THE NATIONAL HEALTH SERVICE (GENERAL MEDICAL SERVICES CONTRACTS) REGULATIONS 2004

PART 1
GENERAL

1. Citation, commencement and application
2. Interpretation

PART 2
CONTRACTORS

3. Conditions: general
4. Conditions relating solely to medical practitioners
5. General condition relating to all contracts
6. Reasons
7. Appeal
8. Prescribed period under section 28D(1)(bc) of the Act

PART 3
PRE-CONTRACT DISPUTE RESOLUTION

9. Pre-contract disputes

PART 4
HEALTH SERVICE BODY STATUS

10. Health service body status
PART 5
CONTRACTS: REQUIRED TERMS

11. Parties to the contract
12. Health service contract
13. Contracts with individuals practising in partnership
14. Duration
15. Essential services
16. Additional services
17. Opt outs of additional and out of hours services
18. Services generally
19. (1) Except in the case of the services referred to...
20. A contract must contain a term which requires the contractor...
21. Certificates
22. Finance
23. The contract must contain a term to the effect that...
24. Fees and charges
25. Arrangements on termination
26. Other contractual terms

PART 6
FUNCTIONS OF LOCAL MEDICAL COMMITTEES

27. (1) The functions of a Local Medical Committee which are...

PART 7
TRANSITIONAL PROVISIONS

28. Commencement
29. Additional services
30. Out of hours services
31. (1) Where the contract is with— (a) an individual medical...
32. A contract which includes the provision of out of hours...
   Signature

SCHEDULE 1 — REPEAT DISPENSING FORMS
   PART 1 — REPEATABLE PRESCRIPTION
   PART 2 — BATCH ISSUE

SCHEDULE 2 — ADDITIONAL SERVICES
1. Additional services generally
2. Cervical screening
3. Contraceptive services
4. Vaccinations and immunisations
5. Childhood vaccinations and immunisations
6. Child health surveillance
7. Maternity medical services
8. Minor surgery

SCHEDULE 3 — OPT OUTS OF ADDITIONAL AND OUT OF HOURS SERVICES
1. Opt outs of additional services: general
2. Temporary opt outs and permanent opt outs following temporary opt outs
3. Permanent opt outs
4. Out of hours opt outs where the opt out notice is served after 30th September 2004
5. Out of hours opt outs where the opt out notice is served before 1st October 2004
6. Informing patients of opt outs

SCHEDULE 4 — LIST OF PRESCRIBED MEDICAL CERTIFICATES

SCHEDULE 5 — FEES AND CHARGES
1. The contractor may demand or accept a fee or other...

SCHEDULE 6 — OTHER CONTRACTUAL TERMS

PART 1 — PROVISION OF SERVICES
1. Premises
2. Attendance at practice premises
3. Attendance outside practice premises
4. Newly registered patients
5. Patients not seen within three years
6. Patients aged 75 years and over
7. Clinical reports
8. Storage of vaccines
9. Infection control
10. Criteria for out of hours services
11. Standards for out of hours services
12. Duty of co-operation in relation to additional, enhanced and out of hours services
13. Where a contractor is to cease to be required to...

PART 2 — PATIENTS
14. List of patients
15. Application for inclusion in a list of patients
16. Temporary residents
17. Refusal of applications for inclusion in the list of patients or for acceptance as a temporary resident
18. Patient preference of practitioner
19. Removal from the list at the request of the patient
20. Removal from the list at the request of the contractor
21. Removals from the list of patients who are violent
22. Removals from the list of patients registered elsewhere
23. Removals from the list of patients who have moved
24. Where the address of a patient who is on the...
25. Removals from the list of patients absent from the United Kingdom etc.
26. Removals from the list of patients accepted elsewhere as temporary residents
27. Removals from the list of pupils etc. of a school
28. Termination of responsibility for patients not registered with the contractor
29. Closure of lists of patients
30. Approval of closure notice by the Primary Care Trust
31. Rejection of closure notice by the Primary Care Trust
32. Assignment of patients to lists: open lists
33. Assignment of patients to lists: closed lists
34. Factors relevant to assignments
35. Assignments to closed lists: determinations of the assessment panel
36. Assignments to closed lists: NHS dispute resolution procedure relating to determinations of the assessment panel
37. Assignments to closed lists: assignments of patients by a Primary Care Trust

PART 3 — PRESCRIBING AND DISPENSING
38. Prescribing
39. (1) Subject to paragraphs 42 and 43, a prescriber shall...
40. Repeatable prescribing services
41. Repeatable prescriptions
42. Restrictions on prescribing by medical practitioners
43. Restrictions on prescribing by supplementary prescribers
44. Bulk prescribing
45. Interpretation of paragraphs 38, 39 and 41 to 44
46. Excessive prescribing
47. Provision of dispensing services
48. Consent to dispense
49. Contractors who previously provided dispensing services under pilot schemes or section 28C arrangements
50. Terms relating to the provision of dispensing services
51. Dispensing contractor list
52. Provision of drugs, medicines and appliances for immediate treatment or personal administration

PART 4 — PERSONS WHO PERFORM SERVICES
53. Qualifications of performers
54. No health care professional other than one to whom paragraph...
55. Where the registration of a health care professional or, in...
56. No health care professional shall perform any clinical services unless...
57. Conditions for employment and engagement
58. (1) A contractor shall not employ or engage—
59. (1) The contractor shall not employ or engage a health...
60. (1) Before employing or engaging any person to assist it...
61. Training
62. The contractor shall afford to each employee reasonable opportunities to...
63. Terms and conditions
64. Arrangements for GP Registrars
65. Independent nurse prescribers and supplementary prescribers
66. Signing of documents
67. Level of skill
68. Appraisal and assessment
69. Sub-contracting of clinical matters
70. Sub-contracting of out of hours services
71. Withdrawal and variation of approval under paragraph 70
72. (1) Without prejudice to any other remedies which it may...

PART 5 — RECORDS, INFORMATION, NOTIFICATIONS AND RIGHTS OF ENTRY
73. Patient records
74. Access to records for the purpose of the Quality Information Preparation Scheme
75. Confidentiality of personal data
76. Practice leaflet
77. Provision of information
78. Requests for information from Patients' Forums
79. Inquiries about prescriptions and referrals
80. Reports to a medical officer
81. Annual return and review
82. Notifications to the Primary Care Trust
83. The contractor shall, unless it is impracticable for it to...
84. The contractor shall notify the Primary Care Trust in writing...
85. Notice provisions specific to a contract with a company limited by shares
86. Notice provisions specific to a contract with two or more individuals practising in partnership
87. Notification of deaths
88. Notifications to patients following variation of the contract
89. Entry and inspection by the Primary Care Trust
90. Entry and inspection by members of Patients' Forums
91. Entry and inspection by the Commission for Healthcare Audit and Inspection

PART 6 — COMPLAINTS
92. Complaints procedure
93. Making of complaints
94. Where a patient has died a complaint may be made...
95. Period for making complaints
96. Further requirements for complaints procedures
97. Co-operation with investigations
98. Provision of information about complaints

PART 7 — DISPUTE RESOLUTION
99. Local resolution of contract disputes
100. Dispute resolution: non-NHS contracts
101. NHS dispute resolution procedure
102. Determination of dispute
103. Interpretation of Part 7

PART 8 — VARIATION AND TERMINATION OF CONTRACTS
104. Variation of a contract: general
105. Variation provisions specific to a contract with an individual medical practitioner
106. Variation provisions specific to a contract with two or more individuals practising in partnership
107. Termination by agreement
108. Termination by the contractor
109. Late payment notices
110. Termination by the Primary Care Trust: general
111. Termination by the Primary Care Trust for breach of conditions in regulation 4
112. Termination by the Primary Care Trust for the provision of untrue etc. information
113. Other grounds for termination by the Primary Care Trust
114. The Primary Care Trust may serve notice in writing on...
115. Termination by the Primary Care Trust: remedial notices and breach notices
116. Termination by the Primary Care Trust: additional provisions specific to contracts with two or more individuals practising in partnership and companies limited by shares
117. Contract sanctions
118. Contract sanctions and the NHS dispute resolution procedure
119. Termination and the NHS dispute resolution procedure
120. Consultation with the Local Medical Committee

PART 9 — MISCELLANEOUS

121. Clinical governance
122. Insurance
123. The contractor shall at all times hold adequate public liability...
124. Gifts
125. Compliance with legislation and guidance
126. Third party rights

SCHEDULE 7 — OUT OF HOURS SERVICES
1. Temporary arrangements for transfer of obligations and liabilities in relation to certain out of hours services
2. Application for approval of an out of hours arrangement
3. Effect of approval of an arrangement with a transferee doctor
4. Review of approval
5. Suspension of approval
6. Immediate withdrawal of approval other than following review
7. Suspension or termination of an out of hours arrangement

SCHEDULE 8 — CLOSURE NOTICE

SCHEDULE 9 — PRIMARY CARE TRUSTS SPECIFIED FOR THE PURPOSES OF REPEATABLE PRESCRIBING

SCHEDULE 10 — INFORMATION TO BE INCLUDED IN PRACTICE LEAFLETS

Explanatory Note