

## PRESCRIPTIONS AND DRUGS

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*This article explores the regulation of prescription and over-the-counter (OTC) drugs, focusing on their legal frameworks, prescribing practices, and the safety measures implemented in both the UK and the US. In the UK, prescription drugs are tightly controlled to prevent misuse and are dispensed only with a valid prescription from a licensed medical practitioner. The article highlights the varying definitions of prescription drugs across jurisdictions and discusses the role of medical professionals such as doctors, nurses, and pharmacists in prescribing medications. It also addresses the NHS prescription system, including charges and exemptions, and the challenges posed by prescription costs for patients. In the US, the Federal Food, Drug, and Cosmetic Act defines the substances that require prescriptions, with the Food and Drug Administration (FDA) overseeing drug safety. The article details the prescribing rights of healthcare professionals, the regulation of controlled substances under the Controlled Substances Act, and the safety and effectiveness of prescription drugs under the Prescription Drug Marketing Act. Additionally, the article discusses the disposal guidelines for prescription drugs set by the FDA. Both countries' systems aim to balance patient safety with access to necessary medications, while minimizing the risks of misuse and abuse.*

**INTRODUCTION.** A prescription drug is a pharmaceutical drug that is permitted to be dispensed only to those with a medical prescription. In contrast, over-the-counter drugs can be obtained without a prescription. The reason for this difference in substance control is the potential scope of misuse, from drug abuse to practicing medicine without a license and without sufficient education. Different jurisdictions have different definitions of what constitutes a prescription drug.

A patient visits a medical practitioner or dentist, who may prescribe drugs and certain other medical items, such as blood glucose-testing equipment for diabetics. Also, qualified and experienced nurses, paramedics and pharmacists may be independent prescribers. Both may prescribe all POMs (including controlled drugs), but may not prescribe Schedule 1 controlled drugs, and 3 listed controlled drugs for the treatment of addiction; which is similar to doctors, who require a special licence from the Home Office to prescribe schedule 1 drugs. Schedule 1 drugs have little or no medical benefit, hence their limitations on prescribing. District nurses and health visitors have had limited prescribing rights since the mid-1990s; until then, prescriptions for dressings and simple medicines had to be signed by a doctor. Once issued, a prescription is taken by the patient to a pharmacy, which dispenses the medicine. Most prescriptions are NHS prescriptions, subject to a standard charge that is unrelated to what is dispensed. The NHS prescription fee was increased to 9.90 for each item in England in May 2024; prescriptions are free of charge if prescribed and dispensed in Scotland, Wales and Northern Ireland, and for some patients in England, such as inpatients, children, those over 60s or with certain medical conditions, and claimants of certain benefits. The pharmacy charges the NHS the actual cost of the medicine, which may vary from a few pence to hundreds of pounds. A patient can consolidate prescription charges by using a prescription payment certificate, effectively capping costs at 31.25 a quarter or 111.60 for a year. Outside the NHS, private prescriptions are issued by private medical practitioner and sometimes under the NHS for medicines that are not covered by the NHS. A patient pays the pharmacy the normal price for medicine prescribed outside the NHS. Survey results published by Ipsos MORI in 2008 found that around 800,000 people in England were not collecting prescriptions or getting them dispensed because of the cost, the same as in 2001.

United States In the United States, the Federal Food, Drug, and Cosmetic Act defines what substances, known as legend drugs, require a prescriptions for to be dispensed by a pharmacy. The federal government authorizes physicians, Physician assistants, nurse practitioners and other advanced practice nurses, veterinarians, dentists, and optometrists to

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prescribe any controlled substance. They are issued unique DEA numbers. Many other mental and physical health technicians, including basic-level registered nurses, medical assistants, emergency medical technicians, most psychologists, and social workers, are not authorized to prescribe legend drugs. The federal Controlled substances Act (CSA) was enacted in 1970. It regulates manufacture, importation, possession, use, and distribution of controlled substances, which are drugs with potential for abuse or addiction. The schedules are designated schedule I, schedule II, schedule III, schedule IV, and schedule V. Many drugs other than controlled substances require a prescription. The safety and the effectiveness of prescription drugs in the US are regulated by the 1987 Prescription Drug Marketing Act (PDMA). The Food and Drug Administration (FDA) is charged with implementing the law. As general rule, over-the-counter drugs (OTC) are used to treat a condition that does not need care from a healthcare professional if have been proven to meet higher safety standards for self-medication by patients. Often, a lower strength of a drug will be approved for OTC use, but higher strengths require a prescription to be obtained; a notable case is ibuprofen, which has been widely available as an OTC dose for severe pain that is not adequately controlled by the OTC strength. Herbal preparations, amino acids, vitamins, minerals, and other food supplements are regulated by the FDA as dietary supplements. Because specific health claims cannot be made, the consumer must make informed decisions when purchasing such products.

The FDA established guidelines in 2007 to inform consumers should dispose of prescription drugs. When medications do not include specific disposal instructions, patients should not flush medications in the toilet, but instead use medication take-back programs are available, prescription drugs can be discarded in household trash after they are crushed or dissolved and then mixed in a separate container or sealable bag with undesirable substances like cat litter or other unappealing material (to discourage consumption).

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