

Monthly meetings with PCSE are ongoing and an additional meeting is planned in late July, to discuss market entry issues; those present at the recent LPC Chairs and CEOs meeting were informed of the planned meeting and invited to send in any issues or concerns that need to be resolved. Committee members are also invited to send in any issues. The specific issues raised at the last meeting have been passed to PCSE.

Community Pharmacy Assurance Framework (CPAF)

The 2017/18 CPAF screening questionnaire, issued electronically by NBSA, commenced on Monday 12th June 2017 for a period of four weeks. In announcing this year's CPAF, there was a reminder of the terms of service requirements for record keeping related to prescription-based interventions and signposting to ensure the questions are understood by contractors. This stated:

...Level 2 is the minimum standard expected to demonstrate compliance with the terms of service. Last year's CPAF screening process revealed that the prescription-based interventions and signposting questions on the screening questionnaire may have been misunderstood by some contractors. It is important that these questions are properly understood as the pharmacy contract does not require that records are made of all prescription-linked, signposting and self-care interventions, but that records are made 'as appropriate'....

According to NBSA, as of 30 June 2017, the number of NHS pharmacy contractors that had completed the CPAF screening questionnaire was 8,336 or (71%) responses – this compares with 69% at the same point last year. The closing date for the screening questionnaire is Sunday 9 July 2017.

Regulation 26A consolidations

Guidance was issued on 12 June 2017, to coincide with the first consolidation applications.

<http://psnc.org.uk/wp-content/uploads/2013/04/PSNC-Briefing-036.17-Regulation-26A-Consolidations.pdf> An update to the Pharmacy Manual is expected in due course.

NHS Mail

At the last meeting, issues were reported with NHS mail and these were passed to the NHS Services Team.

Rural Working Group

A meeting of the Rural Working Group is being arranged for September, to consider various issues, including those relating to the review of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013.