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26th June 2006

Dear Colleague

AMENDMENTS TO THE MISUSE OF DRUGS REGULATIONS (NORTHERN IRELAND) 2002

This letter is a follow-up to my letter of 4th April which alerted you to proposed amendments to the Misuse of Drugs Regulations (Northern Ireland) 2002. **Please note that the date for the implementation of these changes is now 7th July 2006 and not 1st July 2006.** This is to ensure that implementation in Northern Ireland will be in line with the Home Office implementation in Great Britain.

It should also be noted that a number of the changes detailed in Appendix A, in particular those pertaining to record keeping, will come into effect on 1st January 2007.

The changes cover a number of issues which are summarised below and detailed in appendix A:

- The validity of prescriptions for Schedule 2, 3 and 4 controlled drugs will be reduced to 28 days. This means that the supply against the prescription must be **started** within 28 days of the date specified on the prescription. The quantity of medication supplied may be greater than 28 days supply and, if instalment dispensing is indicated, the last supply may be made after 28 days.
- There will be requirements in relation to confirming and recording the identity of the individual collecting dispensed Schedule 2 controlled drug prescriptions. Guidance in relation to acceptable identification is given in appendix B.
- A standard prescription form, PCD1, for the private prescribing of Schedule 2 & 3 controlled drugs has been introduced. **This PCD1 prescription form should only be used for the private prescribing of controlled drugs.**
- Pharmacists will be permitted to amend **two** technical errors on controlled drugs prescriptions. These are minor spelling errors and where the quantity is stated in either words or figures but not both. Guidance in relation to technical errors is given in appendix C.

If you have any further queries please contact either Michelle McCorry on 028 9052 3279 or Joe Gault on 028 9052 0768.

Yours sincerely



DR M MAWHINNEY
Head of Inspection and Investigation

Appendix A

| Change | Status | Implementation Date | Additional Information |
|---|--------------------|------------------------------|---|
| The validity of a prescription for Schedule 2, 3 & 4 controlled drugs will be amended to 28 days from the date of issue or the date indicated as the first date of supply | Legal requirement | 7 th July 2006 | Note that Schedule 4 (benzodiazepines) are included in this amendment |
| Where a prescription for a Schedule 2 controlled drug is presented by the recipient or a person acting on behalf of the recipient, the person asked to supply the drug may: <ul style="list-style-type: none"> i. Request evidence of that person's identity; and ii. Refuse to supply the drug if he is not satisfied as to the identity of that person. Where the prescription is or appears to be presented by a healthcare professional acting in his professional capacity on behalf of the recipient the person asked to supply the drug : <ul style="list-style-type: none"> i. Must obtain that person's name and address; ii. Must, unless he is acquainted with that person, request evidence of that person's identity; but iii. May supply the drug even if he is not satisfied as to the identity of that person. | Legal requirement | 7 th July 2006 | Guidance will be issued to pharmacists as to what identification is acceptable (see appendix B). Healthcare professional means: a doctor, dentist, nurse independent prescriber, registered midwife, registered nurse or supplementary prescriber. |
| In the case of Schedule 2 controlled drugs the following additional entries should be made in the controlled drugs register: <ul style="list-style-type: none"> i. Whether the person who collected the drug was the patient, the patient's representative or a healthcare professional acting on behalf of the patient; ii. If the person collecting the drug was a healthcare professional acting on behalf of the patient, that person's name and address; iii. If the person collecting the drug was the patient or the patient's representative, whether evidence of identity was requested of that person; and whether evidence of identity was provided by the person collecting the drug. | Legal requirement | 1 st January 2007 | Good practice would suggest that these amendments to record keeping are introduced as soon as practically possible. The Regulations allow the register to be used to record additional relevant information to that required or allowed under the provisions of the Regulations. |
| Standardised private prescription forms will be required for all Schedule 2 and 3 CDs. | Legal requirement | 7 th July 2006 | Pads of PCD1 prescription forms will be available from the CSA for the limited number of prescribers requiring them. |
| Pharmacists will be able to supply CDs against some prescriptions that have a technical error but where the prescriber's intention is clear. | Legally acceptable | 7 th July 2006 | Pharmacists will be permitted to add the quantity in words or figures when one or other but not both are omitted from the prescription. Pharmacists may also supply prescriptions which have a typographical or spelling error where the prescriber's intention is clear. |

Appendix B

Guidance for Pharmacists re: Proof of Identity when collecting Controlled Drugs

From 7th July 2006 pharmacists should ascertain the role of anyone collecting a Schedule 2 CD i.e. whether the person collecting the drug is the patient, the patient's representative or a healthcare professional acting within their professional capacity on behalf of the patient.

If the person collecting the Schedule 2 CD is the patient or the patient's representative the pharmacist may request evidence of that person's identity and refuse to supply the CD if they are not satisfied as to the identity of the person.

In order not to deny patients access to the drugs that they require, it will **not** be a criminal offence to supply the CD without proof of identity, even when that person is not known to the pharmacist.

Circumstances where ID may **not** be required are when the person collecting the CD is known to the pharmacist (the patient, close relative or friend, or a local healthcare professional) or when the pharmacist feels that asking for ID may compromise patient confidentiality.

If the person collecting the Schedule 2 CD is a healthcare professional the pharmacist **must** obtain the name and address of the healthcare professional and unless they are already acquainted with that person, they **must** request evidence of that person's identity. However, even if the pharmacist is not satisfied as to the identity of the person they may still supply the CD.

Types of ID that may be considered suitable include:

- Driving licence (including photocard section)
- Any official photo ID
- Passport
- Cheque guarantee, debit or credit card
- Birth / marriage certificate
- Cheque book
- Utility bills (two different ones & NOT mobile phone statement)
- Pension or benefit book
- Recent bank or building society statement (within last 6 months)
- Bank or building society book
- Store charge card (not a loyalty card)
- National savings book
- Household bills

The requirement for record keeping around proof of identity will not come into force until 1st January 2007. However, it is recommended that pharmacists start to record this information, as good practice, from a time when their CD registers allow it. From 1st Jan 2007 pharmacists will be required to record the following:

| Person collecting Schedule 2 controlled drug (patient/patient's rep/healthcare professional), and if healthcare professional, name and address | Was proof of identity requested of patient/patient's representative (Yes/No) | Was proof of identity of person collecting provided (Yes/No) |
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Appendix C

Guidance for Pharmacists re: Amendment of Technical Errors

From 7th July 2006 pharmacists may make a limited range of technical amendments to Schedule 2 & 3 CD prescriptions. These amendments relate to minor typographical errors and spelling mistakes.

The only typographical error that pharmacists can amend from 7th July 2006 is where the total quantity of the preparation of the CD or the number of dosage units as the case may be is specified in either words or figures but not both i.e. he/she may add the words or the figures to the prescription.

These amendments may be made provided that:

- Having exercised all due diligence the pharmacist is satisfied on reasonable grounds that the prescription is genuine.
- Having exercised all due diligence, the pharmacist is satisfied on reasonable grounds that he/she is supplying the CD in accordance with the intention of the prescriber.
- The pharmacist amends the prescription in ink or otherwise indelibly to correct the minor typographical errors or spelling mistakes so that the prescription complies with the Misuse of Drugs CD prescription requirements (Regulation 15).
- The pharmacist marks the prescription so that the amendment is attributable to him/her.

It should be noted that all of the other requirements of Regulation 15 of the Misuse of Drugs Regulations must be met before a controlled drug prescription may be supplied i.e:

- It must be in ink or be otherwise indelible.
- It must be signed by the person issuing it in their usual signature.
- It must be dated.
- Except in the case of a health prescription, specify the address of the person issuing it.
- If issued by a dentist, bear the words “for dental treatment only”.
- Specify the name and address of the person for whose treatment it is issued.
- State the form and, where appropriate, the strength of the preparation.
- The total quantity to be supplied.
- Specify the dose to be taken.

All private prescriptions for Schedule 2 & 3 controlled drugs must be written on the PCD1 prescription forms.