



Home delivery of medicinal products and medical devices and the recently approved Pharmaceutical law of Galicia

Law 3/2019, of 2 July, on the organization of pharmaceutical services in Galicia

Pharmaceutical home care

Home delivery of medicinal products and medical devices has been a controversial subject in Spain, often because regulation is not clear in this respect. The new Pharmaceutical Law of Galicia suggests a regulatory solution for this issue and incorporates interesting provisions that are discussed in this article.

Exceptional nature

Article 7 of the Law lays down the specific cases when the home delivery of medicinal products and medical devices is allowed. Such kind of delivery has an exceptional nature and shall not be understood as an “on-demand service” where users can choose whether they want to go to the pharmacy office or receive medicinal products at home.

Home delivery is allowed for people who reside in isolated rural areas or are dependent, with specific characteristics and care needs and where loss of functional autonomy and need for care due to chronic illness concur. This delivery has to comply with the rules on the dispensing of medicines and must be made by one of the five pharmacy offices within the pharmaceutical area closest to the patient's home or, if expressly requested by the patient, by another pharmacy office in the same reference area.

Hospital pharmacy services may also make home deliveries of medicinal products in

accordance with current nationwide regulations. This possibility is also exceptionally contemplated to facilitate the continuity of treatment and to avoid the movement of the patient to the hospital.

Regulatory development and some uncertainties

The practical implementation of this new Law will not be easy. Essential elements crucial for such implementation are still missing in the Law and we will therefore have to wait until further regulations defining and shaping such elements are approved. In this regard, the Law foresees that a future Decree will regulate the quality and sanitary control of deliveries, and that new regulations will have to establish when the home delivery of hospital medicinal products will be allowed, as well as the procedure for hospital pharmacy services to make such deliveries. The concept of “informed delivery” used throughout the Law is another aspect that will need to be developed.

In sum, the inclusion by the new Pharmaceutical Law of Galicia of specific provisions regulating the home delivery of medicinal products is a very interesting novelty that will certainly benefit patients. The implementation of such provisions, however, will be very conditioned by their regulatory development.