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*Richmond House  
79 Whitehall  
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CNO Letter to SHA Directors of Nursing

**Implementation of Medicines for Human Use (Miscellaneous Amendments)  
Order 2010 – midwives exemptions list**

Dear Colleagues

I write to update you on the situation regarding midwifery exemptions.

As you may be aware, the Statutory Instruments concerning the midwifery exemptions list come into force on 1st June 2010. These implement changes in relation to the sale, supply and administration of medicine to allow midwives to supply and/or administer an expanded and updated range of Prescription Only Medicines.

We have listened to concerns that student midwives are unable to achieve competence in administration of medicines on the exemptions list, or where they are administering exemption medicines are doing so in contravention of the order. We have discussed the matter with the Medicines and Healthcare products Regulatory Agency (MHRA) who are currently considering the issue to explore options.

Until the position is further clarified it remains in the best interest of women and families that they should continue to have timely access to medicines on the list. The MHRA advises that they would not consider taking enforcement action against student midwives administering medicines under the direct supervision of a midwife which are listed in the order and which are not controlled drugs, unless it would be in the public interest to do so. This advice also applies to a midwife acting in a supervisory capacity.

You are therefore asked to ensure application of good governance structures for the administration of medicines in relation to midwifery students and registered midwives in your Authority.

**Background**

Under the Medicines Act 1968, medicines classed as prescription only (POM) and pharmacy (P) medicines may only be sold or supplied through registered pharmacy premises by or under the supervision of a pharmacist. POMs are subject to the additional requirement that they may only be sold or supplied

against an appropriate practitioners' prescription. An appropriate practitioner is a doctor, dentist, nurse independent prescriber or pharmacist independent prescriber.

The law also restricts the administration of parenteral medicines. Unless self-administered, they may only be administered by an appropriate practitioner or by anyone acting in accordance with the directions of an appropriate practitioner.

### **Midwives Exemptions**

Annex A lists exemptions for registered midwives from these restrictions which allow them to supply a list of specific prescription only medicines on their own initiative in the course of their professional practice. In addition, midwives are allowed to administer certain parenteral medicines in the course of their professional practice. These include certain controlled drugs which are also exempt from certain of the Home Offices' Misuse of Drugs Regulations.

### **Further information**

The full document can be downloaded from [http://www.opsi.gov.uk/si/si2010/uksi\\_20101136\\_en\\_1](http://www.opsi.gov.uk/si/si2010/uksi_20101136_en_1). The NMC Circular 06/2010 Changes to Midwives Exemptions can be downloaded from [www.nmc-uk.org](http://www.nmc-uk.org)

My counterparts in Scotland, Wales and Northern Ireland will also be writing in similar terms to professional colleagues there.

Yours faithfully,



Dame Christine Beasley  
Chief Nursing Officer

ANNEX A

**The following is an extract from the Amendments Order 2010<sup>1</sup> which lists the Midwives Exemptions:**

3.—(1) The POM Order is amended as follows.

(3) in schedule 5 (exemption for certain persons from section 58(2) of the Act):

(a) in Part 1 (exemption from restrictions on sale or supply), in column 2, for item 4 substitute:

“4 Prescription only medicines containing any of the following substances—

Diclofenac  
Ergometrine maleate  
Hydrocortizone Acetate  
Lidocaine  
Lidocaine Hydrochloride  
Miconazole  
Nystatin  
Phytomenadione.”

(b) in Part 3 (exemptions from restriction on administration), in column 2, for the substances listed in item 2 substitute—

“Adrenaline  
Anti-D immunoglobulin  
Carboprost  
Cyclizine hydrochloride  
Diamorphine  
Ergometrine maleate  
Gelofusine  
Haemaccel  
Hartmann’s solution  
Hepatitis B vaccine  
Hepatitis immunoglobulin  
Lidocaine  
Lidocaine hydrochloride  
Morphine  
Naloxone hydrochloride  
Oxytocins, natural and synthetic  
Pethidine hydrochloride  
Phytomenadione  
Prochlorperazine

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<sup>1</sup> [http://www.opsi.gov.uk/si/si2010/uksi\\_20101136\\_en\\_1](http://www.opsi.gov.uk/si/si2010/uksi_20101136_en_1)

Sodium chloride 0.9%.”

- The above list will be reviewed on an annual basis.