

PSNC Health Policy and Regulations Subcommittee Minutes

of the meeting held on Tuesday 9th May 2017

at Melia White House, Albany Street, Regent's Park, London, NW1 3UP

Members: Ian Cubbin (Chair), David Evans, Janice Perkins, Prakash Patel and Stephen Thomas.

Together with: David Broome, Jack Cresswell, Samantha Fisher, Will Goh, Gordon Hockey, Andrew Lane and Bharat Patel.

Apologies for absence

There were no apologies.

Minutes of the previous meeting and matters arising

The draft minutes that had been circulated by e-mail to the Committee at the last meeting were approved by the subcommittee.

Agenda and Subcommittee Work

All ongoing matters were noted.

- 1 Considering and where necessary, proactively seeking, potential changes in the regulatory framework that could support contractors and robustly responding to any Government proposals, including on remote dispensing and supervision

ETP claims - switching

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Pharmacy Access Scheme – PhAS

Sue Sharpe thanked Jack Cresswell for his tremendous work on this issue; the subcommittee added its thanks.

Jack Cresswell expanded on the information and meetings detailed in the agenda and his identification of the Department of Health's incorrect calculations, indicating that the Department of Health had not used the method for calculating such payments that is set out in the Drug Tariff. He indicated that the Department of Health was continuing to work on correcting its errors.

The subcommittee indicated its hope that the errors would be corrected by its next meeting.

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

There was brief discussion on the proposed review and the opportunity it presented to correct operational issues and problems with the Regulations. The subcommittee agreed that a small group of appropriate people should be asked to identify the various issues and problems and report to the subcommittee, so that these could be provided to the review in due course; Stephen Thomas agreed to lead on this.

The subcommittee also noted that the Department of Health or other stakeholders might identify changes to the Regulations that would be unwelcome to contractors and this should be monitored closely.

General Pharmaceutical Council consultation on revalidation

It was questioned whether this was a PSNC matter, but there was broad agreement on the proposals in the revalidation consultation. It was agreed that a short response should be prepared and sent to the GPhC.

There was concern about the practicalities of smaller contractors organising peer discussions and Samantha Fisher was asked to raise this issue at LIS, on the basis that once the consultation is complete and the standards amended, LPCs might be encouraged to facilitate such peer discussions.

2 Ensuring administration of the regulations is undertaken properly and effectively, advising and supporting LPCs and contractors where necessary

General Data Protection Regulations (GDPR)

It was noted that advice from NHS England is awaited.

It was asked that other data protection issues, for example, those relating to smart cards are considered at the appropriate time.

There was concern that community pharmacy is being forgotten about as discussions on GDPR continue and it was agreed that further efforts should be made to find out when and how NHS England will consider community pharmacy.

Primary Care Support England (PCSE)

The report was noted and those present reported that the problems and issues with market entry remain as bad as ever.

A number of additional concerns were raised: the frequency of password changes for the controlled stationery online portal and the 3-day delay for a new password; the inconsistency with the notifications under the regulations (sometimes a map, sometimes not; sometimes a list of others consulted, sometimes not).

The Director of Operations and Support said he would take up the issues with NHS England and PCSE/Capita.

Annual completion of the IG Toolkit and the recent actions of the NHS England West Midlands team.

The report was noted.

Any other business.

Concern was raised with certain advertising by an online pharmacy and it was agreed this was a matter for other bodies; it was reported that the NPA was providing support on advertising to independent contractors.

It was reported that problems with NHS Mail were affecting quality payments to certain contractors; and the Director of Operations and Support undertook to investigate the issue.