FLOW CHART for the Human Medicines Regulations 2012

MEDICINES

Must be authorised
Hum Med Regs 2012 Part 5, para. 47

UNLESS specially made

AND NOT a prescription only medicine
Hum Med Regs 2012 Part 10, para. 158 (2)

AND
For use by a health professional registered by the HPC for business use and not for sale
Hum Med Regs 2012 Part 10, paragraph 158
Health Professions Order 2001 Part 3, article 9

Allopathic = NOT homeopathic
Hum Med Regs 2012 Part 6, para. 95 (6) (a) & Part 5, para. 49

Homeopathic

Registered or authorised before 1993
Dir 2001-83-EC Ch. 2, article 13 (1)

Registered
Hum Med Regs 2012 95-96

Not registered

Can be

Prescription only medicines
N.B. Can =
"NOT subject to general sale"

Sale or supply controlled
Hum Med Regs 2012 Part 12, ch. 2, para. 173

Sale or supply not limited

If it is a registered homeopathic medicine
AND
If meets requirements of
***Hum Med Regs 2012* Part 12, ch. 2, para. 174**
Hum Med Regs 2012 Part 12, ch. 3, para. 196 (2)

NOT prescription only medicines
N.B. Can =
"Subject to general sale"

Sale or supply controlled
Hum Med Regs 2012 Part 12, ch. 2, para. 174

Sale or supply not limited
If requested by a person actually present

If it is a registered homeopathic medicine
Hum Med Regs 2012 Part 12, ch. 3, para. 196 (1)

If the dilution is great enough
Hum Med Regs 2012 Part 12, ch. 3, para. 195 & Sched. 21

FLOW CHART for the Human Medicines Regulations 2012

Notes

- The Regulations define medicines as either "homeopathic" or "not homeopathic", but significance of this distinction is then ignored in the rest of the Regulations.
- "Health professionals" and pharmacists, *whether or not they have appropriate homeopathic training*, have access to any homeopathic medicine.
- Homeopaths, *who do have the appropriate training*, have access only to registered homeopathic medicines, and can provide patients only with registered homeopathic medicines.
- Because the specific homeopathic medicine required in a particular case *is determined by the case*, homeopaths will be unable to practise homeopathy correctly if they cannot access all the homeopathic medicines they need, including specially made medicines on occasions.
- Under these Regulations homeopaths will only be able to obtain homeopathic medicines by going to a pharmacy for them. This has serious cost and time implications.
- The Medicines Act 1968 and the Regulations are intended to make sure that medicines are safe and manufactured correctly.
- The vast majority of homeopathic medicines are safe by virtue of their extreme dilution.
- Homeopaths have a powerful vested interest in the quality of their medicines since their ability to treat patients successfully depends on the medicines being what they claim to be. Any homeopathic pharmacy which does not manufacture homeopathic medicines correctly will be rapidly identified and shunned by homeopaths, and so the pharmacies also have a vested interest in preserving standards.

Other problems with the Regulations

- There is a contradiction between Part 12, ch. 3, para. 196 (2) and Part 12, ch. 3, para. 196 (1) of the Regulations in respect of the limitations on the supply of prescription only homeopathic medicines.
- There is confusion about the meaning of "independent prescriber" and "supplementary prescriber". They appear to mean exactly the same thing, but they are used alongside each other as alternatives, as if they meant different things.

Conclusion

The central issues are as follows:

1. The Regulations explicitly distinguish between homeopathic medicines and all others, but do not distinguish between those qualified to use homeopathic medicines and those who have conventional medical qualifications.

   As a result irrelevant criteria are used to define those who are entitled to have access to homeopathic medicines.

2. The Regulations fail to take into account the fact that homeopathic medicines are inherently safe by virtue of their degree of dilution.

   As a result criteria appropriate to potentially dangerous medicines are being applied inappropriately to homeopathic medicines.

3. The Regulations fail to take into account the way in which homeopathy is necessarily practised.

   As a result restrictions are being applied which make correct homeopathic practice impossible.