
STATUTORY INSTRUMENTS

1993 No. 540

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Health Service (General Medical
Services) Amendment Regulations 1993**

<i>Made</i>	- - - -	<i>8th March 1993</i>
<i>Laid before Parliament</i>		<i>10th March 1993</i>
<i>Coming into force</i>	- -	<i>1st April 1993</i>

The Secretary of State for Health, in exercise of powers conferred on her by sections 15(1), 29, 45(1) and 126(4) of the National Health Service Act 1977⁽¹⁾ and of all other powers enabling her in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (General Medical Services) Amendment Regulations 1993 and shall come into force on 1st April 1993.

(2) In these Regulations “the principal Regulations” means the National Health Service (General Medical Services) Regulations 1992⁽²⁾.

Amendment of regulation 34 of the principal Regulations

2. In regulation 34(2) of the principal Regulations (payments to doctors), for paragraph (p) there shall be substituted the following paragraphs—

“(p) payments in respect of health promotion programmes or clinics approved by the FHSA;

(pp) payments in respect of disease management programmes approved by the FHSA;”.

(1) 1977 c. 49. See section 128(1) (amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 26(2)(g) and (i)) for the definition of “prescribed” and “regulations”. Section 15(1) was amended by the Health and Social Security Act 1984 (c. 48) sections 5(2) and 24 and Schedule 8 and by section 12(1) of the 1990 Act. Section 29 was amended by the Health Services Act 1980 (c. 53), section 7 and Schedule 1, paragraphs 42 and 93, the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 6, paragraph 2 and the Family Practitioner Committees (Consequential Modifications) Order 1985 (S.I. 1985/39), article 7(3). Section 45(1) was amended by the Health and Social Security Act 1984 (c. 48), Schedule 3, paragraph 7(a).

(2) S.I. 1992/635, amended by S.I. 1992/2412.

Amendment of Schedule 2 to the principal Regulations

3. In Schedule 2 to the principal Regulations (terms of service for doctors)–
 - (a) in paragraph 15 (patients not seen within 3 years)–
 - (i) for sub-paragraph (1) there shall be substituted the following sub- paragraph–

“(1) Subject to sub-paragraph (2), where a patient who–

 - (a) has attained the age of 16 years but has not attained the age of 75 years; and
 - (b) within the preceding 3 years has attended neither a consultation with, nor a clinic provided by, any doctor in the course of his provision of general medical services,

requests a consultation for the purposes of assessing whether he needs personal medical services, a doctor shall in addition to and without prejudice to any other obligation under these terms of service, provide such a consultation.”,
 - (ii) sub-paragraph (3) shall be omitted, and
 - (iii) in sub-paragraph (4), for “Where a patient agrees to participate in a consultation mentioned in sub-paragraph (i)”, there shall be substituted “Where a doctor provides a consultation mentioned in sub-paragraph (1)”;
 - (b) in paragraph 38 (fees) there shall be added at the end the following paragraph–

“(n) pursuant to an arrangement with him for the provision of services in accordance with regulation 23 of the National Health service (Fund- holding Practices) Regulations 1993(3).”; and
 - (c) in paragraph 50 (annual reports) for paragraph (2) there shall be substituted the following paragraph–

“(2) An annual report shall contain–

 - (a) the information specified in Schedule 13, paragraphs (1) and (2);
 - (b) where the FHSA, having considered whether the information is available to it from another source and having consulted the Local Medical Committee, so requests, the information specified in Schedule 13, paragraph (3); and
 - (c) where the FHSA so requests, in the case of a doctor who is not already supplying that information to the FHSA in order to qualify for payments in respect of health promotion or disease management, the information specified in Schedule 13, paragraph (4).”

Amendment of Schedule 9 to the principal Regulations

4. In Schedule 9 to the principal Regulations (list of prescribed medical certificates), after paragraph 11 there shall be added the following paragraph–

“12. To support a claim by or on behalf Local Government Finance Act 1992(4) of a severely mentally impaired person for exemption from liability to pay the Council Tax or eligibility for a discount in respect of the amount of Council Tax payable.

(3) S.I. 1993/567.

(4) 1992 c. 14.

Amendment of Schedule 13 to the principal Regulations

5. For Schedule 13 to the principal Regulations (information to be provided in annual reports) there shall be substituted the Schedule 13 set out in the Schedule to these Regulations.

Application of Regulations

6. The amendments contained in regulations 3(c) and 5 shall not apply to annual reports compiled in respect of the period of 12 months ending on 31st March 1993.

8th March 1993

Virginia Bottomley
One of Her Majesty's Principal Secretaries of
State

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

SCHEDULE

Regulation 5

NEW SCHEDULE 13 TO BE SUBSTITUTED FOR SCHEDULE 13 TO THE PRINCIPAL REGULATIONS

“SCHEDULE 13

Regulation 3(2) Schedule 2, paragraph 50

INFORMATION TO BE PROVIDED IN ANNUAL REPORTS

1. Particulars of the doctor’s other commitments as a medical practitioner, including–

- (a) a description of any posts held, and
- (b) a description of all work undertaken,

and including, in each case, the annual hourly commitment, except that where a doctor has notified the FHSA of such other commitments in a previous annual report, the report need only contain information relating to any changes in those commitments.

2. As respects orders for drugs and appliances, the doctor’s arrangements for the issue of repeat prescriptions to patients.

3. Information relating to the referral of patients to other services under the Act during the period of the report–

(a) as respects those by the doctor to specialists–

- (i) the total number of patients referred as in-patients,
- (ii) the total number of patients referred as out-patients,

by reference in each case to which clinical specialty applies, and specifying in each case the name of the hospital concerned; and

- (b) the total number of cases of which the doctor is aware (by reference to the clinical speciality) in which a patient referred himself to services under the Act.

4. Information relating to the numbers of patients on the doctor’s list–

- (a) who are diabetic,
- (b) who are asthmatic, and
- (c) to whom the doctor has given advice, in accordance with paragraph 12(2) of Schedule 2, about–
 - (i) the patient’s weight;
 - (ii) the use of tobacco; or
 - (iii) the consumption of alcohol.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Medical Services) Regulations 1992 (“the principal Regulations”) which regulate the terms on which general medical services are provided under the National Health Service Act 1977.

Regulation 34 of the principal Regulations (payments to doctors) is amended to enable Family Health Services Authorities to make payments to doctors in respect of health promotion programmes as well as clinics and in respect of disease management programmes (Regulation 2).

Regulation 3 contains amendments to Schedule 2 to the principal Regulations (the terms of service for doctors). Paragraph 15 (patients not seen within three years) is amended so as to provide that a doctor’s obligation to provide a consultation for the purpose of assessing a patient’s need for personal medical services arises only where such a consultation is requested. Paragraph 38 of the terms of service (fees) is amended to enable a doctor to receive remuneration in respect of treatment given to his own patients pursuant to an arrangement made with him by a fund-holding practice, in accordance with the National Health Service (Fund-holding Practices) Regulations 1993. Paragraph 50 of the terms of service and Schedule 13 to the principal regulations (annual reports) are amended to insert new provision governing the information to be contained in annual reports and the circumstances in which it has to be provided.

Schedule 9 to the principal regulations is amended to require a doctor to issue free of charge a medical certificate which is required by a patient to enable him to claim exemption from or a reduction in liability to pay the Council Tax.