

ACMD

Advisory Council on the Misuse of Drugs

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Rt Hon. Lynne Featherstone, MP
Minister for Crime Prevention
Home Office
2 Marsham Street
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25 March 2015

Dear Minister,

RE: Proposals to review and amend specific provisions under the Misuse of Drugs Regulations 2001

Further to the Home Office consultation on proposals to review specific provisions under the Misuse of Drugs Regulations 2001, I am writing to provide you with the Advisory Council on the Misuse of Drugs' (ACMD) recommendations on these proposals.

The ACMD has considered the consultation proposals listed at Annex A and notes that these changes, aimed at bringing controlled drugs legislation in line with changes in the healthcare and veterinary sectors, will remove unnecessary barriers, improve flexibility and access to controlled drugs and improve patient access to treatment.

The proposed changes also include implementation of a final outstanding Shipman Inquiry-related change on requisitions (controlled drugs stock orders) to ensure the ordering of controlled drugs stocks by healthcare professionals within the community can be better monitored.

The ACMD is of the view that these changes will bring benefits both to the public and to healthcare and veterinary professionals, whilst improving the audit trail of the most potent controlled drugs used in the community. The Advisory Council therefore supports their implementation.

Yours sincerely,



Professor Les Iversen, Chair of the ACMD

Annex A- List of proposals to review and amend the Misuse of Drugs Regulations 2001

Policy	Effect
1. Inclusion of prisons, including a definition in the 2001 Regulations.	Clarifies the provisions that apply to the secure environment sector.
2. Authority for National Health Service (NHS) Ambulance Trusts to possess and supply controlled drugs.	Brings NHS Ambulance Trusts in line with NHS hospitals in order to improve governance arrangements within the sector.
3. Changes to midwife supply orders from a system through which stocks of controlled drugs can be obtained to patient specific orders.	Prevents midwives from carrying stocks of controlled drugs when visiting expecting mothers in the community, reducing the risk of thefts, diversion and misuse.
4. Paramedics and operating department practitioners – inclusion in the list of healthcare professionals requiring a requisition in order to obtain Schedules 2 and 3 controlled drugs.	Ensures a proper audit trail exists for stocks of controlled drugs obtained by paramedics and operating department practitioners.
5. Extension of authorities applicable to senior registered nurses in charge of wards to senior registered nurses in charge of prison healthcare centres and midwife ward managers.	Ensures trained and registered nurses and midwives have the same authorities under the 2001 Regulations.
6. Requirement for veterinary practitioners to include their Royal College of Veterinary Practitioner number on prescriptions for Schedules 2 and 3 controlled drugs.	Improves the audit trail for Schedules 2 and 3 controlled drugs prescribed in the veterinary sector.
7. Replacement of the reference to section 14 National Health Service (Scotland) Act 1978 in Regulation 14(5) of the 2001 Regulations.	Removes a reference to a redundant provision and replaces it with re-enacted provisions.
8. Exemption for hospices and prisons from the requisition requirement under Regulation 14.	Ensures data collected by Business Services on requisitions for Schedules 2 and 3 controlled drugs are not skewed by the huge amounts of end of life care and addiction maintenance drugs used within these sectors.
9. Introduction of a mandatory form for the requisitioning of Schedules 2 and 3 controlled drugs.	This is an outstanding Shipman Recommendation which will ensure a better audit trail for the most potent drugs obtained by healthcare professionals in the community.
10. Regularisation of the emergency supply of phenobarbitone.	Complements existing provisions under the Human Medicines Regulations 2012.
11. Inclusion of provisions relating to the offender management sector.	Clarifies the provisions that apply to the secure environment sector.