SCOTTISH STATUTORY INSTRUMENTS

2014 No. 93

The Patient Rights (Treatment Time Guarantee) (Scotland) Amendment Regulations 2014

Citation and commencement

1.—(1) These Regulations may be cited as the Patient Rights (Treatment Time Guarantee) (Scotland) Amendment Regulations 2014 and come into force in accordance with paragraphs (2) and (3).

(2) With the exception of the regulation mentioned in paragraph (3), these Regulations come into force on 1st April 2014.

(3) Regulation 2(5)(a) comes into force on 1st October 2014.

Amendment of the Patient Rights (Treatment Time Guarantee) (Scotland) Regulations 2012

2.—(1) The Patient Rights (Treatment Time Guarantee) (Scotland) Regulations 2012(**1**) are amended in accordance with this regulation.

(2) In regulation 1 (citation, commencement and interpretation), in the definition of "ophthalmic medical practitioner" for "a" substitute "an ophthalmic".

(3) In regulation 4 (calculation of waiting time – periods of time not to be counted), in paragraph (4) after "area in order to" omit "see and".

(4) After regulation 4 insert—

"**4A Calculation of waiting time – specific practitioner and specific location**

(1) The specified period in paragraph (2) does not count towards the calculation of waiting time when all of the following circumstances apply—

(a) the patient has declined an offer of an appointment for the agreed treatment within the maximum waiting time ("the original offer") because either—

(i) the patient wants the agreed treatment to be carried out by a specific registered medical practitioner; or

(ii) the patient wants the agreed treatment to be carried out in a specific location;

(b) the responsible Health Board has agreed that, taking into account the patient's health and wellbeing, it is reasonable and clinically appropriate to offer the patient an alternative appointment for the agreed treatment to be carried out by a specific registered medical practitioner or in a specific location ("the alternative offer"); and

(c) the responsible Health Board has advised the patient and he or she has accepted that the specified period will not count towards the calculation of waiting time.

(2) The specified period is the period between the date of the original offer and the date of the alternative offer.

(**1**) S.S.I. 2012/110.

(3) In this regulation—

"specific location" means a location within the area of the responsible Health Board where the original offer was for treatment outside of that area."

(5) In regulation 7 (exceptions to the treatment time guarantee)—

(a) paragraph (d) is omitted; and

(b) paragraph (e) is omitted.

St Andrew's House,
Edinburgh
27th March 2014

ALEX NEIL
A member of the Scottish Government