

Dear Colleague

## The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2012

### Summary

1. This circular advises NHS Boards of the arrangements for:
  - charging for other UK prescriptions;
  - patients requiring an Entitlement Card; and
  - processing of prescription forms.

### Background

2. As detailed in [Circular PCA \(P\) 5 \(M\) 7 \(2011\)](#) prescription charges were abolished for all people resident in Scotland who present a prescription form for dispensing at a pharmacy in Scotland from 1 April 2011.
3. Amendment Regulations came into force on 1 April 2012 amending the charge to be applied to any English prescription form (FP10) presented for dispensing in Scotland.
4. A copy of the amendment regulations can be downloaded at:  
  
[www.legislation.gov.uk/ssi/2012/74/contents/made](http://www.legislation.gov.uk/ssi/2012/74/contents/made)
5. **Annex A** details the updated charging arrangements coming into force from 1 April 2012 and updates the arrangements for Entitlement Cards.
6. **Annex B** details the current requirements for signing of a Scottish prescription form by a patient or their representative and electronic processing arrangements.

19 April 2012

#### Addresses

##### For action

Chief Executives, NHS Boards

Chief Executive, NHS National Services Scotland

Directors of Pharmacy

##### For information

Chief Executive, NHS 24

Counter Fraud Services

Chief Executive, State Hospital Board for Scotland

#### Enquiries to:

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## Action

7. NHS Boards are asked to note the content of this circular and bring to the attention of all relevant staff. This should include all those involved in dealing with matters relating to prescription charges and prescription stationery, including community pharmacy contractors.

Yours sincerely

A handwritten signature in cursive script that reads "Bill Scott".

Professor W Scott  
Deputy Director

### **NHS Prescription Charging Arrangements in Scotland**

Since 1 April 2011 Scottish NHS prescription forms presented for dispensing in Scotland do not attract a charge.

Prescription forms from Wales and Northern Ireland are also dispensed free of charge under current arrangements when presented for dispensing in Scotland.

**From 1 April 2012 prescription forms from England will be charged at the new English rate of £7.65 per item.** The exception being if the patient is exempt from paying charges as listed in Regulation 4 of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011 or the prescription form is accompanied by a valid Entitlement Card (see below). A copy of the Regulations can be downloaded at:-

[www.legislation.gov.uk/ssi/2011/55/contents/made](http://www.legislation.gov.uk/ssi/2011/55/contents/made)

**Any English prescription form presented for dispensing in Scotland, accompanied by a valid Entitlement Card, will be dispensed free of charge.** The prescription form should be clearly marked on the reverse 'ECH' (Entitlement Card Holder) to identify it as an English prescription accompanied by an Entitlement Card, and therefore not charged for.

### **Entitlement Cards**

Unless they are exempt from charges (see above) patients resident in Scotland and registered with an NHS healthcare provider (e.g. GP or dentist) in England, or receiving other treatment in England (e.g. as an outpatient), will only benefit from the abolition of prescription charges if they hold a valid Entitlement Card and present their prescription for dispensing at a pharmacy in Scotland. For an Entitlement Card to be valid, the patient's details and address on the entitlement card **must** match the information on the prescription form.

Patients should be directed to Practitioner Services Division on 0141 300 1300 or 0131 275 6000 to apply for an entitlement card.

### **NHS Prescription Charging Arrangements elsewhere in the UK**

Any Scottish prescription form presented for dispensing in Wales or Northern Ireland will be charged at the rate in force at the time. This is currently £0.00 (i.e. zero charge).

Any Scottish prescription form presented for dispensing in England will be charged at the English rate, £7.65 per item, unless the patient qualifies for exemption or the item(s) is exempt from charge.

Exemption criteria are:-

- is under 16 years old ;
- is 16, 17 or 18 and in full-time education;
- is 60 years of age or over;

- has a valid maternity or medical exemption certificate (EC92);
- has a valid War Pension exemption certificate;
- gets, or has a partner who gets Income Support;
- gets, or has a partner who gets Income related Employment and Support Allowance (ESA);
- has a partner who gets 'Pension Credit guarantee credit' (PCGC);
- gets, or has a partner who gets income based Jobseeker's Allowance;
- is entitled to<sup>1</sup>, or named on a valid NHS Tax Credit Exemption Certificate;
- is named on a current HC2 charges certificate.

<sup>1</sup> The certificate entitles the patient, their partner (if included in the initial assessment) and any children named on the letter accompanying the certificate.

### **Exemption Certificates**

**Medical** - The current list of medical exemptions will remain and patients suffering from any of the listed conditions will continue to be eligible to apply for a medical exemption certificate. GPs should continue to verify the patient's eligibility for the appropriate medical exemption as certificates will be required to verify a patient's entitlement to register for the Minor Ailment Service (MAS) and for entitlement to exemption if a prescription is dispensed in England.

**Maternity** - GPs should also continue to verify the patient's eligibility for maternity exemption as certificates will be required to verify a patient's entitlement to register for MAS and for entitlement to exemption if a prescription is dispensed in England. The Maternity Exemption Certificate also enables an expectant/nursing mother to access free NHS dental treatment.

### **NHS Charging Arrangements for Overseas Visitors in Scotland**

It is for healthcare providers to determine an overseas visitor's need and eligibility to access NHS healthcare or services as detailed in CEL 9 (2010). This document can be downloaded at :-

[www.sehd.scot.nhs.uk/mels/CEL2010\\_09.pdf](http://www.sehd.scot.nhs.uk/mels/CEL2010_09.pdf)

Where a person is deemed eligible to access services and is provided with a Scottish prescription form they will be entitled to have the prescription dispensed free of charge if presented in a pharmacy in Scotland in the same way as a person ordinarily resident in Scotland.

### **Public Information Material**

Public Information leaflets remain available to order from APS Group Scotland advising patients of current costs for dental and optical treatment and providing advice on what help may be available with health costs.

HC1 Low Income Scheme Application form  
 HC5 Low Income Scheme Refund form  
 HCS2 Help with Health Costs booklets

Further supplies continue to be available from APS Group Scotland. Please ensure stocks are kept replenished. Orders should be placed by either;

**Fax** – 0131 629 9967

**E-Mail** – [stockorders.dppas@apsgroup.co.uk](mailto:stockorders.dppas@apsgroup.co.uk)



### Scottish Prescription Charge Entitlement Card Application

Please complete this application form and sign the declaration to confirm your eligibility for a Scottish Prescription Charge Entitlement Card.

Mr/Mrs/Miss/Ms/other: Surname: \_\_\_\_\_

Other names: \_\_\_\_\_

Address: \_\_\_\_\_

Post Code: \_\_\_\_\_

Date of birth: \_\_\_\_\_

NHS Number (from your medical card): \_\_\_\_\_

Healthcare Provider's Name: \_\_\_\_\_

Healthcare Provider's Address: \_\_\_\_\_

Post Code: \_\_\_\_\_

#### Patient Declaration

I declare that the information I have given on this form is correct and complete. I understand that if it is not, appropriate action may be taken. I also understand that the Entitlement Card may be used only in respect of items prescribed for me as the person named on the Card. I confirm proper entitlement to an NHS Scotland Prescription Charges Entitlement Card. To enable the Common Services Agency to check my entitlement and for the purposes of prevention, detection, and investigation of crime, I consent to the disclosure of relevant information from this form including to and by the Common Services Agency, healthcare providers and Local Authorities. I agree to pay the correct patient charge for my prescriptions if I am later found not be entitled to claim exemption from prescription charges.

I am: the patient [ ] the patient's representative [ ] (please mark the relevant box)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Healthcare Provider Stamp

### Notes to the Patient

Entitlement Cards will be issued in accordance with The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011.

People who are legally resident in Scotland and who may be issued with an English prescription form following treatment in England may apply for a Scottish Prescription Charge Entitlement Card. Entitlement Cards will not be issued to those registered in England as temporary residents.

A Scottish Prescription Charge Entitlement Card will entitle the holder to free prescriptions when presenting an NHS prescription issued in England at a Scottish Pharmacy for dispensing.

Practitioner Services will issue an Entitlement Card on receipt of the completed application form and signed declaration overleaf, if they are satisfied that the applicant is eligible.

Entitlement Cards are free. Provided the holder remains legally resident in Scotland an Entitlement Card will be valid for 5 years from the date of issue or until age 60, whichever is earlier.

The Entitlement Card must be shown every time a prescription form issued in England is handed in for dispensing at a Scottish Pharmacy.

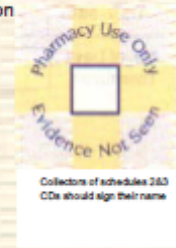
An Entitlement Card is not valid unless the name and address on the card match those on the prescription form. If the Entitlement Card is no longer required that person, or the person's representative must inform Practitioner Services and return the Entitlement Card to Practitioner Services.

Please send the completed Application Form and Declaration to National Services Scotland, Practitioner Services (Medical), Meridian Court, 5 Cadogan Street, Glasgow G2 6QE (0141 300 1385).

**Prescription Stationery**

Patients are required to sign **Part B** on the reverse of the prescription form (detailed below) as confirmation that the prescription item(s) have been dispensed. They no longer have to mark an exemption category on an NHS prescription form unless they present their prescription in England and qualify for exemption. For information on the eligibility of overseas visitors to receive NHS services, including NHS prescriptions, see the relevant paragraph in Annex A above.

GP10(SS)5	
NOTE	<b>PATIENT DECLARATIONS</b> If dispensed in Scotland, sign part B to confirm that the items overleaf have been dispensed. If dispensed elsewhere in the UK, please follow dispenser's instructions.
PART A	I have paid £ <input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Now sign and fill in Part B
PART B	Cross ONE box: I am the patient <input type="checkbox"/> patient's representative <input type="checkbox"/> Sign here <input type="text"/> Date / /
PART C	The patient doesn't have to pay because he/she: <i>(x in the appropriate box)</i>
A	<input type="checkbox"/> is under 16 years of age
B	<input type="checkbox"/> is 16,17 or 18 years of age and in full time education
C	<input type="checkbox"/> is 60 years of age or over
D	<input type="checkbox"/> has a valid maternity or medical exemption certificate(EC92)
E	<input type="checkbox"/> has a valid prescription pre-payment certificate
F	<input type="checkbox"/> has a valid War Pension exemption certificate
G	<input type="checkbox"/> gets, or has a partner who gets Income Support or income related Employment Support Allowance
H	<input type="checkbox"/> has a partner who gets 'Pension Credit guarantee credit' (PCGC)
I	<input type="checkbox"/> gets, or has a partner who gets, income based Jobseeker's Allowance
J	<input type="checkbox"/> is entitled to, or named on, a valid NHS Tax Credit Exemption Certificate
K	<input type="checkbox"/> is named on a current NHS HC2 certificate
L	<input type="checkbox"/> was prescribed free-of-charge contraceptives
M	<input type="checkbox"/> was prescribed free-of-charge medicine to treat tuberculosis
PART D Patient Declaration	"I declare that the information I have given on this form is correct and complete. I understand that if it is not, appropriate action may be taken. I confirm proper entitlement to exemption/remission. To enable the NHS to check I have a valid exemption/remission and for the purposes of prevention, detection and investigation of crime, I consent to the disclosure of relevant information from this form including to and by the NHS Business Authority, the Department for Work and Pensions, HM Revenue and Customs and Local Authorities. I agree to pay the cost of the prescription if I am later found not to be entitled. In addition, a statutory penalty may be payable."  Cross ONE box: I am the patient <input type="checkbox"/> patient's representative <input type="checkbox"/> Now sign below <input type="text"/>
Print name & address if different from overleaf	<input type="text"/> <input type="text"/> <input type="text"/>



### Processing Prescription Forms - Electronic Exemption Status

The ePharmacy Programme is working with Patient Medication Record (PMR) system suppliers to update the IT functionality to support the abolition of prescription charges in Scotland as currently electronic claim messages **must** include a non-exempt or exemption status. In the meantime, PMR systems will continue to apply the exemption statuses currently recorded in the patient PMR record to the electronic claim message or, where one is not currently recorded for the patient, they will prompt for the recording of an exemption status. The following guidance describes how community pharmacists should approach these two scenarios until such time as PMR systems have been updated.

- A patient **HAS** an exemption or non-exempt status recorded:

**No additional action is required to the existing process.** The status recorded on the PMR will be populated in any electronic claim messages. Patients who were previously not exempt from prescription charges should continue to be recorded as non-exempt. The significant majority of patient PMR records should have the patient exemption status already recorded.

- A patient **DOES NOT HAVE** an exemption status or non-exempt status recorded:

When a new patient presents, or for whatever reason a patient record does not have an exemption status recorded, **an exemption status must be set** in the PMR to enable electronic claims to be sent.

Both of the above scenarios will be supported by the automatic setting of age exemption status based on a patient's date of birth.

PSD have put in place new working processes where the exemption status will not be used in the payment processing for Scottish prescription forms.