

PSNC Minutes

For the meeting held on 12th & 13th May 2015

at York Marriott, Tadcaster Road, York, YO24 1QQ

commencing at 2pm on 12th May

Present: David Broome, Christine Burbage, Mark Burdon, Peter Cattee, Liz Colling, Mark Collins, Ian Cubbin, David Evans, Samantha Fisher, Mark Griffiths, Ian Hunter, Clive Jolliffe, Tricia Kennerley, Clare Kerr, Andrew Lane, Margaret MacRury, Rajesh Morjaria, Garry Myers, Bharat Patel, Indrajit Patel, Kirit Patel, Prakash Patel, Umesh Patel, Janice Perkins, Adrian Price, Rupen Sedani, Anil Sharma, Faisal Tuddy, Gary Warner

In the Chair: Sir Peter Dixon

In Attendance: Sue Sharpe, Alastair Buxton, Harpreet Chana, Shiné Daley, Mike Dent, Komal George, Mike King, Steve Lutener, Zoe Smeaton

1. Apologies for absence

Apologies for absence were received from Steven Banks, Liz Colling (Tuesday only), David Evans (Tuesday only), Clive Jolliffe (Wednesday only) and Adrian Price (Wednesday only).

The Chief Executive informed the Committee that Mike Hewitson is the new NPA representative to replace Raj Patel. Mike Hewitson will be joining the Service Development Subcommittee and Indrajit Patel will move to the Funding and Contract Subcommittee.

2. Minutes of the last meeting of PSNC

The minutes of the PSNC meeting held on Tuesday 10th and Wednesday 11th March 2015 were approved. Indrajit Patel pointed out a spelling error under item 7 in the fourth paragraph. The following has been changed from "Prevention of prescription change fraud was also highlighted..." to "Prevention of prescription charge fraud was also highlighted".

3. Matters arising from the minutes

None.

4. Chairman's Report

The Chairman reported on a brief conversation he had with Duncan Selbie, Chief Executive of Public Health England, regarding NHS Health Checks. Duncan Selbie would like to meet with the Chairman to discuss NHS Health Checks in more detail and so the Chairman will report back to the Committee after the meeting. Mark Collins informed the Chairman that there is a lot of bureaucracy involved, which makes it difficult to hit targets and asked the Chairman to feed this into the meeting.

Chief Executive's Report

Parliament

The Chief Executive informed the committee that Jeremy Hunt remains Secretary of State for Health. Ben Gummer replaces Dr Dan Poulter as the junior Health Minister, Jane Ellison was re-appointed as Public Health Minister and Alistair Burt is replacing Norman Lamb.

Update on 2015/16 CPCF negotiations – confidential

The committee received an update on the ongoing negotiations which include discussions about a national minor ailments service. These remain confidential until they have been concluded.

NHS England programme approach to pharmacy

The Chief Executive reported on a meeting between NHS England, Pharmacy Voice and PSNC on developing a programme approach to the management of pharmacy policy within NHS England. The initial aim would be to bring together stakeholders to manage implementation and delivery of new community pharmacy services. It agreed to undertake mapping of stakeholders, including education providers, IT providers, GPs, RPS, communication and patients, who can contribute to successful delivery. It was noted that Deborah Jaines (NHS England) has secured a £75K budget to support this work.

ESPLPS

The Chief Executive took the opportunity to raise our disappointment at the handling of ESPLPS applications and provided some examples. Steve Lutener is continuing to work to get good decisions on individual cases when contractors involve us. All ESPLPS contractors will be contacted to ensure we have a complete picture of what has happened in individual cases. We will see if there are decisions that might be subject to judicial review and get legal advice if so.

Discretionary payments

The Chief Executive has pushed Department of Health for amendment to the Drug Tariff to provide entitlement to payment for lost prescription bundles, as well as highlighting some other issues and the NHS England block on discretionary payments. In addition PSNC raised expired prescriptions where the claim is late but the supply was in time. Deborah Jaines explained the history of the work to standardise handling of discretionary payments across NHS England for GPs and dentists, and agreed we should work on principles underpinning the handling of pharmacy claims.

Homecare

The Chief Executive reported on a meeting with Martin Sawyer, BAPW and Dave Roberts, Chief Executive of the Homecare Association, on 25th March. Opportunities were explored for wholesale and pharmacy to support homecare where medicines complexity did not make this impractical. As a consequence the Chief Executive met with Alan Karr, who chairs the DH Home Care Committee, with BAPW representatives, including the current and incoming Chairs, from Alliance/ Alcura and Celesio/Evolution. The CEO commented that it was an interesting meeting, following which BAPW were planning to commission some work from PwC. Meanwhile PSNC has commissioned Andre Yeung to explore opportunities for pharmacy to support homecare. There is recognition that the homecare market is fragile.

P2U sale of data

The Chief Executive referred to a Daily Mail article published in late March. It drew previous concerns expressed about misuse of data for marketing purposes to the attention of the NHS. This was raised at a meeting with Deborah Jaines and Jeannette Howe and Sue Sharpe was informed that this is being dealt with by NHS England who are working together with the GPhC.

Falsified Medicines Directive

It is understood that the Delegated Act, which will require adoption of FMD in Member States, will be published this year, and that will trigger a three-year period within which implementation will need to take place. The Chief Executive has communicated with our sister organisations as, although the policy discussions to date have taken place in Europe where pharmacy is represented by the NPA and the RPS, it is now necessary to consider the operational and financial issues flowing from implementation. There will be a clear impact on business processes. The ABPI is facilitating the UK stakeholder work, which is expected to involve all stakeholders and will be meeting with PSNC on 20th May. The Chief Executive emailed the NPA in mid-April and following a delayed response will be meeting them on May 21st 2015.

Devices versus medicines

The CEO reported on an issue with an eye drop registered as a medical device by MHRA - that process has a lower safety, quality and effectiveness regime applied than is required for a medicine – licensed or unlicensed. DH then sought to refuse payment for the product if procured as a special. Komal George, Steve Lutener and Sue Sharpe made strong arguments that the item is prescribed as a medicine and meets the definition of a medicinal product. This has become an important ‘slippery slope’ issue. DH has conceded that specials will be reimbursed.

Drug Tariff reforms

It was reported that the Department of Health continues to delay in addressing the changes to non-Part VIII, Cat A, split discount and specials, agreed as part of the 2014-15 settlement.

Multiples Margin

It was noted that there is still no response on the multiples margin paper that was submitted in October 2014.

Meeting with Pharmacy Voice

The Chief Executive reported on the first meeting between her, Peter Dixon, Rob Darracott and the new PV Chair, Claire Ward. Claire Ward is keen to revive our proposal for an MOU between the two organisations. The CEO and Chair explained why it had foundered but said PSNC would be happy to try once more. It was agreed to meet regularly, and a further meeting is being arranged prior to the July PSNC meeting.

5. EPS

HSCIC and NHS England presented proposals for further development of the EPS followed by a question and answer session. The Committee was then asked to agree the key elements of a submission to HSCIC and NHS England.

6. Group discussion

A group discussion session was held on Wednesday 13th May on planning for implementation of any agreed 2015/16 CPCF changes.

ACTION

7. Appointments Panel

Mark Collins, Chair of the Appointments Panel, presented to the Committee on the Panel’s work to recommend a Chairman to replace Sir Peter Dixon when his term of office concludes at the end of August 2015.

The five Subcommittee Chairmen, Mark Collins and Tricia Kennerley were appointed to start the process of looking for a new Chairman. The panel identified that they needed human resources support and so appointed David Richards from OCT Associates to assist them. Most of the Committee received a telephone call from David Richards and the panel received a list of potential candidates. Four candidates met and spoke with Sue Sharpe, Peter Dixon and Tricia Kennerley and were then formally interviewed on April 29th. It was reported that all four candidates were of a high calibre and would do a great job but after careful consideration the panel reported that they would like to nominate Sir Michael Pitt as the new Chairman of PSNC. Mark Collins provided some background information on Sir Michael Pitt’s previous posts.

The Committee supported unanimously the recommendation to appoint Sir Michael Pitt as the new Chairman.

Mark Collins thanked the Subcommittee Chairs, Tricia Kennerley, Sue Sharpe and Peter Dixon for their support.

8. Notice for contract changes with an IT aspect

PSNC received a letter from Pharmacy Voice in April informing the Committee that system suppliers in future want at least 12 months' notice before CPCF changes requiring IT amendment can be implemented. After some discussion the Committee agreed that they are happy with the following proposed response to PV:

- a) To confirm that PSNC is aware of the need to allow time for IT system changes, and has in the past sought with some success to defer implementation of changes to allow time for changes to be made;
- b) Reply that whilst six months' notice – the period requested to date – has been accepted, a period of twelve months presents problems as it will affect our ability to be responsive to NHS needs, and we do not believe it is likely to attract sympathy from the NHS;
- c) Draw attention to the announcement regarding BCP, and accept the concern but say it seems unlikely that there would be acceptance that minor changes could not be required with a lesser notice period.

RATIFICATION

9. Resource Development & Finance subcommittee

The minutes of the subcommittee meeting were presented by Mark Burdon.

Mark Burdon informed the Committee that HIE Ltd, which managed the Pinnacle relationship had ceased trading and would be closed down. PSNC Data Systems Ltd (PDS) has been established which will manage Check34 and the PharmOutcomes partnership. It was noted that Dhiren Bhatt, Mark Burdon and Sue Sharpe are directors of PDS, but Sue Sharpe will resign once additional directors are appointed.

The Committee approved the remit of PDS and it was recommended that Bharat Patel and Christine Burbage be added as Directors, which the Committee agreed. It was noted that Gary Warner abstained from that vote.

As part of the MOU on Check 34 with the NPA it was agreed to establish a steering group and there was a recommendation to appoint three people. The Committee agreed to appoint Mark Burdon, Jay Patel (Day-Lewis) and Mark Collins to the Steering Group.

Mike Dent was thanked for his support for the RDF subcommittee.

10. Health Policy and Regulations subcommittee

The minutes of the subcommittee meeting were presented by Ian Cubbin.

A consultation document on rebalancing medicines legislation and pharmacy regulation was published by the Department of Health and the Committee agreed that PSNC should respond as per the draft that was set out in the agenda.

The Committee agreed that it is important to push hard to resolve the position where the patient has not collected an item and the products cannot be used for others; the payment arrangements must support payment.

The Committee also agreed to support the NHS England proposals which were set out in the agenda, if they agreed to some suggestions raised by the subcommittee.

It was noted that the subject of inducements was discussed in October 2014 and a paper with options was circulated at the subcommittee meeting. The Committee approved the recommendation for PSNC to pursue GMS regulation changes to prohibit seeking or accepting reward for recommending a pharmacy. The PhS regulations should prohibit payment to practices for promotion of pharmacy and prohibition on payment for mailing list or participation in third party mailings.

11. LPC & Implementation Support subcommittee

The minutes of the subcommittee meeting were presented by Christine Burbage, and the recommendation to adopt the NPA's employer's liability insurance on behalf of those LPCs who wish to use it was approved.

12. Funding & Contract subcommittee

The minutes of the subcommittee meeting were presented by Peter Cattee.

Peter Cattee reported that there has been little progress on discount deduction as well as other Drug Tariff work streams. PSNC asked DH for an update on these and three meetings to discuss these matters have been set up for May / June. The subcommittee worked on a prioritised list of questions for the HSCIC session later in the day.

13. Service Development Subcommittee

The minutes of the subcommittee meeting were presented by Gary Warner and the recommendation for MUR HEI accreditation to be replaced by a DoC for CPCF medicines optimisation services was approved.

It was also noted that the NSAID audit hosted by PSNC on PharmOutcomes has been shortlisted for an award at the annual Patient Safety Awards.

REPORT

14. Update on the Health and Care Landscape

The information in the agenda was noted.

15. Future PSNC Meeting and Any Other Business

The dates for the next PSNC meeting are 14th and 15th July 2015 at Park Inn by Radisson Palace, Church Road, Essex, Southend-on-Sea, SS1 2AL.