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Prescribing incentive schemes are illegal, according to an opinion issued by the European Court.



The European Court of Justice advocate general said earlier this month that such schemes break EU directive 2001/83, which prohibits promotion of medicinal products by gift.

A ruling from the European Court had been sought following a case brought by the Association of the British Pharmaceutical Industry against the MHRA.

Dr David Millson, RCGP clinical champion for prescribing, told *Healthcare Republic* that the financial inducements to GP prescribing were not profits as such for the GPs.

'These funds often used to provide other services for patients in a practice, for example non-drug counselling services for depression or to employ a pharmacist to help with the switching required, or to fund training for non-medical prescribers in a practice,' he said.

'Most GPs in the UK are working in partnership with commissioners and PCTs to improve value and to provide more cost effective medicines to patients, at a time when NHS budgets are coming under increased pressure. Thus they are operating within the spirit of the EU directive,' he added.

An MHRA spokeswoman told *Healthcare Republic* that the agency was studying the European Court of Justice advocate general opinion and will await the decision of the Court in due course.