

**From the Chief Medical Officer**  
Dr Michael McBride

**HSS(MD)36/2019**

Chief Executives, HSCB/BSO/PHA/HSC Trusts/NIAS  
*(for onward transmission to relevant staff)*  
Medical Directors and Directors of Nursing, HSC  
Trusts

Executive Medical Director/Director of Nursing Public  
Health Agency,

Assistant Director of Integrated Care, Head of  
Pharmacy and Medicines Management, HSCB &  
HSC Trusts *(for onward distribution to Community  
Pharmacies)*.

Head of General Medical Services, HSCB *(for  
onward distribution to GP Practices)*

Head of Dental Services, HSCB *(for onward  
distribution to GDS Practices)*

GP Medical Advisers, Health and Social Care  
Board

RQIA *(for onward transmission to all independent  
providers including independent  
hospitals and travel clinics)*



Department of  
**Health**

An Roinn Sláinte

Máinnystrie O Poustie

[www.health-ni.gov.uk](http://www.health-ni.gov.uk)

Castle Buildings  
Stormont Estate  
BELFAST BT4 3SQ

Tel: 028 9052 0563

Fax: 028 9052 0574

Email: [michael.mcbride@health-ni.gov.uk](mailto:michael.mcbride@health-ni.gov.uk)

Your Ref:

Our Ref: HSS(MD)36/2019

Date: 3 December 2019

**Please see attached full addressee list**

Dear Colleagues

### **THE MISUSE OF DRUGS (AMENDMENT) REGULATIONS (NI) 2019**

1. Amendments to the Misuse of Drugs Regulations (NI) 2002 and the Misuse of Drugs (Designation) Order (NI) 2001 came into operation on 15 November 2019. A copy of the respective Regulations is available from: [www.legislation.gov.uk/id/nisr/2019/208](http://www.legislation.gov.uk/id/nisr/2019/208) and [www.legislation.gov.uk/id/nisr/2019/207](http://www.legislation.gov.uk/id/nisr/2019/207)
2. Those listed in the circulation list should ensure that this letter is distributed widely to all relevant staff to make them aware of the amendments and, where necessary, take appropriate action.
3. The amendments apply across a range of health and social care professions including medical, dental, nursing, paramedic, allied health professions as well as operating department practitioners. They also apply across a range of sectors, including the

pharmaceutical and healthcare research sector, private health care sector, hospices, health care in prisons and the Juvenile Justice Centre, the Northern Ireland Ambulance Health and Social Care Trust, and to veterinary practitioners.

4. The legislative amendments include the following within the respective areas:-

### **Hospitals**

- the authority to supply or offer to supply controlled drugs has been extended to registered midwives who are in charge of a ward, theatre or other department in a hospital; and,
- a requirement for operating department practitioners and registered midwives in charge of any ward, theatre or department in that hospital to complete a requisition in order to obtain stocks of Schedule 2 and 3 controlled drugs.

### **Northern Ireland Ambulance Service Health and Social Care Trust (NIAS)**

- enables the NIAS to supply controlled drugs directly to registered paramedics employed by the NIAS for use in the immediate treatment of sick or injured persons; and,
- a requirement for the NIAS to preserve and provide information relating to controlled drugs.

### **Hospices**

- an exemption for hospices from the requirement to present a standardised requisition when obtaining stocks of controlled drugs. Hospices should continue to use the current designated form.

### **Juvenile Justice Centres and Prisons**

- regularises the use of controlled drugs in juvenile justice centres and prisons; and,
- an exemption for juvenile justice centres and prisons from the requirement to present requisitions when obtaining stocks of controlled drugs.

### **Emergency Supply of Medicines Containing Phenobarbital or Phenobarbital Sodium**

- persons lawfully conducting a retail pharmacy business may make an emergency supply of phenobarbital or phenobarbital sodium for the treatment of epilepsy in accordance with conditions A to E of regulation 224 or 225 of the Human Medicines Regulations 2012.

### **Introduction of a Mandatory Form for the Requisitioning of Schedule 2 and 3 Controlled Drugs**

5. The majority of Schedule 2 and 3 Controlled Drugs (CD) prescribing by health practitioners will be carried out under the NI Health Service. However there may be occasions when controlled drugs may need to be requisitioned for non-health service purposes. In such circumstances the mandatory use of a specific form for the requisitioning of Schedule 2 and 3 CDs for certain individuals (for example doctors, dentists and vets) who wish to obtain Schedule 2 or 3 CDs is now required.

6. A standardised form and associated guidance has been developed by the Department of Health, the Health and Social Care Board (HSCB) and the Business Services Organisation (BSO) and will be available from: [www.medicinesgovernance.hscni.net/primary-care/controlled-drugs/private-cds/](http://www.medicinesgovernance.hscni.net/primary-care/controlled-drugs/private-cds/) and [www.health-ni.gov.uk/articles/letters-and-advice-regulation-medicines](http://www.health-ni.gov.uk/articles/letters-and-advice-regulation-medicines).

### **The Misuse of Drugs Act 1971 (Amendment) Order 2019**

### **The Misuse of Drugs (Designation) (Amendment) Order (Northern Ireland) 2019**

7. The above Orders amend the generic definition of a range of synthetic cannabinoids permanently controlled under Misuse of Drugs legislation such that the range of compounds captured by the definition of synthetic cannabinoids is reduced.
8. These amendments will primarily affect pharmaceutical and healthcare research sectors.

### **For Further Consideration**

9. Whilst this letter is primarily for information to enable action to be taken where appropriate, it may also highlight to organisations where local policies and procedures for the governance of controlled drugs need to be updated. It is not a definitive legal account of the effect of the amendments and professionals should consult their respective regulatory or leadership organisations for further guidance.

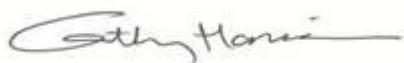
Yours sincerely



**Dr Michael McBride**  
Chief Medical Officer



**Professor Charlotte McArdle**  
Chief Nursing Officer



**Mrs Cathy Harrison**  
Acting Chief Pharmaceutical Officer



**Mr Simon Reid**  
Chief Dental Officer

