
DRAFT STATUTORY INSTRUMENTS

2004 No.

The Primary Medical Services (Northern Ireland) Order 2004

Primary medical services

Persons performing primary medical services

- 8.—(1) The 1972 Order shall be amended as follows.
- (2) After Article 57F (as inserted by Article 4) there shall be inserted—

“Persons performing primary medical services

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57G.—(1) Regulations may provide that a health care professional of a prescribed description may not perform any primary medical service for which a Health and Social Services Board is responsible unless that professional is included in a list maintained under the regulations by the Health and Social Services Board.

- (2) For the purposes of this Article—
- (a) “health care professional” has the same meaning as in Article 15C;
 - (b) a Health and Social Services Board is responsible for a primary medical service if it provides the service, or secures provision of the service, under or by virtue of Article 56.
- (3) Regulations under paragraph (1) may make provision in relation to such lists and in particular as to—
- (a) the preparation, maintenance and publication of a list;
 - (b) eligibility for inclusion in a list;
 - (c) applications for inclusion (including provision as to the Health and Social Services Board to which an application must be made, and for the procedure for applications and the documents to be supplied on application);
 - (d) the grounds on which an application for inclusion may or must be granted or refused;
 - (e) requirements with which a person included in a list must comply (including the declaration of financial interests and gifts and other benefits);
 - (f) suspension or removal from a list or references to the Tribunal (including the grounds for and consequences of suspension or removal, or reference);
 - (g) circumstances in which a person included in a list may not withdraw from it;
 - (h) payments to be made in respect of a person suspended from the list (including provision for the amount of, or the method of calculating, the payment to be determined by the Department, or a person appointed by it);
 - (i) the criteria to be applied in making decisions under the regulations;

- (j) appeals against decisions made by a Health and Social Services Board under the regulations;
 - (k) disclosure of information about applicants for inclusion, refusals of applications, or suspensions, removals or references.
- (4) Regulations making provision as to the matters referred to in paragraph (3)(k) may in particular authorise the disclosure of information—
- (a) by a Health and Social Services Board to the Department; and
 - (b) by the Department to a Health and Social Services Board.”.
- (3) In paragraph 1 of Schedule 11 (disqualification of persons providing services)—
- (a) for paragraph (a) of sub-paragraph (8) there shall be substituted—
 - “(a) a list of health care professionals of a prescribed description performing primary medical services;”,
 - (b) after that sub-paragraph there shall be inserted—
 - “(8A) In sub-paragraph (8)(a), “health care professional” has the same meaning as in Article 15C.”.