

## INDEX

INDEX .....	3
GENERAL .....	4
1. SCOPE & APPLICATION OF THE SCOTTISH DRUG TARIFF .....	4
2. FREQUENCY OF PUBLICATION .....	5
3. DETAILS OF AMENDMENTS SINCE LAST PUBLISHED EDITION .....	5
4. REQUIREMENT ON NHS BOARDS TO PROVIDE PHARMACEUTICAL SERVICES TO PERSONS IN THEIR AREA .....	6
5. STANDARDS OF QUALITY FOR DRUGS .....	9
6. ITEMS WHICH MAY NOT BE PRESCRIBED BY STATUTE .....	9
7. APPLIANCES .....	9
8. CHEMICAL REAGENTS .....	9
9. DOMICILIARY OXYGEN THERAPY SERVICE .....	10
10. REIMBURSEMENT IN RESPECT OF DRUGS WHICH MAY BE PRESCRIBED BY DENTAL PRACTITIONERS .....	10
11. REIMBURSEMENT IN RESPECT OF DRUGS WHICH MAY BE PRESCRIBED BY NURSE PRESCRIBERS .....	10
12. REIMBURSEMENT ARRANGEMENTS FOR MEDICINAL PRODUCTS .....	11
13. REIMBURSEMENT OF MEDICAL DEVICES, REAGENTS & OTHER ITEMS .....	12
14. WEIGHTS AND PACKAGING .....	13
15. CALCULATION OF NET INGREDIENT COSTS .....	13
16. NHS STOCK ORDER FORM GP10A .....	13
18. BROKEN BULK .....	14
20. PAYMENTS IN EXCEPTIONAL CASES WHERE DRUGS ORDERED ARE SUBJECT TO MARKET SHORTAGES .....	15
21. PHARMACEUTICAL SERVICES REMUNERATION .....	16
23. PRESCRIPTION CHARGES .....	17
24. APPEALS MECHANISM REGARDING REIMBURSEMENT & REMUNERATION .....	17
25. ARRANGEMENTS FOR UPDATING THIS TARIFF .....	18
26. INFORMATION ENQUIRIES .....	18

This document updated 7<sup>th</sup> December 2015

## GENERAL

## 1. SCOPE &amp; APPLICATION OF THE SCOTTISH DRUG TARIFF

Regulation 12 sections 1-5 of the NHS (Pharmaceutical Services) (Scotland) Regulations 2009 state that:

'Scottish Ministers shall after consultation with an organisation which is, in their opinion representative of the general body of pharmacists cause to be prepared a statement (in these Regulations referred to as "the Drug Tariff") which they may after such consultation amend from time to time and which (subject to paragraph (2)) shall include-

- (a) the prices on the basis of which the payment for specified medicinal products (being drugs commonly prescribed) and appliances is to be calculated;
- (b) the method of calculating the payment of drugs not specified in the Drug Tariff;
- (c) the basis of payment of pharmacy contractors in respect to additional services provided as part of the pharmaceutical services contract;
- (d) arrangements for claiming fees, allowances and remuneration in connection with the making and implementation of arrangements for the provision of pharmaceutical services;
- (e) the quality standards for medicines
- (f) the list of appliances approved by Scottish Ministers for the purposes of section 27 of the National Health Service (Scotland) Act 1978, the specifications for such appliances where available and, in the case of a restricted availability appliance, the category of persons for whom or the purposes for which the appliance is approved;
- (g) the list of chemical reagents approved by Scottish Ministers for the purpose of section 27 of the National Health Service (Scotland) Act 1978 and the specification for such chemical reagents; and
- (h) the fees, allowances and remuneration for the provision of such directed services as may be specified (refer to Para 20 of this part for examples).

(2) The Drug Tariff may state in respect of any specified fee falling within paragraph (1)(c), or any other specified fee, allowance or other remuneration in respect of the provision of pharmaceutical services by pharmacists included in the pharmaceutical list of A Board that the determining authority for that fee, allowance or other remuneration for those pharmacists is the Board, and in such a case paragraphs (3) (4) & (5) shall apply.

(3) The Board shall consult such body, as it considers representative of pharmacist contractors in its area before making any such determination by virtue of paragraph (2).

(4) A determination made by the Board by virtue of paragraph (2) shall include the arrangements for claiming the specified fees, allowances or other remuneration and may provide that the pharmacist contractor requires to have prior authority from the Board to provide a specified service and associated drugs.

(5) A determination made by the Board by virtue of paragraph (2) shall be notified in writing to all pharmacist contractors included in its pharmaceutical list.'

This publication therefore is the statement in respect of Regulation 12 (1) and (2).

This publication also includes within the Appendixes as listed below reference information of interest to NHS prescribers and dispensing contractors, which has been promulgated out with the Scottish Drug Tariff. This supplementary information extends to:

- the details of remuneration and reimbursement for non-pharmaceutical services contractors dispensing Stoma appliance products [Appendix C]
- criteria notified to the European Commission under Article 7 of the Council Directive relating to the transparency of measures relating to the pricing of medicinal products for human use and their inclusion in the scope of the national health insurance schemes (89/105/EEC).
- any special arrangements relating to prescribing by dentists, nurse prescribers and independent prescribers
- requirements relating to the completion of prescription forms to facilitate reimbursement

The Tariff is maintained and updated on behalf of the Scottish Ministers by the Information & Statistics Division of National Services Scotland (NSS).

Determinations by NHS Boards in respect of Regulation 12 (4) & (5) are promulgated separately to contractors concerned.

## 2. FREQUENCY OF PUBLICATION

The Scottish Drug Tariff is published electronically monthly. Current versions and an archive of issues for the previous two calendar quarters will become available on the Drug Tariff Section of [www.isdscotland.org](http://www.isdscotland.org). Older versions will be made available on written application to ISD Scotland at the address given on the web site. The published electronic version shall be the definitive version of the Tariff.

A summary will be published on the Scottish Drug Tariff web-site for the start of each month to highlight changes and supplementary Circulars may be issued in respect of significant changes of policy and/or to give effect to urgent amendments.

## 3. DETAILS OF AMENDMENTS SINCE LAST PUBLISHED EDITION

Details of amendments since last publication will be provided at the link below.

[www.isdscotland.org](http://www.isdscotland.org)

#### 4. REQUIREMENT ON NHS BOARDS TO PROVIDE PHARMACEUTICAL SERVICES TO PERSONS IN THEIR AREA

The National Health Service (Scotland) Act 1978 (“the 1978 Act”) provides at section 27(1) the following provision:

“27.-(1) It shall be the duty of every Health Board to make, in accordance with regulations, **arrangements as respects its area for the provision to persons who are in that area of—**

[listed services, including drugs, appliances etc] ... **‘ordered for those persons’**

and the provision of drugs, medicines, appliances and services in accordance with the arrangements is, together with additional pharmaceutical services provided in accordance with a direction under section 27A, referred to in this Act as “pharmaceutical services”.”

**Therefore reimbursement will only be made in respect of dispensed prescriptions for persons who are present in the area of the Board in which the pharmacy contractor is located, subject to the supplementary advice provided below.**

Certain data is available on the prescription form, which assists the dispenser in this regard.

The prescription should provide information about the patient, including the patient’s current address.

Also when the prescription is collected the patient him/her self has to sign the prescription or a representative must sign the prescription on his/her behalf.

To help avoid presentation for reimbursement of prescriptions which are not eligible for reimbursement on the grounds that the patient is not present in the Board’s area, the following guidance is provided to dispensing contractors:

#### **Examples of circumstances in which reimbursement is appropriate:**

The dispensing of a NHS prescription form issued by an authorised practitioner in Scotland, England, Wales or Northern Ireland in one of the following circumstances:

- i. the person named on the prescription collects the dispensed item(s) in person from the pharmacy contractor and signs the prescription form to confirm this has been done
- ii. the pharmacy contractor delivers the dispensed item(s), at no cost to the Board, to the person named on the prescription, at a permanent or temporary residential address within the Board’s area
- iii. an authorised representative of the person named on the prescription collects the dispensed item(s) from the pharmacy contractor, on behalf of the patient, whom the pharmacy contractor has reasonable grounds to believe by making an appropriate enquiry of the authorised representative or the patient concerned if in any doubt, is resident permanently or temporarily in the Board area, or is otherwise in the Board area (eg.in transit through the Board area), within which the pharmacy contractor is located,.
- iv. as for ii and iii above except that the location concerned is within the area of another Scottish Health Board (as a consequence of the reciprocal arrangements between Scottish Health Boards which may be in place by virtue of s.12J of the 1978 Act)

v. as for iii. above but where the patient may not be resident in Scotland or present at the time of dispensing but is on the list of a Scottish GP practice (for example a patient who is resident in England but is normally or temporarily on the list of a Scottish GP practice)

### **Circumstances in which reimbursement is inappropriate**

The following are some examples of circumstances where reimbursement would usually be inappropriate:

- a. The person is resident neither permanently or temporarily within or in transit through the area of the Board in which the pharmacy contractor is located or in the area of that of any other Scottish Health Board.
- b. Prescriptions have been posted or otherwise directed to the pharmacy contractor concerned from outwith Scotland unless the patient is at the time of dispensing in the area of the Board in which the pharmacy contractor is located or of that of any other Scottish Health Board, when the prescription is collected by the patient
- c. The dispensed items are delivered by the pharmacy contractor to an address outwith Scotland
- d. The prescription has been presented other than by the patient, or by an individual authorised to act as the patient's representative e.g. a relative, carer, neighbour, friend, member of patient's GP practice, or staff member of a care home located in any Scottish Health Board area.
- e. The prescription has been presented as a consequence of any advice, from a 3<sup>rd</sup> party, of which the pharmacy contractor may reasonably be expected to be aware, to direct prescriptions to a Scottish pharmacy contractor from outwith Scotland, in respect of patients normally resident outwith Scotland.
- f. The prescription has been presented in pursuit of financial gain by the presenter, or by the presenter and the pharmacy contractor acting in concert

### **Exceptional circumstances**

Where nonetheless the dispensing contractor considers that there are exceptional circumstances which suggest that reimbursement may still be appropriate, or the circumstances of the particular case are not covered by the above guidance the contractor should immediately take advice from his/her Health Board before proceeding with the dispensing.

### **Scope of prescription items covered by this advice**

This advice is in respect of dispensing of prescriptions under the provision of "pharmaceutical services" as defined in section 27(1) of the 1978 Act.

It therefore includes the legitimate dispensing of prescriptions for certain appliances written by an authorised practitioner in England, Wales and Northern Ireland which will be dealt with in accordance with the rules applicable there, for appliances such as stoma appliances which do not form part of "pharmaceutical services" in Scotland.

**Scope of prescription items not covered by this advice**

Different considerations arise in respect of the dispensing of Scottish prescriptions of those appliances which are not listed as appliances for the purposes of “pharmaceutical services” in Scotland.

See the companion provision on Stoma Appliance supply for further details.

**Dispensing Contractors covered by this advice**

This advice covers NHS prescriptions dispensed by all pharmacy contractors, including appliance contractors.

Nothing in the foregoing advice relates to prescriptions dispensed by dispensing GP practices in Scotland, which are subject to the provisions of the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004 (as amended) and the National Health Service (Primary Medical Services Section 17 C Agreements) (Scotland) Regulations 2004 (as amended), as applicable.

## 5. STANDARDS OF QUALITY FOR DRUGS

Any drug included in this tariff or in the British National Formulary, including the Nurse Prescribers' Formulary, Dental Practitioner's Formulary, European Pharmacopoeia, or the British Pharmacopoeia, supplied as part of pharmaceutical services, must comply with the standard or formula specified therein unless the prescriber has indicated to the contrary. Any product supplied, which is not so included must be of a grade or quality not lower than ordinarily used for medicinal purposes.

## 6. ITEMS WHICH MAY NOT BE PRESCRIBED BY STATUTE

Schedule 1 to the National Health Service (General Medical Contracts) (Scotland) Regulations 2004 lists the drugs and substances that are not to be prescribed for supply as pharmaceutical services under Section 27 of the National Health Service (Scotland) Act 1978 as amended. Schedule 2 lists the drugs that are not to be prescribed for supply as pharmaceutical services under Section 27 except as provided for under paragraph 31(2) of the terms of service for medical practitioners. A Scheduled Drug is a drug listed in Schedule 1 or, except where it is being used for a patient and for a condition listed in the Schedule, in Schedule 2 to the regulations. Schedule 1 is published as Part 12C of this tariff.

Pharmacy contractors are under no obligation to supply a scheduled drug, which may be ordered erroneously on a prescription or stock order form by a doctor, dentist, independent or supplementary prescriber and can have no claim against a Health Board in respect thereof.

## 7. APPLIANCES

Parts 2-5 lists the appliances that may be ordered by authorised prescribers on the appropriate prescribing lists of Health Boards, and indicate the specifications and tariff prices of such appliances. The items in these parts that may not be prescribed on form GP10 (N) by Nurse Prescribers are indicated by the symbol `Nx`.

Stoma appliances are no longer published in the Drug Tariff. See separate list – Reimbursement prices for stoma appliances for further details

Appliances not included in Parts 2-5 of this tariff may not be ordered. Suppliers of appliances are under no obligation to supply any such appliance that may be ordered erroneously and can have no claim against the Health Board in respect thereof.

## 8. CHEMICAL REAGENTS

Part 9 lists the chemical reagents, which may be ordered by authorised prescribers on the appropriate prescribing lists of Health Boards, and gives the specifications and tariff prices of such reagents. The items in this part that may not be prescribed on form GP10 (N) by Nurse Prescribers, are indicated by the symbol `Nx`

Reagents not included in Part 9 may not be ordered. Contractors are under no obligation to supply any such reagents that may be ordered erroneously and can have no claim against the Health Board in respect thereof.

## 9. DOMICILIARY OXYGEN THERAPY SERVICE

Part 10 in the Drug Tariff provides information with respect to provision of Domiciliary Oxygen Therapy Services, which are only to be applied in respect of emergency provision of such services as may be individually authorised by NHS Boards, over and above any other contracted service outwith Pharmaceutical Services for oxygen therapies.

## 10. REIMBURSEMENT IN RESPECT OF DRUGS WHICH MAY BE PRESCRIBED BY DENTAL PRACTITIONERS

Reimbursement to community pharmacy contractors in respect of drugs prescribed by general dental practitioners may only be made in respect of those drugs which are included in any current Dental Formulary from time to time in force and as promulgated by Scottish Ministers.

General dental practitioners may order only drugs included in this list on Form GP14. Pharmacists are under no obligation to supply any other drugs that may be ordered erroneously and can have no claim against the Health Board in respect thereof.

The names of medicine must be written clearly using approved generic titles as specified throughout the DPF and should not be abbreviated.

A link to the most current Dental Formulary is provided in Part 8A.

## 11. REIMBURSEMENT IN RESPECT OF DRUGS WHICH MAY BE PRESCRIBED BY NURSE PRESCRIBERS

Reimbursement to community pharmacy contractors in respect of drugs prescribed by nurse prescribers may only be made as follows.

i. In respect of those drugs prescribed by Practice Nurses, Community Nurses and Health Visitors, on the Nurse Prescriber Lists of Health Boards in accordance with any current Formulary from time to time in force or those particular prescribers as promulgated by Scottish Ministers.

A link to the most current Formulary for that purpose is provided in Part 8B.

The names of medicine must be written clearly using approved generic titles as specified throughout the NPF and should not be abbreviated. The only exception to this rule is for the prescribing of dressings and appliances where Trade Names may be used.

ii. In respect of prescriptions issued by nurses, pharmacists and allied health professionals who are qualified as Independent Prescribers, prescriptions may be issued for medicinal products and medical devices subject to the restrictions listed in Part 8C

iii. In respect of prescriptions issued by nurses, pharmacists and allied health professionals who are qualified as Supplementary Prescribers, for the treatment of patients who are subject to an agreed Clinical Management Plan, drawn up in consultation with a medical or dental practitioner.

In each case, pharmacists are under no obligation to supply any other drugs that may be ordered erroneously and can have no claim against the Health Board in respect thereof.



## 12. REIMBURSEMENT ARRANGEMENTS FOR MEDICINAL PRODUCTS

### a. List Price

References to list prices shall be construed as references to net cost prices in the price lists of such manufacturing or wholesale firms as may be selected by Scottish Ministers, after consultation with Community Pharmacy Scotland

### b. Revision of Prices

The prices of medicinal products, medical devices and reagents will for the purpose of pricing prescriptions be revised monthly in accordance with current list prices.

### c. Part 7 of the Scottish Drug Tariff

Part 7 of this Drug Tariff contains the list of medicinal products and preparations commonly prescribed by non-proprietary title.

The method of determination of prices is according to a general protocol established by the Scottish Ministers after consultation with Community Pharmacy Scotland, which may also on a monthly basis be adjusted for individual items in the light of short term market availability issues.

Part 7 shall to be updated on a monthly basis.

Endorsements for items included in Part 7 will normally not be taken, with the exception of the pack size, where more than one pack size is included in the current list. Paragraph 19 (below) sets out the information required where product shortages for this list are encountered.

### d. Medicinal products not included in Part 7

Medicinal products and preparations not included in Parts 7 and not being Scheduled Drugs will be priced on the basis of the most cost-effective price rate derived from the list prices for pack sizes generally available to pharmacist contractors.

If only one pack is available, the ingredient cost will be based on the price of that pack. If more than one pack is listed, and the pharmacist has indicated by endorsement the pack that has been used, the ingredient cost will be determined using the price of the pack indicated. If there is more than one pack listed, but no endorsement is given, the ingredient cost will be determined using the pack that is the most cost-effective for NHS Scotland.

Where more than one brand or manufacturer's version is available, and the pharmacist has indicated by endorsement as to the brand or version used, the ingredient cost will be determined as according to the endorsement made. If there is more than one brand or version available, but no endorsement is given, the ingredient cost shall be determined by protocol agreed between the Scottish Ministers and Community Pharmacy Scotland.

### 13. REIMBURSEMENT OF MEDICAL DEVICES, REAGENTS & OTHER ITEMS

The prices of medical devices and reagents in Parts 2-5 and 9 shall be determined as according to a method agreed between Scottish Ministers and Community Pharmacy Scotland.

Where more than one pack size is quoted, and the pharmacist has indicated by endorsement the pack that has been used, the gross ingredient cost shall be determined as according to the endorsement made. If there is more than one pack listed, but no endorsement is given, the ingredient cost will be determined using the pack that is the most cost-effective.

Pharmacists must quote by endorsement the manufacturer's code number, where provided in Parts 2 to 5, to ensure correct reimbursement.

#### BORDERLINE SUBSTANCES

Products contained in the list issued by the Advisory Council on Borderline Substances (ACBS) will be paid using price lists from manufacturers and wholesalers. Where more than one pack size is quoted, and the pharmacist has indicated by endorsement the pack that has been used, the gross ingredient cost shall be determined as according to the endorsement made. If there is more than one pack listed, but no endorsement is given, the ingredient cost will be determined using the pack that is the most cost-effective. The following link goes to the England & Wales Drug Tariff. The ACBS list is part XV [the full link alters month-on-month]  
<http://www.drugtariff.nhsbsa.nhs.uk>

#### PAY & REPORT

Products that are not licensed medicinal products, or included in the Borderline Substances list and are not counted as Scheduled Items may be supplied and reimbursed provided that invoice evidence of the product cost be supplied to Practitioner Services Division – Pharmacy in order that correct ingredient cost can be determined. Practitioner Services Division may prepare a report for the NHS Board of the item supplied. The Board at its discretion may consult with the prescriber regarding the suitability of the product ordered and issue further advice based on evidence received.

#### UNLICENSED MEDICINES WITH DEFINED PRICES

Part 7U is provided as a list of unlicensed products where a defined price exists, which may be provided against a primary care prescription. These products may still be subject to the “pay & report” process outlined above at the discretion of the NHS Board. Unlicensed products not included in Part 7U will require evidence of an invoice price to be provided in order that correct reimbursement can take place.

#### SPECIAL FORMULATIONS

Arrangements related to the dispensing and reimbursement of Special Formulations and Imported Unlicensed Medicines are subject to the provisions of Part 7, Part 7S and Part 7 U, and prefaces thereto.

## PLASTIC MEASURING SPOON 5ML AND ORAL SYRINGES

A plastic measuring spoon which shall comply with BS 3221: Part 6: 1983 shall be provided with every liquid oral medicine which has a dose of 5ml or whole multiples of 5ml except in the case where a manufacturer's pack contains one. When the dose of an oral liquid medicine is not 5ml or whole multiples of 5ml, and the pack does not already contain a suitable measuring device, a 5ml plastic oral syringe wrapped together with a bottle adapter and instruction leaflet shall be provided. The oral syringe shall comply with BS 3221: Part 7: 1986 or an equivalent European Standard.

## 14. WEIGHTS AND PACKAGING

All weights specified in Parts 2-5 exclude wrapping and packing material and interleaving paper.

- Appliances which must be supplied in sealed packets

Where appliances are ordered in a quantity not specified in Parts 2-5 the nearest number of complete packets should be supplied. The size and number of packets supplied should be stated on the prescription form and annotated by the pharmacist.

## 15. CALCULATION OF NET INGREDIENT COSTS

The gross ingredient cost of NHS prescriptions and stock orders shall be calculated in accordance with paragraph 11 (above) for each of the premises included on a pharmaceutical list. Where one or more persons are included on a pharmaceutical list for the same premises then the gross ingredient cost of their NHS prescriptions and stock orders shall be aggregated. The net ingredient cost payable in respect of NHS prescriptions and of doctors' stock orders shall be calculated by applying the graduated scale of percentage deduction in Part 11 of this Tariff to the aggregated gross ingredient cost of each item except for those listed in Part 7 and those 'Zero Discount' items in Appendix A.

Items listed in Part 7 of this Tariff shall be subject to a flat rate deduction as set out in the most recent relevant circular, unless the item is defined as subject to Zero Discount as noted in Appendix A.

## 16. NHS STOCK ORDER FORM GP10A

Stock order form GP10A may be issued by non-dispensing Scottish GP Practices for items for the immediate treatment of patients. The Stock Order form has the legal status of a Signed Order and must comply with the relevant requirements as laid out in Part 3 of the Medicines Act 1968. Items on this form are subject to VAT where relevant, which will be paid. The Stock Order form must not be used for items for treatment of an individual and is unsuitable for lines supplied on a "named patient" basis. A legible copy of the form must be retained by the pharmacy for inspection if any line contained on the order is subject to the Misuse of Drugs Act as a Schedule 2 or Schedule 3 product.

## 17. VALUE ADDED TAX (VAT)

The current arrangement is that VAT is not levied on the Health Service in respect of primary care prescriptions written by an appropriate prescriber for an identified patient. Pharmacy contractors will obtain medicines and devices from their usual suppliers and will pay VAT where appropriate. Reimbursement will not include the VAT element. Practitioner Services Division shall provide a monthly statement of items reimbursed for that month, which can be provided to the appropriate office of Her Majesty's Revenue & Customs (HMRC), who will make arrangements for repayment of VAT incurred. Items that are normally zero-rated, including most foodstuffs in the ACBS list are identified as outside this arrangement. Items supplied on Stock Order form GP10A are subject to VAT payments, which will be made and will be identified as outside the reclamation process.

## 18. BROKEN BULK

Payment for broken bulk can be claimed in respect of:

- i. Drugs and preparations not listed in Parts 7 and 9.
- ii.. Incontinence Appliances listed in Part 5
- iii. Dressings included in Part 2

When, in relation to i. to iii., such drugs and appliances are prescribed in a quantity less than the quantity stated in Parts 2 to 5 or when, in relation to ii, such drugs and preparations are prescribed in a quantity less than the minimum quantity the manufacturer or wholesaler is prepared to supply and when, in relation to i. to iii., the pharmacy contractor or appliance supplier would not expect to be able readily to dispense the remainder, payment may be made additionally for the remainder in each case subject to the discretion of the NHS Board in any doubtful cases. The pharmacy contractor should claim broken bulk by endorsing the electronic message and the prescription and indicating the date of dispensing. Subsequent prescriptions for the same drug, preparation or appliance dispensed within 6 months will be taken to have been dispensed from the remainder until it has been used and such subsequent prescriptions must be endorsed N/C to indicate that no claim is being made for the ingredients.

## 19. OUT OF POCKET EXPENSES

Where additional expenses have been incurred in obtaining from a manufacturer or wholesaler supplies of a drug or appliance (other than those items for which prices are given in Parts 2-5, 7 and 9 of the Tariff), which the pharmacy contractor or appliance supplier does not frequently require to provide, payment of the amount incurred may be made if the contractor submits a claim.

If a contractor wishes to claim, he or she must detail the claim on the prescription form, and place "XP" in the endorsing column of the prescription form, under the pack size boxes, followed by the amount claimed in pence (pppp) and the reason for the claim e.g. 'car' for carriage. The appropriate electronic claim message must also be sent. The NHS Board must be satisfied that the additional expenses were necessary and reasonable. In both instances an invoice should be submitted with the prescription as evidence of the claim. Where the invoice covers more than one prescription form, Out of Pocket expenses should be claimed on one occasion only.

## 20. PAYMENTS IN EXCEPTIONAL CASES WHERE DRUGS ORDERED ARE SUBJECT TO MARKET SHORTAGES

In exceptional circumstances, where in the opinion of Scottish Ministers, the product listed in Part 7 is not available to contractors in the form of a generic copy due to short term market shortage, claims for reimbursement for an equivalent product with a higher price than that listed may be accepted. Such claims shall be made by endorsement as set out below.

The items in respect of which endorsements on grounds of shortage are currently allowed are detailed in Part 13, which is available on the web version.

These arrangements will apply only in respect of the specific prescriptions duly endorsed by the pharmacist concerned as detailed in the following section.

The Endorsement code is the pack size, in the pack size box, the letters SHS below the box followed by the manufacturer or brand name. The equivalent electronic claim should also be made.

The Scottish Ministers in agreement with Community Pharmacy Scotland may also amend the price of a line in Part 7 based on market evidence available on a temporary basis as a concession. These updates shall be reviewed on a monthly basis. Details of price concessions given will be made available on the tariff and Community Pharmacy Scotland web-sites.

For lines outside of part 7 where the product is either physically unavailable or unavailable at the published price, the community pharmacy contractor should in the first instance contact the local NHS Board who may either agree a price for a single occasion or take steps to resolve the situation by a mutually agreeable route. Separate arrangements will be in place for lines in the Stoma List.

## 21. PHARMACEUTICAL SERVICES REMUNERATION

**Pharmacy contractors are remunerated on a basis of a system of payments as follows.**

### **a. Pharmacy Contractors**

#### i. Nationally set remuneration arrangements

National remuneration arrangements for community pharmacy contractors are detailed in Appendix C to this part.

[Link to the NHS P Circular advising of the latest changes to Appendix C.](#)

#### ii Locally negotiated payments to pharmacy contractors

As contained in NHS Circular PCS (P)(1996) 1 and Management Executive letter 'Local Contracting for Pharmaceutical Services: Initial Guidance for Health Boards' issued 27 February 1997, individual Health Boards will conduct local negotiations for the following services:

- Advisory Services to Residential Homes
- Methadone Dispensing Fees
- Needle Exchange Schemes
- Disposal of Pharmaceutical Waste

In accordance with circular PCS (P)(1998) 1, payments in respect of Out of Hours Rota and Collection & Delivery services and in accordance with Circular PCA (P) (2006) 3 palliative care model schemes are also subject to local negotiation.

#### iii. Pharmaceutical Care Service by Direction

Pharmacy contractors may enter into a contract with their local NHS Board in respect to provision of additional remunerated service. Details will be made available locally.

### **b. Appliance Suppliers**

Appliance suppliers in Scotland holding a dispensing contract in Scotland may only dispense items within Parts 2 to 5 of this tariff inclusive.

## 22. TIMING AND AMOUNTS OF PAYMENT ARRANGEMENTS

In accordance with the provisions of paragraph 10 (1) of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009 the timings and amounts of payments to be made to contractors in accordance with the payments allowed by this Tariff will be made in accordance with the Business Rules of NHS National Services Scotland Practitioner Services Division. This includes provisions relating to claims for payment and endorsement requirements. A copy of the current rules is included at Part 14

## 23. PRESCRIPTION CHARGES

The current information regarding the prescription charge is on the drug tariff web-site. See - <http://www.isdscotland.org/Health-Topics/Prescribing-and-Medicines/Scottish-Drug-Tariff/Docs/June-2015/2015-06-SDT-PART1-ANNEX-B.pdf>

## 24. APPEALS MECHANISM REGARDING REIMBURSEMENT & REMUNERATION

In case of dispute regarding reimbursement of prescription items and/or remuneration, the pharmacy contractor must in the first instance make representations to the appropriate office of Practitioner Services Strategic Business Unit of National Services Scotland, or directly to the NHS Board.

PS-SBU will refer representations on to the Health Board where they cannot readily resolve any issue.

The NHS Board may resolve or choose to refer to the Scottish Government Health & Social Care Directorates for guidance on policy intentions underlying Drug Tariff arrangements.

It is expected that satisfactory resolution of most disputes shall be achieved by these options in most cases.

If satisfactory resolution cannot be achieved in this way, the Health Board shall refer the dispute to The Scottish Government Health & Social Care Directorates acting for and on behalf of the Scottish Ministers who shall take action as deemed appropriate. The Health Department may appoint, as an ultimate course of action, a neutral panel to consider the relevant facts and reach an appropriate ruling, which shall be final and shall be binding on the pharmacy contractor and the Health Board.

## 25. ARRANGEMENTS FOR UPDATING THIS TARIFF

Every part of this Tariff will be reviewed on a monthly basis, with updates being made available electronically from the first day of a calendar month.

In accordance with the provisions of regulation 12 (1) f and h of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009 the following arrangements will apply in respect to amendments to Parts 2 to 5 and Parts 9 of this tariff [i.e. for appliances and chemical reagents only, excluding specific Stoma lines]:

Consideration will automatically be given to the addition, amendment and deletion to Parts of this tariff in parallel with additions, amendments and deletions to the corresponding Parts of the Drug Tariff for England & Wales. Scottish Ministers reserve the right to vary the inclusion or exclusion of any appliance or reagent with respect to the corresponding action for the England & Wales tariff, where considered expedient to the delivery of services within NHS Scotland.

Scottish Ministers also reserve the right to make any additions or deletions, supplementary to any parallel action with regard to England & Wales, that they consider suitable having given due regard to the potential therapeutic benefit to patients and cost effectiveness of the items concerned and to set reimbursement prices as they consider fit after due consultation in accordance with Regulation 12 (1) of the National Health Services (Pharmaceutical Services) (Scotland) Regulations 2009. Applications for addition, amendment or deletion of items in Parts 2 to 5 and Part 9 of this tariff may be made to:

The Technical Services Pharmacist,  
Healthcare Information Group  
Information and Statistics Division  
Gyle Square  
South Gyle  
EDINBURGH  
EH12 9EB

stating the intended therapeutic benefit of the item concerned along with any supporting evidence with regard to cost effectiveness to NHS Scotland of the proposal

## 26. INFORMATION ENQUIRIES

Enquiries regarding the content of the Scottish Drug Tariff should be addressed in the first instance by e-mail to: [NSS.evadis@nhs.net](mailto:NSS.evadis@nhs.net)



## Other Parts:

- 2 Dressings
- 3 Appliances
- 4 Elastic Hosiery
- 5 Incontinence appliances
- 6 - This part is not in use -
- 7 Generic drugs and preparations with Tariff Prices
- 8A Dental practitioner formulary
- 8B Nurse prescriber formulary
- 8C Independent Prescribing
- 9 Chemical Reagents
- 10 Domiciliary Oxygen Therapy Service
- 11 Net Ingredient Cost Scale for Pharmacist Contractors
- 12 Drugs to be prescribed under certain circumstances under the NHS Pharmaceutical Services
- 13 Items in respect of which endorsements on grounds of shortage are allowed for this month
- 14 Business Rules of NHS National Services Scotland Practitioner Services Division