

NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1978

HEALTH BOARD ADDITIONAL PHARMACEUTICAL SERVICES (NHS PHARMACY FIRST SCOTLAND) DIRECTIONS 2020

The Scottish Ministers in exercise of the powers conferred by sections 2(5), 27A, 27B, and 105(6) and (7) of the National Health Service (Scotland) Act 1978³, and all other powers enabling them to do so, give the following Directions.

1. Citation and commencement

- 1.1. These Directions may be cited as the Health Board Additional Pharmaceutical Services (NHS Pharmacy First Scotland) Directions 2020 and come into force on 29 July 2020.

2. Interpretation

- 2.1. In these Directions, unless the context otherwise requires—

“the Act” means the National Health Service (Scotland) Act 1978⁴,

“the 2009 Regulations” means the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009⁵,

“the 2012 Regulations” means the Human Medicines Regulations 2012⁶,

“the 2016 Directions” means the Health Board Additional Pharmaceutical Services (Minor Ailment Service) (Scotland) Directions 2016⁷,

“the 2017 Directions” means the Health Board Additional Pharmaceutical Services (Minor Ailment Service) (Inverclyde Pilot Extension) (Scotland) Directions 2017⁸,

“the 2018 Directions” means the Health Board Additional Pharmaceutical Services (Minor Ailment Service) (Scotland) Amendment Directions 2018⁹,

“the 2020 Directions” means the Health Board Additional Pharmaceutical Services (Minor Ailment Service) (Scotland) Amendment Directions 2020¹⁰,

“approved appliance” means an appliance which has been approved by the Practitioner and Counter Fraud Services Division of the Common Services Agency for provision under NHS PFS,

³ 1978 c.29; section 2(5) was amended by the National Health Service and Community Care Act 1990 (c.19), section 66(1) and schedule 9, paragraph 19(1); section 27A was inserted by the National Health Service (Primary Care) Act 1997 (c.46) (“the 1997 Act”), section 27(2); section 27B was inserted by the 1997 Act, section 28(2); section 105(7) was amended by the Health Services Act 1980 (c.53), section 25(3) and schedule 6, paragraph 5(1) and schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c.41), section 29(1) and schedule 9, Part I, paragraph 24 and the Health Act 1999 (c.8), section 65 and schedule 4, paragraph 60. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

⁴ 1978 c.29.

⁵ S.S.I. 2009/183 amended by S.I. 2010/231, S.I. 2012/1479, S.I. 2012/1916 and S.I. 2013/235 and S.S.I. 2009/209, S.S.I. 2010/128, S.S.I. 2011/32, S.S.I. 2011/55, S.S.I. 2012/36, S.S.I. 2013/235, S.S.I. 2014/73, S.S.I. 2014/248, S.S.I. 2015/968, S.S.I. 2016/393, S.S.I. 2018/67, S.S.I. 2018/67, S.S.I. 2018/68 and S.S.I. 2019/284.

⁶ S.I. 2012/1916.

⁷ PCA (P)(2016) 12.

⁸ PCA (P)(2017) 2.

⁹ PCA (P)(2018) 5.

¹⁰ PCA (P)(2020) 6.

“common clinical condition” means a condition specified in a patient group direction which relates to the NHS PFS service,

“consultation” means—

- (a) a consultation in person,
- (b) a telephone consultation, or
- (c) an NHS Near Me consultation,

conducted in pharmacy premises by a pharmacist or a trained member of staff under the direct supervision of a pharmacist under the NHS PFS service,

“Defence Medical Services” means the medical services of the air force, army and navy of the United Kingdom, whose function is to provide primary and secondary healthcare to service personnel and entitled civilians,

“Drug Tariff” has the meaning provided in regulation 12 of the 2009 Regulations,

“eligible person” means a person who at the time of consultation falls within the following categories of person—

- (a) a person registered with the Defence Medical Services,
- (b) a person registered on a permanent basis with a GP practice in Scotland,
- (c) a person registered on a temporary basis with a GP practice in Scotland, or
- (d) a person living in Scotland,

except that a person who would be eligible by virtue of (c) or (d) is not an eligible person if that person is a visitor to Scotland and “eligible persons” shall be construed accordingly,

“Extended Minor Ailment Service” has the meaning provided in paragraph 3 of the 2017 Directions,

“general sale list medicine” or “GSL medicine” has the meaning given to “medicinal product subject to general sale” by regulation 5(1) of the 2012 Regulations,

“Minor Ailment Service” has the meaning provided in paragraph 3 of the 2016 Directions,

“NHS Near Me” means the NHS Near Me secure video consulting service¹¹,

“NHS Pharmacy First Scotland” or “NHS PFS” has the meaning provided in paragraph 3,

“NHS PFS provider” means a person with whom a Health Board has made arrangements for the provision of the NHS PFS service as described in paragraph 5.1,

“patient record” means an electronic record maintained for each recipient of an NHS PFS service in accordance with paragraph 4 of schedule 2,

“patient group direction” or “PGD” has the meaning given in regulation 213(1) of the 2012 Regulations,

¹¹ <https://www.nearme.scot/>

“pharmacist” means a person who is registered as a pharmacist in Part 1 or 4 of the register maintained under article 19 of the Pharmacy Order 2010¹² or the register maintained in pursuance of articles 6 and 9 of the Pharmacy (Northern Ireland) Order 1976¹³,

“pharmacy medicine” or “(P) medicine” has the meaning given to “pharmacy medicine” in regulation 5(5) of the 2012 Regulations,

“prescription only medicine” or “POM” has the meaning given to “prescription only medicine” in regulation 5(3) of the 2012 Regulations, and

“Yellow card reporting mechanism” means an arrangement set up for reporting adverse reactions to medicines to the Medicines and Healthcare products Regulatory Agency on pre-printed and postage paid yellow cards, to yellowcard@mhra.gov.uk, or to the online reporting site <https://yellowcard.mhra.gov.uk/>.

2.2. For the purposes of these Directions—

- (a) a person is registered on a permanent basis with a GP practice in Scotland if that person is—
 - (i) a registered patient in terms of the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018¹⁴,
 - (ii) a registered patient in terms of the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018¹⁵, or
 - (iii) otherwise registered (other than as a temporary resident) to receive primary medical services in terms of the Act,
- (b) a person is registered on a temporary basis with a GP practice in Scotland if that person is—
 - (i) a temporary resident in terms of the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018,
 - (ii) a temporary resident in terms of the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018, or
 - (iii) otherwise accepted or registered as a temporary resident to receive primary medical services in terms of the Act,
- (c) subject to sub-paragraph (d) a person is a visitor to Scotland if—
 - (i) the person is away from their normal place of residence or they are moving from place to place and are not for the time being resident in any place, and
 - (ii) they intend to stay in Scotland for less than 3 months,
- (d) a person is not a visitor to Scotland under sub-paragraph (c) if the person is in Scotland and is—

¹² S.I. 2010/231.

¹³ S.I. 1976/1213 (N.I. 22).

¹⁴ S.S.I. 2018/66.

¹⁵ S.S.I. 2018/67.

- (i) a gypsy or traveller,
 - (ii) an asylum seeker, or
 - (iii) a dependant of an asylum seeker, and
 - (e) a person living in Scotland includes a person in Scotland who is—
 - (i) a gypsy or traveller,
 - (ii) an asylum seeker, or
 - (iii) a dependant of an asylum seeker.
- 2.3. Other words and phrases used in these Directions have the same meaning as they have in the Act and in the 2009 Regulations.
- 2.4. Any reference in these Directions to—
- (a) a numbered paragraph, is a reference to a paragraph bearing that number in these Directions,
 - (b) to a numbered schedule is a reference to a schedule of these Directions, and
 - (c) to a numbered paragraph of a numbered schedule, is a reference to a paragraph bearing that number in the schedule bearing that number.

3. **Description of NHS Pharmacy First Scotland**

3.1. NHS Pharmacy First Scotland is a service for the provision of pharmaceutical care to persons who are eligible to receive the NHS PFS service by a person who is authorised to provide the NHS PFS service in terms of paragraph 5 and, where appropriate, advice, treatment or onward referral by that person to another healthcare practitioner.

3.2. The services which comprise NHS PFS are specified in schedule 1 and schedule 4.

4. **Health Board duty to arrange for the NHS Pharmacy First Scotland service**

4.1. Until otherwise directed, Health Boards are required to arrange for the provision of the NHS PFS service for persons in their area as additional pharmaceutical services.

4.2. Health Boards must inform NHS PFS providers of the approved list of products or prescribing guidelines that apply to the provision of the NHS PFS service in their area as additional pharmaceutical services. The products that a Health Board may include on the NHS PFS approved list are—

- (a) (P) medicines and GSL medicines that are not listed in directions given by the Scottish Ministers under section 17N(6) of the Act¹⁶ as to drugs, medicines or other substances which may or may not be ordered for a patient in the provision of primary medical services,
- (b) dressings and appliances from Part 2 of the Drug Tariff,
- (c) approved appliances from Part 3 of the Drug Tariff, and

¹⁶ 1978 c.29. Section 17N was inserted by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 4.

- (d) any POMs that are detailed in a PGD in relation to NHS PFS.

5. Persons authorised to provide the NHS Pharmacy First Scotland service

5.1. Health Boards may only enter into arrangements for the provision of the NHS PFS service with:

- (a) a pharmacist, or
- (b) a person other than a pharmacist who, by virtue of section 69 of the Medicines Act 1968¹⁷, is taken to be a person lawfully conducting a retail pharmacy business in accordance with that section,

and, in the case of (a) and (b) who—

- (i) is on the pharmaceutical list maintained by the Health Board in terms of regulation 5 of the 2009 Regulations¹⁸, and
- (ii) undertakes that all services provided under the NHS PFS service will be provided either by or under the direct supervision of a pharmacist.

6. Compliance and Conditions

6.1. The arrangements made by a Health Board in accordance with paragraphs 4 and 5 must include the imposition of the terms and conditions specified in schedule 2, with which the NHS PFS provider must comply.

6.2. Where an NHS PFS provider requires a pharmacist to provide an NHS PFS service, the NHS PFS provider has ultimate responsibility for ensuring that the NHS PFS service is provided in accordance with these Directions.

7. Payment for the provision of the NHS PFS service

7.1. Remuneration for the provision of the NHS PFS service will be paid at nationally negotiated rates as set out in the Drug Tariff and in accordance with schedule 3 of these Directions.

7.2. The prices and methodology for calculating reimbursements to an NHS PFS provider for any products that the NHS PFS provider supplies to eligible persons in connection with providing the NHS PFS service will be in accordance with the provisions set out in Part 1 of the Drug Tariff.

8. Revocations, savings and transitional provisions

8.1. Subject to paragraphs 8.2 and 8.3, these Directions revoke and supersede—

- (a) the 2016 Directions,
- (b) the 2017 Directions,
- (c) the 2018 Directions, and
- (d) the 2020 Directions.

¹⁷ 1968 c.67. Section 69 was amended by the Statute Law (Repeals) Act 1993 (c.50), schedule 1, Part XII, paragraph 1 and S.I. 2007/289, S.I. 2007/3101 and S.I. 2010/231.

¹⁸ S.S.I. 2009/183. Relevantly amended by S.S.I. 2011/32 and S.S.I. 2014/148.

- 8.2. The 2017 Directions and the 2016 Directions as amended by the 2018 Directions and the 2020 Directions shall continue to apply in respect of any Minor Ailment Service or Extended Minor Ailment Service provided on or before 28 July 2020.
- 8.3. Where an NHS PFS provider supplies a product on or before 1 October 2020 under the NHS PFS service which is not on the NHS PFS approved list of products for their area but which is on the Health Board Minor Ailment Service formulary or Extended Minor Ailment Service formulary for their area—
- (a) the NHS PFS provider will be reimbursed in accordance with the provisions set out in Part 17 of the Drug Tariff, and
 - (b) any provisions in the 2017 Directions or the 2016 Directions as amended by the 2018 Directions and the 2020 Directions which relate to the products which can be included on the relevant Health Board Minor Ailment Service formulary or Extended Minor Ailment Service formulary will continue to apply for this purpose.

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SCHEDULE 1

SERVICE TO BE PROVIDED AS AN NHS PHARMACY FIRST SCOTLAND SERVICE

The service comprises a consultation with a pharmacist or with a trained member of staff under the direct supervision of a pharmacist and advice on the condition(s) that the eligible person or eligible person's representative presents, information and advice about appropriate self-care measures in respect of the condition(s) and, where the pharmacist or trained member of staff under the direct supervision of a pharmacist considers it appropriate, the supply of medicines, dressings or appliances for its treatment. Where the pharmacist or trained member of staff under the direct supervision of a pharmacist considers the condition is one that requires to be considered by another healthcare practitioner or service (e.g. a GP or an accident and emergency service), the pharmacist or trained member of staff under the direct supervision of a pharmacist will refer the eligible person to that person or service.

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SCHEDULE 2

TERMS AND CONDITIONS OF THE PROVISION OF AN NHS PHARMACY FIRST SCOTLAND SERVICE

1. An NHS PFS provider must not offer any incentives or inducements or set targets for employee pharmacists or staff to recruit people for the NHS PFS service or for any other aspects of the service.
2. An NHS PFS provider may only issue or display the publicity material and patient information leaflet made available by Scottish Ministers in respect of NHS PFS and the provision of the NHS PFS service to promote and raise public awareness of the service.
3. Where a person wishes to receive the service, an NHS PFS provider must—
 - (a) confirm that the person is an eligible person,
 - (b) ensure that the person's, or their representative's agreement to receive the service has been obtained, and
 - (c) ensure that a patient record is established.
4. For the purposes of the NHS PFS service the "patient record" is a pharmacy retained electronic record that as a minimum must include—
 - (a) a person's name and address,
 - (b) a person's date of birth,
 - (c) where available, a person's CHI number,
 - (d) a person's sex,
 - (e) where relevant, the GP practice at which the person is registered,
 - (f) the date of each NHS PFS consultation,
 - (g) the NHS PFS services provided to the person, to include—
 - (i) information on whether advice, treatment or onward referral was provided,
 - (ii) details of any treatment provided, and
 - (iii) the name, quantity, form and strength of any product supplied.
5. Other than NHS Near Me consultations, the NHS PFS service must not be provided as an online service or as part of any online service.
6. Subject to the provisions of any regulations made under section 69 of the Act, all drugs, containers and appliances supplied for the NHS PFS service must be supplied free of charge.
7. An NHS PFS provider is to use an electronic system approved by the Scottish Ministers to record details of a consultation where a person—

- (a) receives advice,
 - (b) is supplied with medicines, dressings or appliances for treatment purposes, or
 - (c) is referred to another healthcare practitioner.
- 8. Where an NHS PFS provider supplies medicines, dressings or appliances, the provider must have regard to any approved list of products that the Health Board applies.
- 9. The products that may be supplied under the NHS PFS service are—
 - (a) (P) medicines and GSL medicines that are not listed in directions given by the Scottish Ministers under section 17N(6) of the Act¹⁹ as to drugs, medicines or other substances which may or may not be ordered for a patient in the provision of primary medical services,
 - (b) dressings and appliances from Part 2 of the Drug Tariff,
 - (c) approved appliances from Part 3 of the Drug Tariff,
 - (d) any POMs that are detailed in a PGD in relation to NHS PFS.
- 10. The supply of medicines, dressings or appliances is to be performed by or under the direct supervision of a pharmacist.
- 11. The pharmacist referred to in paragraph 10 must not be one—
 - (a) who has been disqualified under section 29B(2) of the Act²⁰,
 - (b) who is suspended by direction of the Tribunal, or
 - (c) who is the subject of a corresponding decision in England, Wales or Northern Ireland.
- 12. In providing the NHS PFS service, an NHS PFS provider must do so—
 - (a) in compliance with all procedures and processes described in the service specification included at schedule 4 of these Directions,
 - (b) having regard to and, where required, in compliance with guidance that is from time to time produced by the Scottish Ministers, and
 - (c) in conformity with the standards generally accepted in the pharmaceutical profession.
- 13. The requirement for a complaints procedure under paragraphs 12 and 13 of schedule 1 of the 2009 Regulations applies to the provision of the NHS PFS service.
- 14. The requirement for record keeping under paragraph 14 of schedule 1 of the 2009 Regulations applies to the provision of the NHS PFS service.
- 15. An NHS PFS provider must ensure that—

¹⁹ 1978 c.29. Section 17N was inserted by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 4.

²⁰ 1978 c.29. Section 29B was inserted by the Health Act 1999 (c.8), section 58(1) and amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 26(4) and schedule 3, paragraph 1.

- (a) where that NHS PFS provider is an individual, that they provide the NHS PFS service in accordance with these Directions, or
- (b) where an NHS PFS provider requires a pharmacist to provide an NHS PFS service, that the pharmacist provides the NHS PFS service in accordance with these Directions.

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SCHEDULE 3

PAYMENT FOR THE NHS PHARMACY FIRST SCOTLAND SERVICE

1. Where an NHS PFS provider complies fully with these Directions, payment for the provision of an NHS PFS service will be paid monthly in arrears at the rates set out in the Drug Tariff.
2. Claims for payment for consultations, treatment and referrals are to be made electronically and submitted to Practitioner and Counter Fraud Services Division of the Common Services Agency (NHS National Services Scotland).
3. Health Boards will be entitled to take such reasonable steps as are necessary to ensure that NHS PFS providers are—
 - (a) providing the NHS PFS service as specified in schedule 1 and complying with the provisions of schedules 2 and 4, and
 - (b) only displaying the agreed patient information leaflets and publicity materials made available by the Scottish Ministers in respect of NHS PFS.
4. Payments made to NHS PFS providers for providing an NHS PFS service will be subject to post-payment verification checks and investigation by the Common Services Agency.
5. Where after suitable investigation a Health Board is satisfied that an NHS PFS provider is not providing the services listed in schedule 1 and/or complying with the provisions of schedules 2 and 4, but is receiving payment in terms of this schedule and the rates set out in the Drug Tariff, it may (without prejudice to any other action which may be open to it)—
 - (a) write to the NHS PFS provider advising of the conclusion reached by the investigation,
 - (b) inform the NHS PFS provider that payments will be stopped with immediate effect,
 - (c) recover any payments made to the provider under this schedule and the Drug Tariff in respect of any period(s) when the NHS PFS provider was not providing the services specified in schedule 1 and/or complying with the provisions of schedule 2 and 4, and
 - (d) in exceptional circumstances, such as deliberate or repeated non-compliance with the provisions of schedule 2 and 4, withdraw the service from the NHS PFS provider and notify the General Pharmaceutical Council.

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SCHEDULE 4

NHS PHARMACY FIRST SCOTLAND SERVICE SPECIFICATION

1. Introduction

- 1.1. The NHS PFS provider and any pharmacist(s) providing an NHS PFS service on behalf of an NHS PFS provider must—
- (a) familiarise themselves with the requirements of these Directions, and
 - (b) provide the NHS PFS service in compliance with the requirements of these Directions.
- 1.2. The terms and conditions of the provision of the NHS PFS service apply to each NHS PFS provider in accordance with paragraph 6.1 of the Directions. The pharmacist also has a professional responsibility to ensure the ethical provision of the service and that it is provided in the best interests of the eligible person at all times.

2. Service Aim and Objectives

- 2.1. The aim of NHS PFS is to support the provision of direct pharmaceutical care on behalf of the NHS by pharmacists to members of the public presenting with a minor illness or common clinical condition.
- 2.2. The core objectives for NHS PFS are to—
- (a) improve access to healthcare consultations, advice, medicines and appliances for minor illnesses and common clinical conditions,
 - (b) promote pharmaceutical care through the community pharmacy setting,
 - (c) assist in managing the demand on the time of other members of the primary healthcare team by shifting the balance of care from GPs and nurses to community pharmacists where appropriate, and
 - (d) identify patients who need onward referral to other NHS services.

3. Service Description

- 3.1. NHS PFS allows eligible persons to use their community pharmacy as the first port of call for the consultation and treatment of minor illnesses or common clinical conditions. The pharmacist advises, treats or refers the patient according to their needs.

4. Service components

4.1. Eligibility

- 4.1.1. A person is eligible for the NHS PFS service where they are a person who at the time of consultation comes within the categories of person defined as an “eligible person” in paragraph 2 of the Directions.

4.2. ***Provision of the NHS Pharmacy First Scotland service***

- 4.2.1. The pharmacist providing the NHS PFS service must check that the person is eligible for the service.
- 4.2.2. Provision of a service under the NHS PFS service is not permitted without direct contact by an eligible person or the eligible person's representative.
- 4.2.3. A representative seeking provision of a service under the NHS PFS service on behalf of an eligible person must have the appropriate authority to provide consent on behalf of the eligible person.

4.3. ***NHS Pharmacy First Scotland Consultation***

- 4.3.1. Care provided through NHS PFS includes the presentation, assessment and treatment of symptoms. The pharmacist confirms the eligibility of the person for the NHS PFS service, assesses the person and considers the most appropriate course(s) of action, the counselling and advice needs and any requirements for follow up or referral. The consultation must be provided by the pharmacist or by trained staff under the direct supervision of the pharmacist. Telephone consultations and NHS Near Me consultations must be conducted in pharmacy premises, within the NHS PFS provider's contracted opening hours and are only permitted where consultations in person in pharmacy premises are not practicable. Consultations conducted online or as part of any online service, other than NHS Near Me consultations, are not permitted.
- 4.3.2. An eligible person should normally present with a symptom(s) in person or, occasionally, a representative may present on their behalf. For example, a parent or guardian could attend an NHS PFS consultation on behalf of a child. If an adult is housebound due to an illness, frailty or disability, a relative or friend may attend a consultation on their behalf.
- 4.3.3. Where the eligible person is not present or where an eligible person requests a telephone or NHS Near Me consultation, the pharmacist must use their professional judgement to determine what, if any, advice or treatment can be provided without seeing the eligible person in person.
- 4.3.4. The pharmacist assesses the symptoms in order to ascertain and consider information which helps them to determine the cause and severity of the presenting condition and determine the most appropriate course of action. This includes the differentiation between common illness and major disease. This helps the pharmacist to decide on the most appropriate form of action.
- 4.3.5. In some instances the only course of action required is to provide advice to the eligible person. This may also include aspects of healthy lifestyle advice.
- 4.3.6. When the pharmacist decides that the most appropriate action is to treat the presenting condition(s) they will then decide on the course of treatment they wish to recommend for the eligible person. The supply of a medicine, dressing or appliance should be in response to a consultation and only provided when it is the most clinically appropriate intervention.
- 4.3.7. The pharmacist will also establish the counselling and advice needs of the eligible person. This includes explaining what to expect from their condition, what treatment is being prescribed for them, how to use that treatment, any follow up and how to avoid future episodes. This process is underpinned by the *CRAG Counselling and Advice Guidelines*²¹.
- 4.3.8. The requirement to refer an eligible person to a GP is, in most instances, obvious when assessing the condition. Pharmacists and GPs should agree locally the circumstances when and procedure by which an eligible person requiring to be seen quickly can be referred and this should be supported using either a verbal or written referral request. Eligible persons may also self-refer to their GP.

²¹ <https://www.gov.scot/publications/counselling-advice-medicines-appliances-community-pharmacy-practice/>

- 4.3.9. The NHS PFS consultation enables the pharmacist to identify and agree a shared outcome or a set of outcomes with the eligible person. This happens as a result of the systematic approach applied to the NHS PFS service.
- 4.3.10. The pharmacist also considers the requirement or need for any further follow up. Follow up involves looking for signs that the condition is improving and that there is no deterioration. This is carried out by the eligible person with any necessary information or support provided by the pharmacist or a member of their support staff.

5. NHS PFS approved list of products

- 5.1. The products that may be supplied under the NHS PFS service by the pharmacist are listed in the approved list applied for that purpose by the Health Board.
- 5.2. The applicable Health Board approved list may include any of the products which are available for provision under the NHS PFS service, as specified in paragraph 9 of schedule 2 of the Directions.
- 5.3. Where a pharmacist providing an NHS PFS service considers it appropriate to provide a product which is not listed on the applicable Health Board approved list, but is a product which may be provided under the NHS PFS service, the pharmacist may do so. This includes, wherever possible, prescribing on a generic basis. The supply of a medicine should be in response to a patient consultation and only when it is the most clinically appropriate intervention.
- 5.4. NHS PFS is subject to the same prescribing support from the Health Board as other clinical services.

6. Administration and record keeping

- 6.1. The patient record must be used for each contact with an eligible person, recording whether they received a consultation, advice, a treatment or were referred to another health care professional.
- 6.2. Where appropriate, this information is to be annotated into the eligible person's medication record on the pharmacy patient medication record (PMR) system.
- 6.3. In the case of adverse reactions the pharmacist must consider whether there is a need to report any adverse drug reactions to the Committee on Safety of Medicines Scotland (CSM) through the Yellow Card reporting mechanism.
- 6.4. Claims for all consultations, treatment, and referrals must be submitted to Practitioner and Counter Fraud Services Division in accordance with the requirements set out in paragraph 2 of schedule 3 of the Directions.

7. Remuneration

7.1. *General*

- 7.1.1. The NHS PFS provider is remunerated for consultation, treatment and referral in accordance with the Drug Tariff.
- 7.1.2. The NHS PFS provider is reimbursed for any product supplied in line with the applicable approved list or prescribing guidelines. Part 7B of the Drug Tariff clarifies the pricing of certain items when prescribed generically.

7.2. *Post Payment Verification*

- 7.2.1. As with all pharmacy payments, NHS PFS claims will be subject to scrutiny by Practitioner and Counter Fraud Services' Payment Verification ("PV") team. Any anomalies or outliers will be

investigated by PV and, where appropriate, will be referred to the relevant Health Board and to NHS Scotland Counter Fraud Services (“CFS”).

- 7.2.2. NHS PFS providers who submit an unsatisfactory response to payment verification enquiries may be considered for onward referral.
- 7.2.3. Where after suitable investigation a Health Board is satisfied that an NHS PFS provider has not provided NHS PFS services in accordance with these Directions it can suspend payments for the NHS PFS service and recover those made in respect of any appropriate period(s).

8. Training

- 8.1. A pharmacist providing an NHS PFS service must practise within their own competency.
- 8.2. It is the responsibility of the NHS PFS provider to ensure that the pharmacy is able to offer the NHS PFS service as contracted at all times of opening. The NHS PFS provider must ensure that all staff providing the NHS PFS service on their behalf, e.g. locums, have the competencies to deliver the service.
- 8.3. The pharmacist and the NHS PFS provider providing the service must be aware of and operate within the national service specifications, local guidelines, including guidelines on an NHS PFS approved list of products, and PGDs in relation to NHS PFS.
- 8.4. The NHS PFS provider must ensure that any pharmacist (including the provider, if applicable) and other staff involved in providing the NHS PFS service for or on behalf of the provider undertake such training as the Health Board may require. The NHS PFS provider must ensure that records are kept of all training completed for this purpose.

9. Information leaflets

- 9.1. National and local publicity initiatives and information leaflets prepared and/or approved by the Scottish Ministers are used to raise public awareness of the service.