WG - No. 20-39

THE NATIONAL HEALTH SERVICE (WALES) ACT 2006

Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 3) Directions 2020

Made	*15 July 2020*
Coming into force	*16 July 2020*

The Welsh Ministers in exercise of the powers conferred on them by sections 45, 203(9) and (10) and 204(1) of the National Health Service (Wales) Act 2006(**1**), and after consulting in accordance with section 45(4) of that Act with the bodies appearing to them to be representative of persons to whose remuneration these Directions relate, give the following Directions.

Title, application and commencement

1.—(1) The title of these Directions is the Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 3) Directions 2020.

(2) These Directions are given to Local Health Boards.

(3) These Directions come into force on 16 July 2020 but have effect from 1 April 2020.

Amendments to the Statement of Financial Entitlements

2. The Directions to Local Health Boards as to the Statement of Financial Entitlements Directions 2013(**2**) which came into force on 11 June 2013, as amended by the Directions listed in Annex J at Schedule 1 to these Directions, are further amended as follows.

Amendment of Part 4 – PAYMENTS FOR SPECIFIC PURPOSES

3. In Section 17: DISPENSING—

(a) for paragraph 17.1 substitute—

"**17.1** Some contractors are authorised or required to provide dispensing services to specific patients. The arrangements for this are set out in Part 5 (Applications by doctors for inclusion in or amendment to dispensing doctor lists) of the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013(**3**) ("the 2013 Regulations") and paragraph 51 (provision of drugs, medicines and appliances for immediate treatment or personal administration) of Part 3 of Schedule 6 to the 2004 Regulations.";

(**1**) 2006 c.42.
(**2**) Directions to Local Health Boards as to the Statement of Financial Entitlements Directions 2013 (2013 No.8).
(**3**) S.I. 2013/898 (W. 102). The 2013 Regulations will be revoked and replaced by the National Health Service (Pharmaceutical Services) (Wales) Regulations 2020 but the provisions relating to dispensing doctors are not due to come into force until 1 October 2021 and so Part 5 of the 2013 Regulations will continue to apply until that time.

(b) for paragraph 17.2(a) substitute—

"(a) in accordance with the arrangements under which a dispensing doctor undertakes to provide pharmaceutical services referred to in regulation 20 (Arrangements for the provision of pharmaceutical services by doctors) of the 2013 Regulations;"; and

(c) in paragraph 17.3(b) for "Pharmaceutical Regulations 2013" substitute "2013 Regulations".

4. In Section 18: DISPENSARY SERVICE QUALITY SCHEME, for paragraph 18.1 substitute—

"**18.1** Contractors who are authorised or required to provide dispensing services to specific patients in accordance with the provisions of Part 5 (Applications by doctors for inclusion in or amendment to dispensing doctor lists) of the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013 and paragraph 51 (provision of drugs, medicines and appliances for immediate treatment or personal administration) of Part 3 of Schedule 6 to the 2004 Regulations (in this Section the provision of such dispensing services is referred to as having "consent to dispense" and the specific patients receiving dispensing services are referred to as "dispensing patients"), may choose to participate in the Dispensary Services Quality Scheme.".

Amendment of Annex H – Dispensary Services Quality Scheme

5.—(1) For paragraph H.6.1 substitute—

"**H.6.1** A contractor must carry out a review of compliance and concordance with the use of medicines of at least 10% of the contractor's dispensing patients at least once in each financial year. A review with a dispensing patient (and, where appropriate, the carers of those patients) may be conducted face-to-face in person or if clinically appropriate via telephone or remote video consultation, and the contractor must record the review in the medical record of each dispensing patient reviewed. Where the contractor is entitled to less than a full year's Dispensary Services Quality Payment in any financial year the figure of 10% shall be reduced by an appropriate percentage. The practice should agree with the LHB the types of patients that should be targeted for the review as part of their undertaking to carry out the services specified.".

Amendment of Annex J – Amendments

6. For Annex J substitute Annex J attached at the Schedule to these Directions.

Signed by Alex Slade, Deputy Director, Primary Care Division under the authority of the Minister for Health and Social Services, one of the Welsh Ministers

Date: 15 July 2020

SCHEDULE

ANNEX J – AMENDMENTS

Amendments to the Directions to Local Health Boards as to the Statement of Financial Entitlements Directions 2013 which came into force on 11 June 2013

(a) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) Directions 2013 (2013 No.60), which were made on 30 September 2013;

(b) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) Directions 2014 (2014 No.3), which were made on 16 June 2014;

(c) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 2) Directions 2014 (2014 No.17), which were made on 27 June 2014;

(d) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 3) Directions 2014 (2014 No.24), which were made on 30 September 2014;

(e) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) Directions 2015 (2015 No.7), which were made on 31 March 2015;

(f) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment No 2) Directions 2015 (2015 No.14), which were made on 01 April 2015;

(g) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment No 3) Directions 2015 (2015 No.15), which were made on 20 April 2015;

(h) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment No 4) Directions 2015 (2015 No.19), which were made on 25 June 2015;

(i) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No.5) Directions 2015, which were made on 30 September 2015;

(j) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) Directions 2016, which were made on 30 March 2016;

(k) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 2) Directions 2016, which were made on 11 April 2016;

(l) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 3) Directions 2016, which were made on 13 July 2016;

(m) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 4) Directions 2016 (2016 No.19), which were made on 16 August 2016;

(n) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No.5) Directions 2016 which were made on 15 December 2016;

(o) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 6) Directions 2017 which were made on 31 January 2017;

(p) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) Directions 2017 which were made on 27 April 2017;

(q) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No.2) Directions 2017 which were made on 9 August 2017;

(r) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No.3) Directions 2017 which were made on the 28 September 2017;

(s) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) Directions 2018 which were made on the 14 June 2018;

(t) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 2) Directions 2018 which were made on 19 November 2018;

(u) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) Directions 2019 which were made on 29 March 2019;

(v) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 2) Directions 2019 which were made on 28 June 2019;

(w) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 3) Directions 2019 which were made on 29 August 2019;

(x) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 4) Directions 2019 which were made on 30 September 2019;

(y) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 5) Directions 2019 which were made on 14 October 2019;

(z) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) Directions 2020 which were made on 24 March 2020; and

(aa) The Directions to Local Health Boards as to the Statement of Financial Entitlements (Amendment) (No. 2) Directions 2020 which were made on 22 June 2020.