
STATUTORY INSTRUMENTS

2015 No. 196

The National Health Service (General Medical Services Contracts and Personal Medical Services Agreements) (Amendment) Regulations 2015

PART 2

Amendment of the GMS Contracts Regulations

Amendment of paragraph 74C of Schedule 6 to the GMS Contracts Regulations

12. In Schedule 6 to the GMS Contracts Regulations (other contractual terms), in paragraph 74C(1) (patient online services)—

(a) after sub-paragraph (1) insert—

“(1A) A contractor must, when complying with the requirement in sub-paragraph (1) (a), consider whether it is necessary, in order to meet the reasonable needs of its registered patients, to take action to increase the proportion of appointments which are available for its registered patients to book online and, if so, take such action.”;

(b) after sub-paragraph (2) insert—

“(2A) A contractor must promote and offer to its registered patients, in circumstances where the medical records of its registered patients are held on the contractor’s computerised clinical systems, the facility for any such patient to access online all information from the patient’s medical record which is held in coded form unless—

(a) in the reasonable opinion of the contractor, access to such information would not be in the patient’s best interests because it is likely to cause serious harm to—

- (i) the patient’s physical or mental health, or
- (ii) the physical or mental health of any other person;

(b) the information includes a reference to any third party who has not consented to its disclosure; or

(c) the information in the patient’s medical record contains a free text entry and it is not possible under the contractor’s computerised clinical systems to separate that free text entry from other information in that medical record which is held in coded form.”;

(c) for sub-paragraph (5) substitute—

“(5) The requirements in sub-paragraph (2)—

(a) do not apply where the contractor does not have access to computer systems and software which would enable it to offer the online services described in that sub-paragraph; and

- (b) only apply until such time as the contractor is able to fully comply with the requirements in sub-paragraph (2A).
- (5A) The requirements in sub-paragraph (2A) do not apply where—
 - (a) the contractor does not have access to GPSOC accredited computer systems and software which would enable it to offer the online services described in that sub-paragraph to its registered patients; and
 - (b) the contractor has, by 30th September 2015, publicised its plans to enable it to achieve that requirement by 31st March 2016 by displaying a statement of intent on the practice premises and, where the practice has a website, on the practice website.”; and
- (d) for sub-paragraph (6) substitute—
 - “(6) In this paragraph—
 - (a) “GPSOC accredited computer systems and software” means computer systems and software which have been accredited by the Secretary of State or by another person in accordance with “General Practice Systems of Choice Level 2(2)”;
 - (b) “summary information” has the meaning given in paragraph 74(3).”

(2) GP Systems of Choice is a scheme by which the National Health Service funds the cost of GP clinical IT systems in England. Guidance about this scheme is available from the Health and Social Care Information Centre, 1 Trevelyan Square, Boar Lane, Leeds, LS1 6AE.