

NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1978

HEALTH BOARD ADDITIONAL PHARMACEUTICAL SERVICES (PUBLIC HEALTH SERVICE) (SCOTLAND) DIRECTIONS 2008

SCHEDULE 1

SERVICES TO BE PROVIDED AS A PUBLIC HEALTH SERVICE

1. A Public Health Service (PHS) comprises the following services:
 - (a) the provision of advice to patients or members of the public on healthy living options and promotion of self care in circumstances where in the professional opinion of the pharmacist it is appropriate to do so or by request from a patient or member of the public;
 - (b) making available for use by patients and members of the public a range of NHS or NHS approved health promotion campaign materials and other health education information and support material;
 - (c) participation in health promotion campaigns, each campaign being on display and visible within a pharmacy for a set period, determined nationally by Scottish Ministers following consultation with a body deemed to be representative of community pharmacy contractors. Between these campaigns generic display material will be made available by Scottish Ministers for use by PHS providers if they wish; and
 - (d) where agreed between a PHS provider and the Health Board, participation in locally agreed health promotion campaigns in the intervals between the national campaigns referred to at sub-paragraph (c).
 - (e)
 - (i) the provision of a smoking cessation service comprising advice and supply of nicotine replacement therapy (NRT) and other smoking cessation products over a period of up to 12 weeks, in order to help smokers successfully stop smoking; and
 - (ii) the provision of a sexual health service comprising the supply of emergency hormonal contraception (EHC), a Chlamydia testing service and a Chlamydia treatment service.
2. The services named at 1(e) are to be provided from 29 August 2008.
3. Where a PHS provider decides not to supply emergency hormonal contraception (EHC), they should give notice in writing to the Health Board and advise the Agency of their decision and ensure prompt referral of patients to another provider who they have reason to believe provides that service.
4. For the provision of the services listed at 1(c) and 1(d) a PHS provider shall make available space in a window of the pharmacy or, only in the absence of any suitable window, another space within the pharmacy. Such space should be made available for the full duration of the campaigns unless by agreement with the relevant Health Board because of unforeseen or special circumstances.

5. In providing the PHS service, PHS providers will be required to:
- (a) use material, including leaflets and posters, provided or approved by Scottish Ministers or Health Boards;
 - (b) use the display equipment, including display stands and other devices, made available by Scottish Ministers or Health Boards, which display equipment may not be used for any commercial purpose, and make appropriate space available within the pharmacy to hold such display equipment;
 - (c) undertake the smoking cessation service and sexual health service in accordance with service specifications provided by Scottish Ministers to Health Boards; and disseminated by Health Boards to PHS providers as soon as possible after they are received;
 - (d) have regard to and, where required, comply with, stated standards and administrative guidance that is from time to time produced by Scottish Ministers and disseminated by Health Boards to PHS providers as soon as possible after they are received; and
 - (e) conform with the standards generally accepted by both the NHS and the pharmaceutical profession.

SCHEDULE 2

PAYMENT FOR THE PUBLIC HEALTH SERVICE

1. The payments for providing the Public Health Service (PHS) are set out in the Drug Tariff.
2. Payments for providing PHS under Schedule 1, Paragraph 1(d) will be at rates agreed between the NHS Board and the PHS providers.
3. Health Boards will be entitled to take such reasonable steps as are necessary to ensure that providers are:
 - (a) providing appropriate advice and support to patients and members of the public;
 - (b) displaying the agreed national campaigns, for the set periods; and
 - (c) providing the services named under Schedule 1, Paragraph 1(e).
4. Payments made to providers for providing PHS will be subject to post payment verification checks and investigation by the Agency.
5. Where after suitable investigation a Health Board is satisfied that a PHS provider is not providing the services listed in Schedule 1 but is receiving payment under paragraph 1 and the Drug Tariff, it may (without prejudice to any other action which may be open to it) :
 - (a) write to the provider advising of the conclusion reached by the investigation;
 - (b) inform the provider that the payments will be stopped with immediate effect, and
 - (c) recover any payments made to the provider in respect of any period(s) when the provider was not providing the services specified in Schedule 1.