

Professional Standards and Guidance for Internet Pharmacy Services

About this document

The Code of Ethics sets out seven principles of ethical practice that you must follow as a pharmacist or pharmacy technician. It is your responsibility to apply the principles to your daily work, using your judgement in light of the principles.

The Code of Ethics says that you must **'Make the care of patients your first concern'**. In meeting this principle you are expected to:

- Provide a proper standard of practice and care to those for whom you provide professional services.
- Seek all relevant information required to assess an individual's needs and provide appropriate treatment and care. Where necessary, refer patients to other health or social care professionals or other relevant organisations.
- Seek to ensure safe and timely access to medicines and take steps to be satisfied of the clinical appropriateness of medicines supplied to individual patients.
- Encourage the effective use of medicines and be satisfied that patients, or those who care for them, know how to use their medicines.
- Be satisfied as to the integrity and quality of products to be supplied to patients.
- Ensure you have access to the facilities, equipment and materials necessary to provide services to professionally accepted standards.

This document expands on the principles of the Code of Ethics to set out your professional responsibilities if you are involved in the sale and supply of medicines via the internet. It is designed to meet the Society's obligations under the Pharmacists and Pharmacy Technicians Order 2007 and other relevant legislation.

This document does not detail legislative requirements, but when selling or supplying medicines via the internet, you must comply with relevant legislative and contractual requirements, including NHS terms of service.

Status of this document

Principle 6.6 of the Code of Ethics states that you must comply with legal requirements, mandatory professional standards and accepted best practice guidance.

This document contains:

- Mandatory professional standards (indicated by the word ‘must’) for all registered pharmacists and pharmacy technicians; and
- Guidance on good practice (indicated by the word ‘should’) which you should follow in all normal circumstances.

If a complaint is made against you the Society’s fitness to practise committees will take account of the requirements of the Code of Ethics and underpinning documents, including this one. You will be expected to justify any decision to act outside its terms.

1. BACKGROUND

Pharmaceutical services provided to the public via the internet include amongst other things, the dispensing of prescriptions, the sale of medicines and the provision of information on web site pages. For the purpose of this document, the Society defines internet pharmacy as:

‘A registered pharmacy which offers to sell or supply medicines (or other pharmaceutical products) and/or provides other professional services over the internet, or makes arrangements for the supply of such products or provision of such services over the internet.’

The sale and supply of general sale list, pharmacy and prescription only medicines (POM) for human use via the internet must be made in accordance with the Medicines Act 1968. This requires that:

- 1.1** the pharmacy premises from where the sale or supply of a pharmacy or prescription only medicine takes place must be registered with the Society.
- 1.2** the pharmacy must be under the personal control¹ of a pharmacist and supervision requirements for pharmacy and prescription only medicine sales must be met.

¹ When the changes made to the Medicines Act 1968 by the Health Act 2006 are brought into force, the requirement for each pharmacy to be under the personal control of a pharmacist will be replaced with a requirement for each pharmacy to have a responsible pharmacist in charge of the pharmacy who is responsible for the safe and effective running of the pharmacy business.

- 1.3** prescription only medicines must be supplied only in accordance with a legally valid prescription or patient group direction, by way of an emergency supply or by way of wholesale.

England, Scotland and Wales have different NHS Pharmaceutical Services Regulations and contractual arrangements. You must comply with the NHS regulations and contractual arrangements for internet pharmacy services that apply in the country or countries in which you operate.

The sale of veterinary medicines via the internet must be made in accordance with the current Veterinary Medicines Regulations. Further guidance on these requirements can be found in the Society's guidance 'Guidance on the sale and supply of veterinary medicines' (www.rpsgb.org).

2. WEBSITE REQUIREMENTS

STANDARDS

Patients must be readily able to identify who is operating an internet site from a registered pharmacy premises. Pharmacy websites must clearly display:²

- 2.1** the name of the owner of the business.
- 2.2** the address of the pharmacy at which the business is conducted.
- 2.3** where applicable, the name of the superintendent pharmacist.
- 2.4** information about how to confirm the registration status of the pharmacy and pharmacist.
- 2.5** details of how to make a complaint about the on-line services provided.

² The Society has been piloting the use of an internet pharmacy logo to aid members of the public in identifying registered pharmacy premises operating internet sites. Once widely rolled out it is intended that all registered pharmacy internet sites will be required to display the logo. Further information will be issued later in 2010.

3. SECURITY AND CONFIDENTIALITY

STANDARDS

Patients are entitled to expect pharmacists and pharmacy staff to respect and protect the confidentiality of information acquired in the course of their professional duties. When providing internet pharmacy services you must be satisfied that:

- 3.1** the confidentiality and integrity of all patient information is protected to the standard specified by the International Organisation for Standardisation (ISO) in ISO/IEC 27001:2005: www.bsi-global.com.
- 3.2** all patient data transmissions are encrypted to prevent the possibility of the internet service provider or any other unauthorised party accessing patient information either accidentally or deliberately.

4. PROTECTING PATIENT CHOICE

STANDARDS

Co-operation and close working between health professionals is encouraged, but patients must be free to choose where and how they obtain their pharmaceutical services. When providing internet pharmacy services, you must:

- 4.1** not participate in any agreement with a prescriber or other person that limits patient choice.
- 4.2** ensure that patients are able to identify which pharmacy is providing pharmaceutical services to them and be satisfied that they have consented to this.
- 4.3** take all reasonable steps to ensure that direction of prescriptions has not occurred.

5. SUPPLYING MEDICINES

STANDARDS

Patients are entitled to expect the same quality of pharmaceutical care irrespective of whether the service is provided on-line or face to face on the pharmacy premises.

5.1 Supply of non-prescription medicines and supplements

STANDARDS

When selling or supplying non-prescription medicines via the internet, you must:

- 5.1.1** ensure advice is available to all prospective purchasers of over-the-counter (OTC) medicines and vitamin and mineral supplements.
- 5.1.2** establish whether the intended user is the person requesting the product.
- 5.1.3** assess the suitability of the product for the intended user. Sufficient information about the patient and the condition(s) being treated must be obtained.
- 5.1.4** provide appropriate counselling or advice on the safe and effective use of the product to be supplied.
- 5.1.5** be aware of the abuse potential of some OTC medicines and other products. You must be alert to requests for large quantities of a product, or abnormally frequent requests, and refuse to make a supply where there are reasonable grounds for suspecting misuse and/or abuse.
- 5.1.6** advise the patient to consult a local pharmacy or other appropriate healthcare professional whenever a request for a medicine or the symptoms described indicate that their best interests would be served by a face-to-face consultation.
- 5.1.7** inform patients of the identity of the pharmacist assuming professional responsibility for the supply of medicines.

5.2 Supply of medicines against prescriptions

STANDARDS

Apart from limited exceptions (for example, emergency supplies and patient group directions), POMs must be supplied only in accordance with a legally valid prescription. When supplying medicines against prescriptions you must:

- 5.2.1** ensure that patients have consented to the pharmacy dispensing their prescription.
- 5.2.2** have systems in place to prevent the unlawful sale or supply of POMs. You must be satisfied that the prescriber and prescription are genuine.
- 5.2.3** ensure a pharmacist assesses the clinical appropriateness of the prescription for the patient.
- 5.2.4** ensure the patient, or their carer, receives sufficient information to enable the safe and effective use of the medicine and is aware how further information can be obtained.
- 5.2.5** advise the patient to consult a local pharmacy whenever a prescription indicates that their interests would be better served by a face-to-face consultation.

GOOD PRACTICE GUIDANCE

- An e-mail of prescription details from the prescriber to the pharmacy does not meet the legal requirements for electronic prescribing. It does not confirm that a legally valid prescription exists and supplies should not be made against information which a prescriber or patient has sent by e-mail until the original prescription has been received.
- You should be alert to potential indicators that an adequate clinical assessment of a patient has not been undertaken; for example, where a prescriber is issuing, or countersigning a high volume of prescriptions for overseas patients, or where a commercial company has employed/contracted a prescriber to issue prescriptions for patients who access its site. In such circumstances you should use your professional judgement to assess the appropriateness of making the supply to the patient.

6. INFORMATION AND ADVICE

STANDARDS

Patients and the public recognise the expertise that pharmacy professionals have in relation to medicines and expect to be provided with high quality, relevant information in a manner they can easily understand. When providing internet pharmacy services you must ensure that:

- 6.1** generic healthcare advice (i.e. not specific to a patient) provided on pharmacy websites is accurate, up-to-date and of a high professional standard.
- 6.2** all information relating to specific products complies with the marketing authorisation, the patient information leaflet and relevant legislative requirements.
- 6.3** information relating to medicines includes all relevant details of contra-indications and side effects.
- 6.4** product recommendations are given only in respect of individual patients.
- 6.5** any advertising or publicity complies with relevant legislation. Promotional material you authorise or are responsible for must be accurate and honest and must not abuse the trust or exploit the lack of knowledge of the public.

7. POSTING AND DELIVERING MEDICINES

STANDARDS

Your responsibility towards your patients extends to the delivery of medicines. Medicines must be delivered safely and with appropriate instructions. When delivering medicines to a patient, whether by post or other means, you must:

- 7.1** obtain consent from the patient or their carer to provide the delivery service on a single occasion or for a set period of time.
- 7.2** ensure that delivery to a person other than the patient or carer is undertaken only where they have been specifically designated by the patient or their carer.
- 7.3** take adequate steps to ensure that the delivery mechanism used is secure and that medicines are delivered to the patient, their carer or other designated person promptly, safely and in a condition appropriate for use.
- 7.4** ensure that medicines are packed, transported and delivered in such a way that their integrity, quality and effectiveness are preserved. Care must be exercised with thermolabile products.
- 7.5** ensure the delivery mechanism used provides a verifiable audit trail for the medicine from the point at which it leaves the pharmacy to the point at which it is handed to the patient, carer or other designated person, or returned to the pharmacy in the event of a delivery failure.
- 7.6** ensure that delivery mechanisms safeguard confidential information about the medication a patient is taking.

GOOD PRACTICE GUIDANCE

- Wherever possible a signature should be obtained to indicate safe receipt of the medicines.
- Systems should be in place to inform a patient who is not at home that delivery was attempted.

8. OVERSEAS PRESCRIPTIONS

STANDARDS

Supplying medicines to patients overseas carries particular risk. There may be differences in a product's licensed name, indications for use or the recommended dosage regimen. Prior to supplying a prescription only medicine to an overseas patient, you must ensure that:

- 8.1** the prescription is legally valid.
- 8.2** due consideration is given to any differences in the licensed indications and/or legal classification of the prescribed medicine in the UK and the patient's country of residence and that, where necessary, these are explained to the patient.
- 8.3** appropriate information and advice is provided to the patient.
- 8.4** legal requirements for export are met.
- 8.5** medicines will be delivered safely, securely and in accordance with standard 7.
- 8.6** professional indemnity insurance arrangements adequately cover the supply of medicines and provision of other pharmaceutical services to overseas patients.

GOOD PRACTICE GUIDANCE

- While a prescription issued, or countersigned, by a UK registered prescriber for an overseas patient may be legally valid, the General Medical Council advises that doctors prescribe drugs or treatment (including repeat prescriptions) only when they have adequate knowledge of a patient's health and medical needs. Given this, you also need to be satisfied of the appropriateness of dispensing such a prescription. You should consider contacting the prescriber to ascertain their reasons for prescribing for a patient abroad and satisfy yourself that there has been an appropriate clinical assessment of the patient.
- The Misuse of Drugs Regulations prohibits a prescription for a Schedule 2, 3 or 4 Controlled Drug from being signed by a prescriber whose address is not within the UK.

9. RECORD KEEPING

STANDARDS

Records about on-line consultations and medicines supplies sufficient to guard against risks of abuse or misuse must be maintained. A verifiable audit trail from the initial request for a medicine through to its delivery to the patient must exist. If you provide internet pharmacy services you must maintain records of:

- 9.1** the identity of customers who have been supplied with medicines via the internet.
- 9.2** details of the medicines requested and supplied.
- 9.3** the information upon which decisions to supply were made.
- 9.4** the identity of the pharmacist who has assumed professional responsibility for supply of a medicine following an e-mail/ on-line request to purchase.

Guidance that supports this document

We have produced documents or guidance bulletins on the following which should be considered in conjunction with these standards:

- Code of ethics for pharmacists and pharmacy technicians
- Professional standards and guidance for the sale and supply of medicines
- Professional standards and guidance for patient consent
- Professional standards and guidance for patient confidentiality
- Factsheet 4: Export of medicines
- Raising concerns – guidance for pharmacists and registered pharmacy technicians
- Guidance on the sale and supply of veterinary medicines
- Dispensing overseas prescriptions (Law and Ethics Bulletin)

You can download these documents and more copies of this document from our website (www.rpsgb.org) or you can telephone us on 020 7735 9141.

Other sources of Society advice

Further information or advice on the professional or legal obligations of the pharmacy profession can be obtained by contacting the Society's legal and ethical advisory service on 020 7572 2308 or e-mail leadvice@rpsgb.org.