STATUTORY INSTRUMENTS.

S.I. No. 226 of 2025

HEALTH ACT 1970 (SECTION 59(4)) (MENOPAUSE PRODUCTS) REGULATIONS 2025

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HEALTH ACT 1970 (SECTION 59(4)) (MENOPAUSE PRODUCTS) REGULATIONS 2025

I, JENNIFER CARROLL MACNEILL, Minister for Health, being of the opinion that not to charge the amount referred to in subsection (1A) (inserted by section 1(a) of the Health (Amendment)(No. 2) Act 2010 (No. 20 of 2010)) of section 59 of the Health Act 1970 (No. 1 of 1970) to persons of the class specified in Regulation 3 is just and equitable, having formed such opinion in accordance with paragraph (c) (and, in particular, subparagraphs (ii) and (iii) of that paragraph) of subsection (4) (amended by section 1(c) of the Health (Amendment)(No. 2) Act 2010) of the said section 59, and in exercise of the powers conferred on me by subsection (4)(a)(ii) of that section, and with the consent of the Minister for Public Expenditure, Infrastructure, Public Services, Reform and Digitalisation, hereby make the following regulations:

1. (1) These Regulations may be cited as the Health Act 1970 (Section 59(4)) (Menopause Products) Regulations 2025.

(2) These Regulations shall come into operation on the 1st day of June 2025.

2. In these Regulations:

(a) ‘enactment’ has the same meaning as it has in section 2(1) of the Interpretation Act 2005;

(b) ‘menopause’ means, in relation to a woman, the various stages related to menopause and includes perimenopause, post menopause, early menopause, premature menopause and medically induced menopause;

(c) ‘menopause products’ means hormone replacement therapy drugs, medicines and surgical and medical appliances used to alleviate the symptoms of menopause, which are for the time being on the Reimbursement List;

(d) ‘pharmacy provider’ means a retail pharmacy business (within the meaning of section 2(1) of the Pharmacy Act 2007) which has entered into or agreed to enter into an agreement with the Health Service Executive for the dispensing of menopause products to women referred to in subsection (1);

(e) ‘registered medical practitioner’ has the same meaning as it has in section 2(1) of the Medical Practitioners Act 2007;

(f) ‘registered midwife’ has the same meaning as it has in section 2(1) of the Nurses and Midwives Act 2011;

(g) ‘Reimbursement List’ has the same meaning as it has in section 2(1) of the Health (Pricing and Supply of Medical Goods) Act 2013.

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 3*rd June,* 2025.

3. Women who are ordinarily resident in the State and have been prescribed menopause products by a registered medical practitioner, or a registered nurse or registered midwife in accordance with the provisions of section 67F of the Health Act 1970 (No. 1 of 1970) (inserted by section 4 of the Health Insurance (Amendment) and Health (Provision of Menopause Products) Act 2024 (No. 42 of 2024)) and who are supplied with the menopause products from a pharmacy provider shall not be charged the amount referred to in subsection (1A) (inserted by section 1(a) of the Health Amendment) (No. 2) Act 2010 (No. 20 of 2010)) of section 59 of the Health Act 1970 (No. 1 of 1970) in respect of the menopause products supplied.

The Minister for Public Expenditure, Infrastructure, Public Services, Reform and Digitalisation consents to the making of the foregoing Regulations.

L.S.

GIVEN under my Official Seal,
28 May, 2025.

JACK CHAMBERS,
Minister for Public Expenditure, Infrastructure, Public Services, Reform and Digitalisation.

GIVEN under my hand,
29 May 2025

JENNIFER CARROLL MCNEILL,
Minister for Health

EXPLANATORY NOTE

(*This note is not part of the Instrument and does not purport to be a legal interpretation.*)

The objective of these Regulations is to provide for the exemption of menopause products dispensed to woman pursuant to the Health Insurance (Amendment) and Health (Provision of Menopause Products) Act 2024) (No. 42 of 2024) from being subject to a prescription charge.

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