

1993 No. 158

HEALTH AND PERSONAL SOCIAL SERVICES

General Medical and Pharmaceutical Services (Amendment)
Regulations (Northern Ireland) 1993

Made 31st March 1993

Coming into operation 1st April 1993

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 56, 63, 106 and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(a) and of all other powers enabling it in that behalf and in conjunction with the Department of Finance and Personnel(b) and after consultation with such organisations as appeared to the Department to be representative of the Medical and Pharmaceutical professions as required by Articles 56(5) and 63(3) of that Order hereby makes the following regulations:

Citation and commencement

1.—(1) These regulations may be cited as the General Medical and Pharmaceutical Services (Amendment) Regulations (Northern Ireland) 1993 and shall come into operation on 1st April 1993.

(2) In these regulations “the principal regulations” means the Health and Personal Social Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1973(c).

Amendment of regulation 3A of the principal regulations

2. In regulation 3A (child health surveillance lists) sub-paragraphs (c) and (d) of paragraph (11) shall be deleted.

Amendment of regulation 17 of the principal regulations

3. In regulation 17 (removal from the obstetric list) the reference to regulation 4C(2A) shall be deleted.

Amendment of regulation 32 of the principal regulations

4. In regulation 32 of the principal regulations (remuneration of doctors), for paragraph (o) there shall be substituted the following paragraphs:—

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- (a) S.I. 1972/1265 (N.I. 14), as amended by S.I. 1978/1907 (N.I. 26), S.I. 1981/432, S.I. 1984/1158 (N.I. 8), S.I. 1986/2023 (N.I. 20), S.I. 1986/2229 (N.I. 24) S.R. 1987/457, S.I. 1988/2249 (N.I. 24) and S.I. 1991/194 (N.I. 1)
- (b) Formerly the Department of Finance: *see* S.I. 1982/338 (N.I. 6) Art. 3
- (c) S.R. & O. (N.I.) 1973 No. 421, relevant amending regulations are S.R. 1975 No. 180, S.R. 1983 No. 182, S.R. 1985 No. 69, S.R. 1989 No. 454, S.R. 1990 No. 361 and S.R. 1992 No. 200

- “(o) payment in respect of health promotion programmes or clinics approved by the Board;
(oo) payments in respect of disease management programmes approved by the Board.”

Amendment of Schedule 1 to the principal regulations

5. In Schedule 1 to the principal regulations (terms of service for doctors),

(a) in paragraph 8C (patients not seen within 3 years)—

(i) for sub-paragraph (1) there shall be substituted the following sub-paragraph—

“(1) Subject to sub-paragraph (2), where a patient who—

(a) has attained the age of 16 years but has not attained the age of 75 years; and

(b) within the preceding 3 years has attended neither a consultation with, nor a clinic provided by, any doctor in the course of his provision of general medical services,

requests a consultation for the purposes of assessing whether he needs personal medical services, a doctor shall, in addition to and without prejudice to any other obligation under these terms of service, provide such a consultation;”

(ii) sub-paragraph (4) shall be deleted; and

(iii) in sub-paragraph (5), for the words “Where a patient agrees to participate in a consultation mentioned in sub-paragraph (1)”, there shall be substituted the words “Where a doctor provides a consultation mentioned in sub-paragraph (1)”.

(b) in paragraph 17 (acceptance of fees) after sub-paragraph (o) there shall be added the following sub-paragraph:

“(p) pursuant to an arrangement with him for the provision of services in accordance with regulation 20 of the Health and Personal Social Services (Fund-holding Practices) Regulations (Northern Ireland) 1993(a);” and

(c) in paragraph 20 (annual reports) for sub-paragraph (2) there shall be substituted the following sub-paragraph—

“(2) An annual report shall contain—

(a) the information specified in Schedule 1I paragraphs (1) and (2);

(b) where the Board, having considered whether the information is available to it from another source and having consulted the Local Medical Committee, so requests, the information specified in Schedule 1I, paragraph (3); and

- (c) where the Board so requests in the case of a doctor who is not already supplying that information to the Board in order to qualify for payments in respect of health promotion or disease management, the information specified in Schedule 1I paragraph (4):”

Amendment of Schedule 1I to the principal regulations

6. For Schedule 1I to the principal regulations (information to be provided in annual reports) there shall be substituted the Schedule 1I set out in the Schedule to these Regulations.

Amendment of Schedule 4 to the principal regulations

7. In Schedule 4 to the principal regulations (terms of service for chemists) paragraph 10 shall be deleted.

Application of Regulations

8. The amendments contained in regulations 5(c) and 6 shall not apply to annual reports compiled in respect of the period of 12 months ending on 31st March 1993.

Sealed with the Official Seal of the Department of Health and Social Services on 31st March 1993.

(L.S.)

F. Green

Assistant Secretary

Sealed with the Official Seal of the Department of Finance and Personnel on 31st March 1993.

(L.S.)

R. Miller

Assistant Secretary

SCHEDULE

Regulation 6

**New Schedule II to be substituted for Schedule II to the
Principal Regulations**

“SCHEDULE II

Regulation 3(2)
Schedule 1; Paragraph 20**Information to be Provided in Annual Reports**

1. Particulars of the doctor's other commitments as a medical practitioner, including—

(a) a description of any posts held, and

(b) a description of all work undertaken,

and including, in each case, the annual hourly commitment, except that where a doctor has notified the Board of such other commitments in a previous annual report, the report need only contain information relating to any changes in those commitments.

2. As respects orders for drugs and appliances, the doctor's arrangements for the issue of repeat prescriptions to patients.

3. Information relating to the referral of patients to other services under the Order during the period of the report—

(a) as respects those by the doctor to specialists—

(i) the total number of patients referred as in-patients,

(ii) the total number of patients referred as out-patients

by reference in each case to which clinical specialty applies, and specifying in each case the name of the hospital concerned; and

(b) the total number of cases of which the doctor is aware (by reference to the clinical specialty) in which a patient referred himself to services under the Order.

4. Information relating to the numbers of patients on the doctor's list—

(a) who are diabetic;

(b) who are asthmatic; and

(c) to whom the doctor has given advice, in accordance with paragraph 8(2) of Schedule 1, about—

(i) the patient's weight;

(ii) the use of tobacco; or

(iii) the consumption of alcohol.”

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Health and Personal Social Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1973, (“the principal regulations”) which regulate the terms on which general medical services are provided under the Health and Personal Social Services (Northern Ireland) Order 1972.

Regulation 2 amends Regulation 3A of the principal regulations to narrow a Board’s power to remove a doctor’s name from the child health surveillance list.

Regulation 3 amends Regulation 17 of the principal regulations to enable a doctor who removes his name from the medical list to continue to remain on the obstetrics list.

Regulation 4 amends Regulation 32 of the principal regulations to enable Boards to make payments to doctors in respect of health promotion programmes as well as clinics and in respect of disease management programmes.

Regulations 5 and 6 contain amendments to Schedule 1 to the principal regulations (the terms of service for doctors).

Paragraph 8C (patients not seen within three years) is amended so as to provide that a doctor’s obligation to provide a consultation for the purpose of assessing a patient’s need for personal medical services arises only where such a consultation is requested.

Paragraph 17 of the terms of service (acceptance of fees) is amended to enable a doctor to receive remuneration in respect of treatment given to his own patients pursuant to an arrangement made with him by a fund-holding practice, in accordance with the Health and Personal Social Services (Fund-holding Practices) Regulations (Northern Ireland) 1993.

Paragraph 20 of the terms of service and Schedule II to the principal regulations (annual reports) are amended to insert new provisions governing the information to be contained in annual reports and the circumstances in which it has to be provided.

Regulation 7 amends Paragraph 10 of Schedule 4 to the principal regulations to remove the restriction on the advertising of pharmaceutical services.