

SCHEDULE 3

Regulation 3

PART 1

Interpretation of Schedule 3

1. In this Schedule—

“Allied Health Professional” means a person registered as an allied health professional with the Health Professions Council;

“general medical practitioner” means a medical practitioner whose name is included in the General Practitioner Register kept by the General Medical Council;

“general medical services contract” means a contract under section 17J of the National Health Service (Scotland) Act 1978;

“hospital” has the meaning given by section 108(1) of the National Health Service (Scotland) Act 1978;

“inpatient hospital services” means any health care service provided to a patient who has been admitted to a hospital and is required to remain in that hospital overnight, but does not include any secure forensic mental health services;

“out of hours period” has the same meaning as in regulation 2 of the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004⁽¹⁾; and

“the public dental service” means services provided by dentists and dental staff employed by a health board under the public dental service contract.

PART 2

2. The health care services listed for the purpose of regulation 3(3)(b) are—

- (a) accident and emergency services provided in a hospital;
- (b) inpatient hospital services relating to the following branches of medicine—
 - (i) general medicine;
 - (ii) geriatric medicine;
 - (iii) rehabilitation medicine;
 - (iv) respiratory medicine; and
 - (v) psychiatry of learning disability,
- (c) palliative care services provided in a hospital;
- (d) inpatient hospital services provided by general medical practitioners;
- (e) services provided in a hospital in relation to an addiction or dependence on any substance;
- (f) mental health services provided in a hospital, except secure forensic mental health services.

PART 3

3. The health care services listed for the purpose of regulation 3(3)(c) are—

(1) S.S.I. 2004/115.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) district nursing services;
- (b) services provided outwith a hospital in relation to an addiction or dependence on any substance;
- (c) services provided by allied health professionals in an outpatient department, clinic, or outwith a hospital;
- (d) the public dental service;
- (e) primary medical services provided under a general medical services contract, and arrangements for the provision of services made under section 17C of the National Health Service (Scotland) Act 1978, or an arrangement made in pursuance of section 2C(2) of the National Health Service (Scotland) Act 1978(2);
- (f) general dental services provided under arrangements made in pursuance of section 25 of the National Health (Scotland) Act 1978(3);
- (g) ophthalmic services provided under arrangements made in pursuance of section 17AA or section 26 of the National Health Service (Scotland) Act 1978(4);
- (h) pharmaceutical services and additional pharmaceutical services provided under arrangements made in pursuance of sections 27 and 27A of the National Health Service (Scotland) Act 1978(5);
- (i) services providing primary medical services to patients during the out-of-hours period;
- (j) services provided outwith a hospital in relation to geriatric medicine;
- (k) palliative care services provided outwith a hospital;
- (l) community learning disability services;
- (m) mental health services provided outwith a hospital;
- (n) continence services provided outwith a hospital;
- (o) kidney dialysis services provided outwith a hospital;
- (p) services provided by health professionals that aim to promote public health.

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- (2) Section 2C was inserted by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 1(2) and relevantly amended by the National Health Service Reform (Scotland) Act 2004 (asp 7), schedule 1, and the Tobacco and Primary Medical Services (Scotland) Act 2010 (asp 3), section 37.
 - (3) Section 25 was relevantly amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 15.
 - (4) Section 17AA was inserted by the National Health Service (Primary Care) Act 1997 (c.46), section 31(2) and relevantly amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 25. Section 26 was relevantly amended by the Health and Social Security Act 1984 (c.48), Schedule 1, and the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 13.
 - (5) Section 27 was relevantly amended by the Health Services Act 1980 (c.53), section 20; the National Health Service and Community Care Act 1990 (c.19), Schedule 9; the Medicinal Products: Prescription by Nurses etc. Act 1992 (c.28), section 3; the National Health Service (Primary Care) Act 1997 (c.46), Schedule 2 and the Health and Social Care Act 2001 (c.15), section 44.