



**SEANAD ÉIREANN**

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**AN BILLE SLÁINTE (EARRAÍ LIACHTA A PHRAGHSÁIL  
AGUS A SHOLÁTHAR), 2012  
HEALTH (PRICING AND SUPPLY OF MEDICAL GOODS)  
BILL 2012**

**LEASUITHE A RINNE AN DÁIL  
AMENDMENTS MADE BY THE DÁIL**

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AN BILLE SLÁINTE (EARRAÍ LIACHTA A PHRAGHSÁIL AGUS A SHOLÁTHAR), 2012  
*[BILLE SEANAID ARNA LEASÚ AG AN DÁIL]*

HEALTH (PRICING AND SUPPLY OF MEDICAL GOODS) BILL 2012  
*[SEANAD BILL AMENDED BY THE DÁIL]*

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*Leasuithe a rinne an Dáil  
Amendments made by the Dáil*

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*[The page and line references in this list of amendments  
are to the text of the Bill as initiated by Seanad Éireann]*

## SECTION 5

1. In page 14, subsection (3)(b), lines 30 and 31, all words from and including “the” in line 30 down to and including “run” in line 31 deleted and the following substituted:

“the running of the period of 180 days referred to in *subsection (2)* is, upon the giving of the notice referred to in *paragraph (a)* to the applicant, suspended”.

## SECTION 15

2. In page 22, lines 19 and 20 deleted and the following substituted:

“prescription ought not to be dispensed because to do so may be prejudicial to—

- (a) the health of the patient for whom the prescription was written, or
- (b) the health or safety of members of the public.”

## SECTION 18

3. In page 24, subsection (3)(b), lines 33 and 34, all words from and including “the” in line 33 down to and including “run” in line 34 deleted and the following substituted:

“the running of the period of 180 days referred to in *subsection (2)* is, upon the giving of the notice referred to in *paragraph (a)* to the applicant, suspended”.

## SECTION 19

4. In page 25, lines 33 to 36, subsection (3) deleted and the following substituted:

“(3) The Executive may—

[ SECTION 19 ]

- (a) in the case of a relevant decision which falls within *paragraph (a)* or *(e)* of the definition of “relevant decision” in *subsection (8)*, specify a date, or the occurrence of an event, from which the relevant decision shall take effect, and
- (b) in the case of a relevant decision which falls within *paragraph (d)* of that definition, specify a date, being a date after the expiration of the period of 28 days immediately following the Executive’s compliance with *subsection (1)* in respect of the relevant decision, from which the relevant decision shall take effect.”.

SECTION 21

5. In page 27, subsection (2), lines 28 to 30, paragraphs *(d)* and *(e)* deleted and the following substituted:

- “(d) the potential budget impact of the item if it were to become a listed item,
- (e) the ability of suppliers of the item to meet patient demand for the item if it were to become a listed item,
- (f) the resources available to the Executive, and
- (g) the terms of any agreement in place (whether entered into before, on or after the commencement of this section) between the Executive and any representative body of the suppliers of drugs, medicines or medicinal or surgical appliances where the agreement relates, whether directly or indirectly, to the price of the item.”.

SECTION 24

6. In page 28, subsection (3), lines 39 to 41, paragraphs *(d)* and *(e)* deleted and the following substituted:

- “(d) the relevant prices of therapeutically similar listed items,
- (e) the resources available to the Executive, and
- (f) the terms of any agreement in place (whether entered into before, on or after the commencement of this section) between the Executive and any representative body of the suppliers of drugs, medicines or medical or surgical appliances where the agreement relates, whether directly or indirectly, to the price of one or more of those items.”.

SECTION 32

7. In page 34, lines 1 to 4, paragraph *(c)* deleted and the following substituted:

- “(c) in section 35(1) by inserting the following after paragraph *(e)*:
  - “(ea) a failure to comply with *Chapter 2* or *3* of *Part 2*, or *Part 3*, of the *Health (Pricing and Supply of Medical Goods) Act 2013*,
  - (eb) a failure to comply with any duties referred to in section 18(1A) imposed on the pharmacist by regulations made under section 18.”,

[ SECTION 32 ]

and

(d) in section 36(1)—

(i) in paragraph (a), by deleting “and 2006, or” and substituting “and 2006,”,

(ii) in paragraph (c)(ii), by deleting “paragraph (b).” and substituting “paragraph (b),” and

(iii) by inserting the following after paragraph (c):

“or

(d) the pharmacy owner has failed to comply with any of the duties referred to in section 18(1A) imposed on the pharmacy owner by regulations made under section 18.””.