



Health and Social Care Act 2008

2008 CHAPTER 14

PART 2

REGULATION OF HEALTH PROFESSIONS AND HEALTH AND SOCIAL CARE WORKFORCE

The Office of the Health Professions Adjudicator

100 Fitness to practise panels

- (1) The functions which the OHPA has under the Medical Act 1983 and the Opticians Act 1989 are to be discharged by fitness to practise panels constituted in accordance with this section.
- (2) A fitness to practise panel is to consist of—
 - (a) a chair selected from the list of persons eligible to serve as chairs provided for by section 101(1)(a),
 - (b) a lay member selected from the list of persons eligible to serve as lay members provided for by section 101(1)(b) (the “lay members list”),
 - (c) a professionally qualified member selected from the list of persons eligible to serve as professionally qualified members provided for by section 101(1)(c) (the “professionally qualified members list”), and
 - (d) such additional members (if any) selected from the lay members list or the professionally qualified members list as may be required by rules.
- (3) Rules may make further provision about the selection of fitness to practise panels in relation to any proceedings.
- (4) Rules under subsection (3) may in particular make provision requiring the selection in specified circumstances of a chair who is legally qualified for the purposes of section 101(2)(a), and may provide for pilot schemes under which chairs who are legally qualified for those purposes are, or are not, selected for such proceedings as may be determined in accordance with the rules.
- (5) In this section “rules” means rules made by the OHPA.