



## **Government response to the ACMD's advice on NHS England proposals to permit the electronic prescribing of Schedule 2 and 3 controlled drugs**

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Following the Government response by Rt.Hon Chris Philp MP (Minister of State for Crime Policing and Fire) to the ACMD's advice on NHS England proposals to permit the electronic prescribing of Schedule 2 and 3 controlled drugs, the Cannabis Trades Association (CTA) has reviewed the recommendations by the ACMD and Minister below, and our views\* are as follows:

### Recommendation 1:

- If this can be done by statutory instrument rather than primary legislation (amending MDR2001) then this can be speeded up greatly.
- Electronic Prescribing permits government to gather Statistics for cannabis prescribing and type of condition cannabis will have been used to treat.
- Allowing electronic prescribing within hospitals and for consultants and secondary care, as well as health and justice system, opens up medicinal cannabis prescribing to a much wider demographic.

### Recommendation 2:

- It may be that this finally brings private prescribing into the sphere of the NHS and DHSC.
- This could, in time, open up prescribing at a primary care level i.e. GPs and pharmacists.

*\*This information is for guidance only and has not been checked legally or with government*

*(continued...)*



## Recommendation 1:

The ACMD recommends to the Home Office that the Misuse of Drugs Regulations 2001 are amended to allow electronic prescribing of Schedule 2 and 3 Controlled Drugs<sup>1</sup> within secondary care<sup>2</sup> and the Health & Justice System<sup>3</sup>.

### Government response

The Government accepts the recommendation that the electronic prescribing of Schedule 2 and 3 Controlled Drugs within secondary care and the Health & Justice System should be allowed, subject to further consideration with the Department of Health and Social Care (DHSC) of whether amending the Misuse of Drugs Regulations 2001 is the most appropriate legislative mechanism.

## Recommendation 2

The ACMD recommends NHS England evaluate the impact of the proposed changes to the Misuse of Drugs Regulations 2001 to allow electronic prescribing of Schedule 2 and 3 Controlled Drugs within secondary care and the Health & Justice System.

This recommendation is led by NHS England and DHSC, who have confirmed they will conduct an evaluation of the impact of the proposed changes once implemented.

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<sup>1</sup> **UK Government Guidance - List of most commonly encountered drugs currently controlled under the misuse of drugs legislation.** Updated 8 August 2022 <https://www.gov.uk/government/publications/controlled-drugs-list--2/list-of-most-commonly-encountered-drugs-currently-controlled-under-the-misuse-of-drugs-legislation#fnref:10>

<sup>2</sup> **NHS - The healthcare ecosystem** <https://digital.nhs.uk/developer/guides-and-documentation/introduction-to-healthcare-technology/the-healthcare-ecosystem#secondary-care>

<sup>3</sup> **Health and Justice** - NHS England Health and Justice is responsible for commissioning a range of healthcare services that support children and adults throughout the youth justice and criminal justice systems in England. <https://www.england.nhs.uk/commissioning/health-just/>

**ACMD - Cannabis-based products for medicinal use (CBPMs) in humans:** An assessment of the impact of rescheduling CBPMs to Schedule 2 under the Misuse of Drugs Regulations 2001 (MDR) and recommendations to mitigate the issues identified. November 2020 [https://assets.publishing.service.gov.uk/media/5fc0de5b8fa8f559ded502cb/OFFICIAL\\_Published\\_version\\_-\\_ACMD\\_CBPMs\\_report\\_27\\_November\\_2020\\_FINAL.pdf](https://assets.publishing.service.gov.uk/media/5fc0de5b8fa8f559ded502cb/OFFICIAL_Published_version_-_ACMD_CBPMs_report_27_November_2020_FINAL.pdf)



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