
STATUTORY INSTRUMENTS

1998 No. 646

The National Health Service (Pilot Schemes: Miscellaneous Provisions and Consequential Amendments) Regulations 1998

PART II

MISCELLANEOUS PROVISIONS

Prescribed function of Health Authorities and Health Boards

3. For the purposes of section 15(1ZA) of the 1977 Act⁽¹⁾ and section 2 of the 1978 Act⁽²⁾, it shall be a prescribed function of each Health Authority and Health Board which is a party to a pilot scheme under section 1(1) of the 1997 Act to establish and operate, in accordance with directions given by the Secretary of State under section 9(2) of the 1997 Act and section 17 of the 1977 Act or, as the case may be, section 10(2) of the 1997 Act and section 2 of the 1978 Act, procedures for dealing with complaints about the provision of personal medical services under such a pilot scheme.

Pilot patients for whom Health Authorities and Health Boards must make arrangements for the provision of general medical services

4.—(1) The categories of person mentioned in paragraph (2) are prescribed for the purpose of section 1(5)(a) of the 1997 Act as persons for whom an authority must make arrangements under section 29 of the 1977 Act or, as the case may be, section 19 of the 1978 Act (arrangements for the provision of general medical services).

(2) The categories are persons who are, under a pilot scheme—

- (a) provided with personal medical services which are limited to contraceptive services, to maternity medical services or to both of them⁽³⁾; or
- (b) being provided with personal medical services as temporary residents⁽⁴⁾ at a time when their names are included in the list of patients held by a doctor who provides general medical services in the area of the authority which is a party to the pilot scheme.

(3) In this regulation—

- (a) “contraceptive services” and “maternity medical services” have the meanings respectively assigned to them in the National Health Service (General Medical Services) Regulations

(1) Section 15(1ZA) was inserted by the 1997 Act, Schedule 2, paragraph 4.

(2) Section 2 was amended by the National Health Service and Community Care Act 1990 (c. 19), Schedule 9, paragraph 19(1).

(3) As to the provision of these services to a person who is not provided with other personal medical services under a pilot scheme see the Directions to Health Authorities Concerning the Implementation of Pilot Schemes (Personal Medical Services), made under section 6(1) of the 1997 Act, paragraph 3(4) and the Directions to Health Boards Concerning the Implementation of Pilot Schemes (Personal Medical Services), made under section 6(1) of the 1997 Act, paragraph 3(4).

(4) As to the treatment of temporary residents, see the National Health Service (Choice of Medical Practitioner) Regulations 1998, regulation 7, the National Health Service (Choice of Medical Practitioner) (Scotland) Regulations 1998, regulation 7, the Directions to Health Authorities Concerning the Implementation of Pilot Schemes (Personal Medical Services), paragraph 12 and the Directions to Health Boards Concerning the Implementation of Pilot Schemes (Personal Medical Services), paragraph 12.

1992⁽⁵⁾ and the National Health Service (General Medical Services) (Scotland) Regulations 1995⁽⁶⁾; and

- (b) “temporary resident” has the meaning assigned to it in the National Health Service (Choice of Medical Practitioner) Regulations 1998⁽⁷⁾ and the National Health Service (Choice of Medical Practitioner) (Scotland) Regulations 1998⁽⁸⁾.

Persons who may perform personal medical services

5.—(1) The categories of person mentioned in paragraph (2) are prescribed for the purpose of section 11(2)(c) of the 1997 Act (persons who are not otherwise mentioned in section 11 of that Act who may perform personal medical services).

(2) The categories are—

- (a) a person who, whilst not falling within section 11(2)(a) of the 1997 Act (persons acting in the course of acquiring prescribed experience), is nonetheless acting in the course of acquiring the whole or any part of the general practice experience prescribed by regulation 6(3) of the National Health Service (Vocational Training for General Medical Practice) Regulations 1997⁽⁹⁾ (“the Vocational Training Regulations”) or, as the case may be, regulation 6(3) of the National Health Service (Vocational Training for General Medical Practice) (Scotland) Regulations 1998⁽¹⁰⁾ (“the Vocational Training (Scotland) Regulations”); and
- (b) a person who has been issued with a certificate of equivalent experience under regulation 12 of the Vocational Training Regulations or regulation 12 of the Vocational Training (Scotland) Regulations.

⁽⁵⁾ S.I. 1992/635, regulation 2(1) (to which there have been amendments which are not relevant to these Regulations).

⁽⁶⁾ S.I. 1995/416. The relevant amending instrument is S.I. 1997/943.

⁽⁷⁾ S.I. 1998/668, regulation 1(2).

⁽⁸⁾ S.I. 1998/659, regulation 1(2).

⁽⁹⁾ S.I. 1997/2817.

⁽¹⁰⁾ S.I. 1998/5.