



House of Commons

Tuesday 6 December 2016

CONSIDERATION OF BILL (REPORT STAGE)

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

HEALTH SERVICE MEDICAL SUPPLIES (COSTS) BILL, AS AMENDED

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.

NEW CLAUSE

Justin Madders

NC1

To move the following Clause—

“Review of the impact of the Act on pricing, research and development, and innovation

- (1) Within six months of this Act coming into force, the Secretary of State shall commission a review on the impact of the Act on—
- (a) the pricing and availability of medicines and other medical supplies,
 - (b) research and development, and
 - (c) the NHS’s legal duty to promote innovation
- and shall lay the report of the review before each House of Parliament.”

Member’s explanatory statement

This new clause would place a duty upon the Secretary of State to place a report before Parliament on the impact of the Act on the pricing and availability of medicines and other medical supplies, research and development and the NHS’s legal duty to promote innovation.

2 Consideration of Bill (Report Stage): 6 December 2016

Health Service Medical Supplies (Costs) Bill, *continued*

Julie Cooper

8

Clause 1, page 1, line 14, at end insert—

“(2A) In exercising functions in relation to the controls on the costs of health service medicines, the Secretary of State must ensure that any payments made by manufacturers or suppliers to whom the scheme relates calculated by reference to sales or estimated sales of medicines are utilised solely for the purpose of reimbursing the NHS for expenditure on medicines and medical supplies.”

Member’s explanatory statement

This amendment would confirm that the Secretary of State has a duty to reinvest rebates in improving access to new and innovative medicines and treatments.

Dr Philippa Whitford
Martyn Day

9

Clause 5, page 4, line 5, at end insert—

“(7) Before making regulations under Clause 5 the Secretary of State must conduct a consultation on the potential effect of this clause on the maintenance of quality of those medical supplies, and seek representations from manufacturers, suppliers and distributors of medical supplies as part of the consultation.”

Secretary Jeremy Hunt

1

Clause 6, page 4, line 12, leave out from “products,” to end of line 13

Member’s explanatory statement

This amendment is linked to amendments 2 to 5. It is directly consequential on amendment 4.

Secretary Jeremy Hunt

2

Clause 6, page 4, line 17, at end insert—

“(subject to subsection (6A)).”

Member’s explanatory statement

This amendment is linked to amendments 1 and 3 to 5. It flags that the provision made by section 264A(2)(a) and (b) of the National Health Service Act 2006 is subject to the provision made by amendment 3.

Secretary Jeremy Hunt

3

Clause 6, page 5, line 47, at end insert—

“(6A) Regulations under this section may not do any of the following—

- (a) require any person who provides primary medical services under Part 4 of the National Health Service (Wales) Act 2006, or any person who provides pharmaceutical services under Part 7 of that Act, to record, keep or provide information relating to any Welsh health service products which are supplied by the person in providing the services in question;
- (b) require any person who provides primary medical services under section 2C(1) of the 1978 Act, or any person who provides pharmaceutical care

Health Service Medical Supplies (Costs) Bill, *continued*

services under section 2CA(1) of that Act, to record, keep or provide information relating to any Scottish health service products which are supplied by the person in providing the services in question;

- (c) require any person who provides primary medical services or pharmaceutical services under Part 2 or 6 of the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14)) to record, keep or provide information relating to Northern Ireland health service products which are supplied by the person in providing the services in question.”

Member’s explanatory statement

This amendment is linked to amendments 1, 2, 4 and 5. It ensures that regulations under section 264A of the National Health Service Act 2006 may not require the persons specified to record, keep or provide the information specified.

Secretary Jeremy Hunt

4

Clause 6, page 6, leave out lines 3 to 15

Member’s explanatory statement

This amendment is linked to amendments 1 to 3 and 5. It is consequential on the new provision made by amendment 3.

Secretary Jeremy Hunt

5

Clause 6, page 6, line 36, leave out “(8)(d)” and insert “(6A)(b)”

Member’s explanatory statement

This amendment is linked to amendments 1 to 4. It is a consequential amendment.

Secretary Jeremy Hunt

6

Clause 6, page 7, line 8, leave out “(h)” and insert “(i)”

Member’s explanatory statement

This amendment makes a change which is consequential on the amendments made in Committee. The effect is to allow the Secretary of State to disclose information to a person who provides services to the Regional Business Services Organisation in Northern Ireland.

Dr Philippa Whitford
Martyn Day

10

Clause 6, page 7, line 11, at end insert—

“(1A) Information provided by virtue of section 264A must be disclosed by the Secretary of State to persons listed in subsection (1)(a) to (i) at that person’s request.”

Health Service Medical Supplies (Costs) Bill, *continued*

Secretary Jeremy Hunt

7

Clause 7, page 9, line 38, at end insert “(and for this purpose “equipment” includes any machinery, apparatus or appliance, whether fixed or not, and any vehicle)”

Member’s explanatory statement

This amendment provides a definition of “equipment” for the purposes of the definition of “medical supplies” in section 201A(8) of the National Health Service (Wales) Act 2006.

ORDER OF THE HOUSE [24 OCTOBER 2016]

That the following provisions shall apply to the Health Service Medical Supplies (Costs) Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 17 November 2016.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.
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