



STATUTORY INSTRUMENTS.

S.I. No. 639 of 2019



**PUBLIC SERVICE PAY AND PENSIONS ACT 2017 (PAYMENTS TO
COMMUNITY PHARMACY CONTRACTORS) REGULATIONS 2019**

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I, SIMON HARRIS, Minister for Health, in exercise of the powers conferred on me by section 42 of the Public Service Pay and Pensions Act 2017 (No. 34 of 2017), being satisfied that subsection (6) of that section has been complied with; having complied with subsection (9) of that section; having had regard to the matters specified in paragraphs (a) to (e) of subsection (10) of that section, and having complied with the requirements of section 43(2) of that Act, with the consent of the Minister for Public Expenditure and Reform, hereby make the following regulations:

1. (1) These Regulations may be cited as the Public Service Pay and Pensions Act 2017 (Payments to Community Pharmacy Contractors) Regulations 2019.

(2) These Regulations come into operation on 1 January 2020.

2. In these Regulations -

“community pharmacy contractor” means a registered pharmacist, company or other body corporate, or partnership, that provides services to the Health Service Executive pursuant to an agreement to provide community pharmacy services to eligible persons under section 59 of the Health Act 1970;

“ex-factory price”, with respect to a particular drug item at a particular time, means the price of that item determined in accordance with the relevant agreements in force at that time between the Health Service Executive and the representative bodies of suppliers of such items;

“fridge item” means a drug item which must be kept in refrigerated storage conditions of between 2 and 8 degrees Celsius as stated in the summary of product characteristics for that item;

“ingredient cost” means -

- (a) in the case of fridge items, the ex-factory price together with a wholesale mark-up of 12 per cent, and
- (b) in the case of any other drug item, the ex-factory price together with a wholesale mark-up of 8 per cent;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 24th December, 2019.*

“reimbursement price”, with respect to a particular a non-drug item at a particular time, means the amount specified by the Health Service Executive in the list of reimbursable items which is published on its website;

“stock order”, with respect to drug items and non-drug items, means items which are supplied by a community pharmacy contractor to a general practitioner for the purpose of the general practitioner dispensing those items to, or using those items to treat, medical card patients of that general practitioner.

3. These Regulations shall apply to payments in respect of services rendered by a community pharmacy contractor to or on behalf of the Health Service Executive under the General Medical Services Scheme, the Drug Payment Scheme, the Long-Term Illness Scheme, the European Economic Area Scheme, the Health (Amendment) Act 1996 Scheme and the High Tech Medicinal Products Scheme.

4. The payments (other than the reimbursement price of non-drug items) that shall be made to a community pharmacy contractor in respect of the services referred to in Regulation 3 on and from the day on which these Regulations come into operation shall be those specified in Schedules 1, 2, 3, 4 and 5.

SCHEDULE 1

Amounts payable for dispensing drug items and non-drug items (excluding drug items which are subject to extemporaneous preparation and compounding) under the General Medical Services Scheme, the Drug Payment Scheme, the Long-Term Illness Scheme, the European Economic Area Scheme and the Health (Amendment) Act 1996 Scheme	
Description (1)	Amount (2)
Standard Dispensing Fee payable to a community pharmacy contractor under the General Medical Scheme, the Drug Payment Scheme, the Long-Term Illness Scheme, the European Economic Area Scheme and the Health (Amendment) Act 1996 Scheme per item dispensed under those schemes:	
- for each of the first 1,667 items dispensed by the community pharmacy contractor in a month	€5.00
- For each of the next 833 items dispensed by the community pharmacy contractor in that month	€4.50
- For each other item dispensed by the community pharmacy contractor in that month	€3.50

SCHEDULE 2

Amounts payable under the General Medical Services Scheme only		
Reference Number (1)	Description (2)	Amount (3)
1.	Phased dispensing fee - payable per drug item for each dispensing phase other than the first dispensing phase (for which the standard dispensing fee specified in Schedule 1 is payable)	€3.27
2.	Non-dispensing fee - payable per drug item not dispensed due to exercise of professional judgment	€3.27
3.	Fee per drug item for extemporaneous preparation of oral medication	€6.53
4.	Fee per drug item for extemporaneous compounding and dispensing of: - powder - ointment or cream	€19.60 €13.07
5.	Reimbursement amount per drug item	Ingredient cost
6.	Allowance per drug item supplied further to a stock order	20% of ingredient cost
7.	Allowance per non-drug item supplied further to a stock order	20% of reimbursement price
8.	Payment per provision of emergency hormonal contraception service without a prescription from a general practitioner	€11.50 plus dispensing fee as applicable

SCHEDULE 3

Amounts payable for dispensing drug items - subject to extemporaneous preparation and compounding under the Drug Payment Scheme, the Long-Term Illness Scheme, the European Economic Area Scheme and the Health (Amendment) Act 1996 Scheme		
Reference Number (1)	Description (2)	Amount (3)
1.	Eye drops	€13.68
2.	Ear and nasal drops	€10.93
Mixtures		
3.	Up to 100 ml	€10.94
4.	101 ml to 200 ml	€14.97
5.	201 ml to 300 ml	€17.04
6.	301 ml and over	€22.53
Lotions		
7.	Up to 100 ml	€10.89
8.	101 ml to 200 ml	€15.24
9.	201 ml to 300 ml	€17.12
10.	301 ml and over	€22.74
Ointments and Creams		
11.	Up to 30 g	€13.76
12.	31 g to 60 g	€18.64
13.	61 g to 120 g	€23.97
14.	121 g to 240 g	€28.90
15.	241 g and over	€34.27
Powders		
16.	Up to 20 sachets	€20.44
17.	Thereafter per 20 sachets (pro rata)	€12.26

SCHEDULE 4

Other amount payable in respect of drug items dispensed under the Drug Payment Scheme, the Long-Term Illness Scheme, the European Economic Area Scheme and the Health (Amendment) Act 1996 Scheme	
Description (1)	Amount (2)
Reimbursement amount per drug item	Ingredient cost

SCHEDULE 5

Amounts payable under the High Tech Medicinal Products Scheme		
Reference Number (1)	Description (2)	Amount (3)
1.	Patient care fee payable per month to the community pharmacy contractor nominated by a patient under the High Tech Medicinal Products Scheme where medicinal products prescribed under that Scheme are dispensed to the patient by the community pharmacy contractor concerned	€62.03
2.	Patient care fee payable per month to the community pharmacy contractor nominated by a patient under the High Tech Medicinal Products Scheme where medicinal products prescribed under that Scheme are not dispensed to the patient in a particular month provided that where the prescription concerned is not dispensed to the patient concerned for more than 3 consecutive months the fee concerned is payable up to a maximum of 3 months only.	€31.02



GIVEN under my Official Seal,
15 December, 2019.

PASCHAL DONOHOE,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
16 December, 2019.

SIMON HARRIS,
Minister for Health.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations give effect to certain payments to community pharmacy contractors as provided for in the Public Service Pay and Pensions Act 2017.

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