



STATUTORY INSTRUMENTS.

**S.I. No. 536 of 2009**

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HEALTH SERVICES (DRUGS PAYMENT SCHEME) REGULATIONS  
2009

**(Prn. A9/1848)**

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HEALTH SERVICES (DRUGS PAYMENT SCHEME) REGULATIONS  
2009

The Minister for Health and Children, in exercise of the powers conferred on her by Section 5 of the Health Act 1947 (No. 28 of 1947) and Sections 59 (as amended by Section 26 of the Irish Medicines Board (Miscellaneous Provisions) Act 2006 (No. 3 of 2006)) and 72 of the Health Act 1970 (No. 1 of 1970) as adapted by the Health (Alteration of Name of Department and Title of Minister) Order 1997 (S.I. No. 308 of 1997) and with the consent of the Minister for Finance hereby makes the following regulations.

1. These Regulations may be cited as the Health Services (Drugs Payment Scheme) Regulations 2009.
2. These Regulations come into operation on 1 January 2010.
3. The Health Services Regulations 2008 (S.I. No. 519 of 2008) are revoked.
4. Regulation 6 of the Health Services Regulations 1972 (S.I. No. 88 of 1972) is substituted by the following Regulation:—

“6. (1) The period determined for the purposes of section 59(2) of the Act shall begin on the first day of any month and end on the last day of that month and the amount determined for the purposes of that subsection shall be €120.

(2) Where the cost of supplying a person or his or her dependants for the relevant period with drugs, medicines and medical and surgical appliances obtained on the prescription of a registered medical practitioner, or on the prescription of a registered nurse (being a person whose name is entered in the register of nurses maintained under section 27 of the Nurses Act 1985) entitled pursuant to any enactment to prescribe the drugs, medicines or medical or surgical appliances so obtained, for the treatment of that person or his or her dependants exceeds €120, the amount met by the Health Service Executive shall be the amount by which the cost exceeds €120.”

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 22nd December, 2009.*



GIVEN under the Official Seal of the Minister for Health and  
Children,  
17 December 2009.

MARY HARNEY,  
Minister for Health and Children.

The Minister for Finance consents to the making of these Regulations,

16 December 2009

BRIAN LENIHAN,  
Minister for Finance.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation)*

These Regulations replace article 6 of the Health Services Regulations 1972 and revoke the Health Services Regulations 2008.

These Regulations provide for the refund of the amount by which expenditure on prescribed medicines or medical and surgical appliances exceeds €120 in any calendar month.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
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