



AN BILLE UM ROCHTAIN AR CHÓIREÁIL AILSE, 2012
ACCESS TO CANCER TREATMENT BILL 2012

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

Section

1. Citation.
 2. Definitions.
 3. Provision of cancer treatment.
 4. Regulations.
 5. Consultation by Minister.
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ACTS REFERRED TO

Health Act 2004

2004, No. 42

Medical Practitioners Act 2007

2007, No. 25



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BILL

entitled

5 AN ACT TO ENSURE THE PROVISION BY THE HEALTH
SERVICE EXECUTIVE OF ALL PRESCRIBED MED-
ICINAL PRODUCTS NECESSARY FOR THE TREAT-
MENT OF CANCER IN LINE WITH BEST PRACTICE
10 AND UPON APPROVAL OF THE EUROPEAN MEDI-
CINES AGENCY.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—This Act may be cited as the Access to Cancer Treatment Citation.
Act 2012.

2.—In this Act, save where the context otherwise requires— Definitions.

15 “European Medicines Agency” means the agency established in
1995, whose main responsibility is the protection and promotion of
public and animal health through the evaluation and supervision of
medicines for human and veterinary use;

20 “Haematology Association of Ireland” means the association, estab-
lished in 1999, which is involved in the development of haematology
knowledge and research on the island of Ireland;

“Health Service Executive” has the same meaning as that of the
Health Act 2004;

25 “Irish Society of Medical Oncologists” means the society which com-
prises of all medical cancer consultants in Ireland;

“Minister” means Minister for Health and Children;

“National Cancer Control Programme” means the body set up in
2007 to provide a comprehensive programme of cancer control in
Ireland;

30 “National Centre for Pharmacoeconomics” means that body which
assesses the cost-effectiveness of drugs coming onto the market in
collaboration with the Health Service Executive;

“prescribed medicinal product” has the same meaning as that which
pertains in Statutory Instrument No. 540 of 2003 as amended;

“registered medical practitioner” has the same meaning as that defined in the Medical Practitioners Act 2007.

Provision of cancer treatment.

3.—The Health Service Executive shall ensure that all prescribed medicinal products necessary for the treatment of cancer, as approved by the European Medicines Agency, are supplied to all persons who are cancer sufferers who require cancer treatment as certified by a registered medical practitioner. 5

Regulations.

4.—(1) The Minister may make regulations for the general purpose of this Act and may, by regulation, provide for any matter referred to in this Act as prescribed or to be prescribed. 10

(2) Every regulation under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly but without prejudice to the validity of anything previously done under the regulation. 15

(3) Regulations under this Act may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the regulations. 20

(4) Regulations made under *subsection (1)* may require the Minister and or the Health Service Executive and or the National Cancer Control Programme and or the Irish Society of Medical Oncologists, and or the Haematology Association of Ireland and or any other similar such professional medical body to assess the benefits of the use of a particular cancer drug. 25

Consultation by Minister.

5.—The Minister shall affirm or deny the provision of a medicinal product if he or she deems it to be the appropriate decision and while the Minister’s decision is final, he or she may, during deliberations, consult with the Irish Society of Medical Oncologists, the National Cancer Control Programme, The National Centre for Pharmacoeconomics, The Haematology Association of Ireland and or the Health Service Executive. 30