

**2014 No. 109 (W. 9)**

**NATIONAL HEALTH  
SERVICE, WALES**

The National Health Service  
(General Medical Services  
Contracts) (Prescription of Drugs  
Etc.) (Wales) (Amendment)  
Regulations 2014

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) Regulations 2004 (“the principal Regulations”) which make provision as to the drugs, medicines or other substances that may be ordered for patients in the provision of medical services under a general medical services contract within the meaning of section 42 of the National Health Service (Wales) Act 2006.

Regulation 2 makes amendments to the table in Schedule 2 to the principal Regulations (drugs or medicines to be ordered only in certain circumstances) which restricts the circumstances in which certain drugs and medicines specified in column 1 of the table may be ordered for the category of patients described in column 2 of the table for the purpose specified in column 3 of the table. A typographical error in the heading to this Schedule is corrected and the entry in the table relating to certain specified drugs which may be ordered for the treatment of erectile dysfunction has been amended so as to clarify that any such drug may also be ordered for any patient for the purpose of treating a medical condition, other than erectile dysfunction, in respect of which the drug ordered is in receipt of a UK or EU marketing authorisation for the treatment of that condition.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a

regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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The National Health Service  
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Contracts) (Prescription of Drugs  
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*Made* 20 January 2014

*Laid before the National Assembly for Wales*  
23 January 2014

*Coming into force* 14 February 2014

The Welsh Ministers, in exercise of the powers conferred by sections 46(2), 203(9) and (10) of the National Health Service (Wales) Act 2006<sup>(1)</sup>, make the following Regulations:

**Title, commencement and application**

1.—(1) The title of these Regulations is the National Health Service (General Medical Services Contracts) (Prescription of Drugs Etc.) (Wales) (Amendment) Regulations 2014 and they come into force on 14 February 2014.

(2) These Regulations apply in relation to Wales.

**Amendment of the National Health Service  
(General Medical Services Contracts) (Prescription  
of Drugs Etc.) (Wales) Regulations 2004**

2.—(1) The National Health Service (General Medical Services Contracts) (Prescription of Drugs

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(1) 2006 c.42.

Etc.) (Wales) Regulations 2004(1) are amended as follows.

(2) In Schedule 2 (drugs on medicines to be ordered only in certain circumstances)—

- (a) in the heading to the Schedule, for “on” substitute “or”;
- (b) in column 1 of the table (*drugs*), for the treatment of erectile dysfunction, omit—
  - (i) “(Caverject), (MUSE), (Viridal)”,
  - (ii) “(Uprima)”,
  - (iii) “(Erecnos)” (in both places where it appears),
  - (iv) “(Viagra)”,
  - (v) “(Cialis)”, and
  - (vi) “(Levitra)”;
- (c) in column 2 of the table (*patient*)—
  - (i) at the beginning of the entry relating to drugs for the treatment of erectile dysfunction, insert “(1) The following patients with erectile dysfunction—”, and
  - (ii) at the end of paragraph (g) of that entry, insert—“;  
(2) Any patient”; and
- (d) in column 3 (*condition*), opposite “(2) Any patient” in column 2, insert the words “Treatment of a condition other than erectile dysfunction, in respect of which the drug ordered is in receipt of a UK or EU marketing authorisation for the treatment of that condition”.

*Mark Drakeford*

Minister for Health and Social Services, one of the  
Welsh Ministers

20 January 2014

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(1) S.I. 2004/1022 (W.119); these Regulations have been amended by S.I. 2005/366 (W.32), S.I. 2009/1977 (W.176), S.I. 2009/1838 (W.166), S.I. 2011/1043, S.I. 2012/1916, and S.I. 2013/683 (W.81).