



Feidhmeannacht na Seirbhíse Sláinte  
Health Service Executive

Feidhmeannacht na Seirbhíse Sláinte  
Seirbhís Aisióca Príomhchúraim  
Bealach amach 5 an M50  
An Bóthar Thuaidh  
Fionnghlas  
Baile Átha Cliath 11

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22<sup>nd</sup> June 2011

Circular 012/11

Dear <Pharmacists >

I wish to advise that the Minister for Health made Regulations under the Financial Emergency Measures in the Public Interest Act 2009, on 20<sup>th</sup> June 2011 to reduce payments to pharmacists in respect of certain services rendered to or on behalf of the Health Service Executive under the GMS and community drugs schemes. The regulations are effective from the day of signature. The details of the reductions are set out below;

- Reduction in wholesale mark-up on drug items from 10% to 8%
- Reduction in wholesale mark-up on controlled drugs from 17.66% to 8%
- Reduction in wholesale mark-up on fridge items from 17.66% to 12%
- Reduction in retail mark-up on non-drug items from 50% to 20%
- Reduction in High Tech non-dispensing fee from €62.03 to €31.02
- Reduction in allowance on Stock-Orders from 25% to 20%

I would draw your attention to the provisions of section 9 (8) of the Financial Emergency Measures in the Public Interest Act, 2009. Section 9 (8) allows a Community Pharmacy Contractor who does not wish to continue to render services on behalf of the HSE on the basis of the new payment arrangements to withdraw his/her services if he/she so wish following 30 days written notice of his/her intention to do so. In any such event, Section 9 (9) of the Act allows the HSE to engage the services of another professional to ensure that services continue to be available.

I trust the foregoing and attached clarify matters in relation to the revised fee schedules for you.

Yours sincerely,

Patrick Burke  
Primary Care Reimbursement Service



STATUTORY INSTRUMENTS.

**S.I. No. 300 of 2011**

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HEALTH PROFESSIONALS (REDUCTION OF PAYMENTS TO  
COMMUNITY PHARMACY CONTRACTORS) REGULATIONS 2011

**(Prn. A11/1068)**

HEALTH PROFESSIONALS (REDUCTION OF PAYMENTS TO  
COMMUNITY PHARMACY CONTRACTORS) REGULATIONS 2011

I, JAMES REILLY, Minister for Health, in exercise of the powers conferred on me by section 9 of the Financial Emergency Measures in the Public Interest Act 2009 (No. 5 of 2009) (as adapted by the Health and Children (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 219 of 2011)), having complied with subsections (4), (7) and (13) of that section, with the consent of the Minister for Finance, hereby make the following regulations:

1. These Regulations may be cited as the Health Professionals (Reduction of Payments to Community Pharmacy Contractors) Regulations 2011.

2. In these Regulations—

“community pharmacy contractor” means a registered pharmacist, company or other body corporate that provides services to the Health Service Executive under an agreement made in accordance with conditions specified by the Minister for Health in 1971 or 1996 for the provision of community pharmacy services to eligible persons under section 59 of the Health Act 1970, as amended from time to time;

“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 manufacturers and importers 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;

“reimbursement price”, with respect to a particular 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

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 24th June, 2011.*

the purpose of the general practitioner dispensing those items to, or using those items to treat, 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 from the date of the making of these Regulations shall be those specified in Schedules 1, 2, 3, 4 and 5.

5. The Health Professionals (Reduction of Payments to Community Pharmacy Contractors) Regulations 2009 (S.I. No. 246 of 2009) are revoked.

## SCHEDULE 1

| <b>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</b> |  |                         |
|---|--|-------------------------|
| <b>Reference Number (1)</b>   | <b>Description (2)</b>   | <b>Amount (3)</b>       |
| 1.  | Standard dispensing fee payable to a community pharmacy contractor 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 per item dispensed under those schemes:<br>—for each of the first 1,667 items dispensed by the community pharmacy contractor in a month<br>—for each of the next 833 items dispensed by the community pharmacy contractor in that month<br>—for each other item dispensed by the community pharmacy contractor in that month | €5.00<br>€4.50<br>€3.50 |

## SCHEDULE 2

| <b>Other amounts payable under the General Medical Services Scheme</b> |  |                            |
|--|--|----------------------------|
| <b>Reference Number<br/>(1)</b>  | <b>Description<br/>(2)</b>   | <b>Amount<br/>(3)</b>      |
| 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:<br>—Powder<br>—Ointment or cream   | €19.60<br>€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 |

## SCHEDULE 3

| <b>Amounts payable for dispensing drug items which are 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</b> |                                      |                       |
|--|--------------------------------------|-----------------------|
| <b>Reference Number<br/>(1)</b>  | <b>Description<br/>(2)</b>           | <b>Amount<br/>(3)</b> |
| 1.   | Eye drops                            | €13.68                |
| 2.   | Ear and nasal drops                  | €10.93                |
|  | <b>Mixtures</b>                      |                       |
| 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                |
|  | <b>Lotions</b>                       |                       |
| 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                |
|  | <b>Ointments and Creams</b>          |                       |
| 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                |
|  | <b>Powders</b>                       |                       |
| 16.  | Up to 20 sachets                     | €20.44                |
| 17.  | Thereafter per 20 sachets (pro rata) | €12.26                |

## SCHEDULE 4

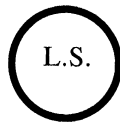
| <b>Other amounts payable in respect of drug and non-drug items dispensed under the Drug Payment Scheme, the Long-term Illness Scheme, the European Economic Area Scheme and the Health (Amendment) Act 1996 Scheme</b> |                                    |                            |
|--|------------------------------------|----------------------------|
| <b>Reference Number<br/>(1)</b>  | <b>Description<br/>(2)</b>         | <b>Amount<br/>(3)</b>      |
| 1.   | Reimbursement amount per drug item | Ingredient cost            |
| 2.   | Retail mark-up per drug item       | 20% of ingredient cost     |
| 3.   | Retail mark-up per non-drug item   | 20% of reimbursement price |



## SCHEDULE 5

| <b>Amounts payable under the High Tech Medicinal Products Scheme</b> |  |                       |
|--|--|-----------------------|
| <b>Reference Number<br/>(1)</b>                                      | <b>Description<br/>(2)</b>   | <b>Amount<br/>(3)</b> |
| 1.   | Patient care fee payable per month to the community pharmacy contractor who has been 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 who has been 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                |

The Minister for Finance consents to the foregoing Regulations.



GIVEN under my Official Seal,  
17 June 2011.

MICHAEL NOONAN,  
Minister for Finance.

GIVEN under my Official Seal,  
20 June 2011.

JAMES REILLY,  
Minister for Health.

EXPLANATORY NOTE

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

These Regulations are to give effect to reductions in payments to Community Pharmacy Contractors as provided for in the Financial Emergency Measures in the Public Interest Act 2009.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
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