
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 94

The National Health Service (General Medical Services Contracts and Primary Medical Services Section 17C Agreements) (Scotland) Amendment Regulations 2018

Amendment of the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018

7. In schedule 6 (other contractual terms)—
- (a) in paragraph 17(3) (removal from the list at the request of the contractor)—
 - (i) for “has—” substitute “has warned the patient that the patient is at risk of removal and explained to the patient the reasons for this.”;
 - (ii) omit head (a); and
 - (iii) omit head (b);
 - (b) in paragraph 33 (assignments to closed lists: NHS dispute resolution procedure relating to determinations of the assessment panel)—
 - (i) in sub-paragraph (3)(d), in the inserted sub-paragraph 19(b), after “Board” insert—
“; and
 - (c) the contractor (or contractors) which referred the matter to dispute resolution.”; and
 - (ii) for sub-paragraph (3)(e) substitute—
“paragraph 92(2) does not apply.”;
 - (c) in paragraph 39(6)(b) (prescribing) for “purpose” substitute “purpose.”;
 - (d) in paragraph 58 (independent prescribers and supplementary prescribers)—
 - (i) in sub-paragraph (1) for “it must notify” substitute “the contractor must notify”; and
 - (ii) in sub-paragraph (2) for “it must notify” substitute “the contractor must notify”;
 - (e) in paragraph 62(10)(c) (sub-contracting of clinical matters) omit the second occurrence of “or partner”;
 - (f) in paragraph 65(2)(a) (roles, responsibilities and obligations – general) for “65 and 66” substitute “66 and 67”;
 - (g) in paragraph 70(2) (data protection officer) after “paragraph 67(b)” insert “and (c)”;
 - (h) in paragraph 72 (patient online appointment services)—
 - (i) in sub-paragraph (4)(b) for “contactor” substitute “contractor”; and
 - (ii) in sub-paragraph (5)(a) for “book” substitute “book.”;
 - (i) in paragraph 76 (provision of information to a medical officer etc)—
 - (i) in the heading insert “.” after “etc”;
 - (ii) in sub-paragraph (4)(c) for “Health Professions Council” substitute “Health and Care Professions Council”; and

- (iii) in sub-paragraph (4)(d) for “Health Professions Council” substitute “Health and Care Professions Council”;
- (j) in paragraph 77(8) (annual return and review) for “(2)” substitute “(6)”;
- (k) in paragraph 81(2)(a)(i) (notice provisions specific to a contract with a company) for “(9)” substitute “(8)”;
- (l) in paragraph 87 (complaints procedure) for “that Act” substitute “that section”;
- (m) in paragraph 89 (local resolution of contract disputes: local dispute resolution process)—
 - (i) in sub-paragraph (1), in paragraph (c) of the definition of “local resolution approved mediator functions”, for “(9).” substitute “(9).”;
 - (ii) in sub-paragraph (3)(a) for “the first Health Board” substitute “the second Health Board”;
 - (iii) in sub-paragraph (3)(b) for “the first Health Board” substitute “the second Health Board”; and
 - (iv) in sub-paragraph (9) for “(4)” substitute “(6)”;
- (n) in paragraph 94(4)(c) (variation of a contract: general) for “2016” substitute “2011”;
- (o) in paragraph 103(1) (other grounds for termination by the Health Board), for the second occurrence of “notice” substitute “notice.”;
- (p) in paragraph 109 (contract sanctions and the dispute resolution procedure)—
 - (i) in sub-paragraph (1), omit “(a) or (b)”;
 - (ii) in sub-paragraph (2)(b) for “91 or 92” substitute “90 or 91”;
- (q) in paragraph 110 (termination and the NHS dispute resolution procedure)—
 - (i) in sub-paragraph (1) for “108” substitute “107”;
 - (ii) in sub-paragraph (4)(b) for “91 or 92” substitute “90 or 91”;
 - (iii) in sub-paragraph (5) after “101 to” insert “107”;
- (r) in paragraph 111(1)(a) (consultation with the area medical committee) for “108” substitute “107”.