



**Royal  
Pharmaceutical  
Society  
of Great Britain**

## **Law and Ethics Bulletin**

### **Prescriptions issued by EEA or Swiss healthcare professionals will be legally valid in the UK from 3<sup>rd</sup> November 2008**

Following a recent change in legislation<sup>1</sup> a prescription issued by an European Economic Area healthcare professional will be legally valid in the UK. For the purposes of this legislation<sup>2</sup> and this Law and Ethics Bulletin, “EEA healthcare professionals” refers only to doctors and dentists who are registered to practise in an EEA country or in Switzerland. This excludes UK registered doctors and dentists as they are covered by current medicines legislation.<sup>3</sup>

This change in legislation will come into force on 3<sup>rd</sup> November 2008. It will allow pharmacists legally to dispense a prescription (but not for Schedule 1 to 5 controlled drugs) issued by an EEA or Swiss doctor or dentist. However, it does not compel you to do so. As with all prescriptions you have to be satisfied that it is legally valid and you must make the care of patients your first concern<sup>4</sup>. Pharmacists should be able to justify any decision to refuse to dispense a prescription, as with any prescription.

In order to be satisfied that they are dispensing a legally valid prescription pharmacists may need to check the EEA or Swiss doctor or dentist’s registration with the appropriate EEA or Swiss authority.

Such prescriptions will be classed as private prescriptions and, therefore, will be subject to the same record keeping requirements as private prescriptions issued by UK registered prescribers.

The change in legislation also allows pharmacists to make an emergency supply at the request of a patient who was originally prescribed a medicine (but not a Schedule 1 to 5 controlled drug) by an EEA or Swiss doctor or dentist. The process would be the same as an emergency supply at the request of a patient who was originally prescribed a medicine by a UK registered prescriber.

Pharmacists will also be able to make an emergency supply of a medicine (but not a Schedule 1 to 5 controlled drug) at the request of an EEA or Swiss doctor or dentist.

This does not change the fact that pharmacists cannot make an emergency supply at the request of a UK registered dentist or to a patient who was originally prescribed the medicine by a UK registered dentist. It is acknowledged that this is an anomaly in the legislation and this should be rectified in the future. For further information on

emergency supplies please see Section 1.2 of the Medicines, Ethics and Practice guide ([www.rpsgb.org](http://www.rpsgb.org)).

This change in legislation excludes all controlled drugs and does not include medicines which do not have a Marketing Authorisation in the UK.

The Professional Services Directorate has published practice guidance to help explain these changes in more detail, including a full list of EEA countries and the relevant EEA or Swiss authorities. This can be found on the Society's website ([www.rpsgb.org](http://www.rpsgb.org)).

---

<sup>1</sup> The Medicines for Human Use (Prescribing by EEA Practitioners) Regulations 2008  
([www.opsi.gov.uk/si/si2008/uksi\\_20081692\\_en\\_1](http://www.opsi.gov.uk/si/si2008/uksi_20081692_en_1))

<sup>2</sup> *ibid*

<sup>3</sup> The Medicines Act 1968 and The Prescription Only Medicines (Human Use) Order 1997

<sup>4</sup> Principle 1 of the Code of Ethics for Pharmacists and Pharmacy Technicians