

Dispensing European Economic Area (EEA) + Swiss Prescriptions issued by doctors and dentists excluding UK registered practitioners

From the 3rd November 2008, pharmacists in the UK will be *able* to dispense a prescription issued by a doctor or dentist registered in an EEA country or Switzerland. This is enabled by [The Medicines for Human Use \(Prescribing by EEA Practitioners\) Regulations 2008](#) and is designed to assist patients in continuing to access treatment and care should this be necessary whilst they are in the United Kingdom.

However, this change in law does not *require* the pharmacist to dispense such prescriptions. Pharmacists must exercise their professional judgement and due diligence in deciding whether to dispense a prescription or not. This change does not apply to prescriptions written by any other EEA or Swiss healthcare professionals other than doctors and dentists. Prescriptions issued by a nurse or pharmacist in another EU state can therefore not be accepted in a UK pharmacy.

1. Prescription Requirements

The legislation defines some minimum standards that an EEA prescription must comply with in order to be dispensed. These are:

- The prescription originates in EEA state (excluding the UK) or originates in Switzerland.
- It is signed in ink with the name of the prescribing EEA / Swiss doctor or dentist.
- The rest of the prescription is written in ink or otherwise indelible and includes:

1. The address of the EEA / Swiss doctor or dentist
2. The date the prescription was signed by the EEA / Swiss doctor or dentist
3. The qualification of the EEA or Swiss doctor or dentist
4. The name, address and the age, if under 12, of the person for whose treatment it is given.

As with UK prescriptions, the prescription is **valid for 6 months** from the date on which it was signed.

2. Repeat Prescriptions

Repeat prescriptions will also be allowable under similar circumstances to UK prescriptions and these are:

- The first dispensing should be made within 6 months of the date on which it was signed.
- The dispensing instructions of the prescribing EEA / Swiss doctor or dentist are followed

If the number of repeats is not stated, then the prescription can only be repeated once i.e. a maximum of two supplies on the prescription – the only exception is a prescription for a contraceptive which can be repeated up to six times up to **6 months** from the date the prescription was first signed

3. Controlled Drugs

The Medicines for Human Use (Prescribing by EEA Practitioners) Regulations 2008 do not extend to EEA prescriptions for Controlled Drugs including Schedules 1, 2, 3, 4 & 5 CDs. So pharmacists cannot dispense prescriptions for drugs listed in these schedules.

4. Medicines with no UK marketing authorisation

The Medicines for Human Use (Prescribing by EEA Practitioners) Regulations 2008 do not extend to the prescribing of medicines which do not have a marketing authorisation in the UK. So pharmacists cannot dispense prescriptions for drugs which have no MA in the UK.

5. Substitution of product

If a doctor or dentist from the EEA or Switzerland has written a prescription for a named branded medicine, a pharmacist may only dispense the named brand – a pharmacist may **not** dispense a UK equivalent.

It should be noted that this requirement is the same as for UK prescriptions. By way of example, if a doctor has written a prescription for Zestril® - a pharmacist can not give another brand of Lisinopril.

Occasionally a pharmacist may find that the generic names of medicines in Europe are different from the names in the UK, although generally speaking the generic names for medicines in other EEA countries are the same or similar to the generic names used in the UK

6. Charges for Prescriptions

The EEA prescriptions presented to pharmacists will not be NHS prescriptions, so they should be treated in the same way as private prescriptions within the UK with appropriate checks and records made. The charges levied to the patient are a matter for the individual pharmacists.

7. Emergency Supplies at the request of a doctor or dentist in the EEA

The Medicines for Human Use (Prescribing by EEA Practitioners) Regulations 2008 also allow a pharmacist to make an emergency supply at the request of a doctor or dentist from an EEA country or Switzerland, and also at the request of a patient who has previously been prescribed a particular medicine by an EEA or Swiss doctor or dentist.

Please note that on 8th May 2009, UK legislation was changed by [The Medicines for Human use \(Prescribing\) \(Miscellaneous Amendments\) Order 2009](#).

A Pharmacist is now able to make an emergency supply at the request of a UK dentist, or at the request of a patient who was previously prescribed a medicine by a UK dentist. This harmonises the legal position to align with the emergency supply provisions for patients of EEA dentist Practitioners

Update May 2009

For example, if a patient from Poland requested an emergency supply for their insulin (which they had forgotten to bring with them on their weekend trip) a pharmacist can now legally make an emergency supply. Remember to make all appropriate records and follow the same process that you would for any other patient.

Conversely, if a doctor or dentist from an EEA country or Switzerland contacts your pharmacy and requests an emergency supply, a pharmacist should follow standard process for dealing with emergency supplies. It may be pertinent to remind the doctor/dentist that they will need to send you a prescription. They must furnish you with a prescription within 72 hours

Remember Controlled Drugs are NOT prescribable by EEA prescribers so no emergency supply can be made by a pharmacist.

8. Dispensing the Prescription

With the dispensing of any prescription the pharmacist must exercise their professional judgement on the decision to dispense or not. Decisions reached should involve due diligence and ensure that a patient is not put at risk by the decision to supply to or not. The pharmacist must satisfy themselves that:

- The prescription is not fraudulent
- The prescription meets the requirements of the regulations [see above]
- The prescription is clinically appropriate for the patient
- In the case of an emergency supply that:
 - The request of the doctor/ dentist is genuine
 - The request of the patient is genuine

9. Not Dispensing a Prescription

In choosing not to dispense, a prescription the pharmacist must exercise their professional judgement. It is good practice to record the reason the decision was made not to dispense. For example, the pharmacist was not able to contact the prescriber or the pharmacist was not satisfied the patient was previously prescribed the medication. If you are in any doubt about what is being prescribed you must exercise caution.

10. Standard Operating Procedures

All pharmacies should consider the revision of their standard operating procedures in light of the changes in regulations.

This may be particularly significant in areas of Northern Ireland where there is likely to be traffic of prescriptions from doctors and dentists registered in the Republic of Ireland.

11. Checking a prescription with a prescriber in the EEA

In order to check a prescription with an EEA prescriber a pharmacist may need to contact a registering body of medics or dentists in another EEA country in order to gain the prescriber's contact details.

The General Medical Council (GMC) has a document on its website which also details the contact details for the equivalent competent authority within the EEA.

http://www.gmc-uk.org/doctors/registration_applications/join_the_register/eea_evidence/evidence_of_qualifications.asp

The General Dental Council (GDC) has a useful document on its website which contains the contact details for the equivalent competent authorities within the EEA. This can be accessed using the link below.

<http://www.gdc-uk.org/Current+registrant/Working+in+another+EEA+member+state.htm>

12. Further contact points

If you require further clarification on the requirements of these new regulations do not hesitate to contact the Pharmaceutical Society of Northern Ireland.

Email:

info@psni.org.uk

Tel:

02890 326 927

Annex A – List of EEA Countries

| | |
|----------------|-------------------|
| Austria | Latvia |
| Belgium | Liechtenstein (*) |
| Bulgaria | Lithuania |
| Cyprus | Luxembourg |
| Czech Republic | Malta |
| Denmark | Netherlands |
| Estonia | Norway (*) |
| Finland | Poland |
| France | Portugal |
| Germany | Romania |
| Greece | Slovakia |
| Hungary | Slovenia |
| Iceland (*) | Spain |
| Ireland | Sweden |
| Italy | United Kingdom |

(*) These countries are not members of the European Union (EU)

Switzerland is also included within the scope of the Medicines for Human Use (Prescribing by EEA Practitioners) Regulations 2008.

