

2009 No 9

**NATIONAL HEALTH
SERVICE, WALES**

**The Managed Introduction of New
Medicines into the National Health
Service in Wales Directions 2009**

Made

31 March 2009

Coming into force

1 April 2009

The Welsh Ministers, in exercise of the powers conferred by sections 12(3), 19(1), 174(10) and 203 (9) and (10) of the National Health Service (Wales) Act 2006 (1) hereby give the following directions:

**Title, commencement, application and
interpretation**

1.—(1) The title of these Directions is the Managed Introduction of New Medicines into the National Health Service in Wales Directions 2009 and they come into force on 1 April 2009.

(2) These Directions are given to every Local Health Board and NHS Trust in Wales.

(3) In these Directions—

“AWMSG” means the All Wales Medicines Strategy Group;

“the Act” (“*y Ddeddf*”) means the National Health Service (Wales) Act 2006;

“**endorsed by the Minister**” (“*....*”) means the acceptance by the Minister for Health and Social Services of a recommendation made by the AWMSG;

“medicine” (“*...* ”) includes drug;

“NHS treatment” (*“triniaeth GIG”*) means treatment provided to a patient under the Act;

“patient” (*“claf”*) means any person who is receiving NHS treatment;

“prescription form” (*“ffurflen bresgripsiwn”*) has the same meaning as in the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007⁽¹⁾;

“recommended by the AWMSG” (*“a gymeradwyir gan y...”*) means recommended for NHS treatment subject to any qualifications specified in the Final Appraisal Report and “recommendation” (*“....”*) is to be construed accordingly;

“**Final Appraisal Report**” (*“...”*) means the final appraisal report issued by the AWMSG following appraisals conducted in accordance with its published procedure;

“treatment” (*“triniaeth”*) includes prevention, examination and diagnosis.

Application of sums paid to Local Health Boards

2. Unless directed otherwise by the Welsh Ministers, a Local Health Board must, in exercising its functions, including those functions that it has been directed to exercise by the Welsh Ministers⁽²⁾, apply such amounts of the sums paid to it under section 174(10) of the Act as may be required so as to ensure that a **medicine** that is **recommended by the AWMSG** is, from a date not later than three months from the date that recommendation has been **endorsed** by the Minister, available:

- (a) to be prescribed for any patient on a prescription form for the purpose of the patient’s National Health Service treatment; or
- (b) to be supplied or administered to any patient for the purpose of the patient’s National Health Service treatment.

Co-operation of National Health Service Trusts

3.A National Health Service Trust must co-operate with a Local Health Board to facilitate compliance with these Directions.

(1) S.I. 2007.121 (W.11).;

(2) S.I. 2003/50 (W.20).

Signed by Peter Lawler, Acting Deputy Director of
Community Primary Care and Health Services Policy
Directorate, under the authority of the Minister for
Health and Social Services, one of the Welsh Ministers

Date