

Paul Mackin
Medico-legal Advisor
Medical Protection Society

6 July 2016

Specialised services

Dear Paul

I am writing to you on behalf the British Medical Association's GPs committee. You may be aware that both NHS England and the General Medical Council (GMC) have published guidance regarding GPs prescribing medication for patients with gender dysphoria.

I enclose letters we have written to the GMC and to NHS England, summarising our concerns. We would be grateful for your assessment of any indemnity implications for GPs prescribing in these circumstances. We are particularly concerned regarding:

1. The issuing of bridging prescriptions, due to delays in patients accessing appropriate specialist services, as per the GMC guidance¹.
2. Ongoing prescribing of medication (most of it unlicensed), as well as carrying out blood and diagnostic tests recommended by the gender identity clinic.

The NHS England guidance² states "*The gender specialist physician takes responsibility for overseeing the patient's care in collaboration with the patient's General Practitioner, and for their recommendation that the General Practitioners prescribe and monitor treatment.*" We do not believe that this provides adequate protection for GPs, who remain responsible for the prescriptions they sign, and the tests they request, given this is a clinical area that most GPs will have no experience or expertise in.

We would be interested in your views regarding the risks placed on GPs, and medicolegal consequences, should there be any adverse consequences for patients receiving the above prescriptions or monitoring, in the context that this responsibility is clearly beyond the core skills of GPs.

¹ http://www.gmc-uk.org/guidance/ethical_guidance/28852.asp

² http://shsc.nhs.uk/wp-content/uploads/2016/04/SSC1620_GD-Prescribing.pdf

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We would be grateful for an early response, since this is an active issue being raised by GPs and Local Medical Committees across the country.

With many thanks.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chaand Nagpaul'. The signature is written in a cursive style with a large initial 'C' and a distinct 'N'.

Dr Chaand Nagpaul CBE
Chair, BMA General Practitioners Committee