
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 301

**The Health and Personal Social Services (General
Medical Services Contracts) (Amendment
No. 2) Regulations (Northern Ireland) 2013**

Amendment of Schedule 5 to the principal Regulations

5.—(1) Schedule 5 (Other contractual terms) to the principal Regulations shall be amended as provided in the following paragraphs.

(2) In paragraph 3 (Attendance outside practice premises) after sub-paragraph (3), insert—

“(4) Notwithstanding anything in this paragraph, the contractor shall not be required to attend on a patient or a visiting patient outside Northern Ireland.”.

(3) After paragraph 15 (Application for inclusion in a list of patients) insert—

“Application to the contractor for regulation 15(3) and (5) services

15A.—(1) The contractor may, if his list of patients is open, accept an application for services under regulation 15(3) and (5) from a person falling within paragraph (a) of the definition of visiting patient.

(2) Subject to sub-paragraph (3), an application under sub-paragraph (1) shall be made in writing, signed by the applicant or a person authorised to sign on his behalf, and delivered to the practice premises.

(3) An application under sub-paragraph (1) may be made—

- (a) on behalf of any child by either parent, or in the absence of both parents, the guardian or other adult who has care of the child; or
- (b) on behalf of any adult who is incapable of making such an application, or authorising such an application to be made on their behalf, by a relative or the primary carer of that person.

(4) A contractor who accepts an application under sub-paragraph (1) shall notify the Board in writing as soon as possible.

(5) Nothing in this paragraph obliges a contractor to prioritise a person falling within paragraph (a) of the definition of visiting patient to the detriment of other persons.”.

(4) After paragraph 32 (Assignment of patients to lists: open lists), insert—

“Assignment of a person to a contractor for regulation 15(3) and (5) services

32A.—(1) On receipt of a request for services under regulation 15(3) and (5) from a person falling within paragraph (a) of the definition of visiting patient, the Board, having regard to paragraph 34 (a), (b) and (e), shall assign that person to a contractor whose list of patients is open.

(2) A request under sub-paragraph (1) shall be made to the Board in writing.

(3) Where a person has been assigned to a contractor under sub-paragraph (1) the Board shall notify in writing as soon as possible—

- (a) the contractor; and
- (b) that person.

(4) Nothing in this paragraph obliges the Board to prioritise a person falling within paragraph (a) of the definition of visiting patient to the detriment of other persons.”.

(5) In paragraph 40 (Restrictions on prescribing by medical practitioners), after sub-paragraph (3), insert—

“(4) In the course of treating a visiting patient under regulation 15(3) or (5), the contractor shall not order on a prescription form an appliance, drug, medicine or other substance, but may prescribe such appliance, drug, medicine or other substance for that visiting patient under a private arrangement.”.

(6) In paragraph 41 (Restrictions on prescribing by supplementary prescribers)—

(a) after sub-paragraph (2)(d) insert—

“(e) where the patient is a visiting patient, the supplementary prescriber shall prescribe the appliance, drug, medicine or other substance only under a private arrangement.”;

(b) after sub-paragraph (4)(h) insert—

“(i) where the patient is a visiting patient, the supplementary prescriber shall prescribe the appliance, drug, medicine or other substance only under a private arrangement.”.

(7) For paragraph 78 substitute—

“**78.**—(1) The contractor shall notify the Board in writing of any person other than a registered patient or a person whom the contractor has accepted as a temporary resident to whom he has provided the essential services described in regulation 15(6) or 98) within the period of 28 days beginning on the day that services were provided.

(2) The contractor shall notify the Board in writing of any visiting patient to whom the contractor has provided services under regulation 15(3) or (5) within the period of 28 days beginning on the day that the services were provided.”.