
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2012 No.

**The Patient Rights (Treatment Time
Guarantee) (Scotland) Regulations 2012**

Referral back to referring clinician

6.—(1) Where the calculation of waiting time has started, the responsible Health Board may refer a patient back to that patient's referring clinician (and the treatment time guarantee will cease to apply to that patient without prejudice to the applicability of the treatment time guarantee in any future referral) in any of the following circumstances, where it is reasonable and clinically appropriate—

- (a) the patient did not attend an appointment for the agreed treatment and had not given the Health Board reasonable notice that he or she would not attend;
- (b) the patient has refused two or more offers of an appointment for the agreed treatment;
- (c) the patient has on three or more occasions cancelled an agreed appointment for the agreed treatment.

(2) In circumstances where it is not reasonable and clinically appropriate to refer a patient back to that patient's referring clinician in accordance with paragraph (1), the responsible Health Board may reset the calculation of waiting time to zero unless that would not be reasonable or clinically appropriate.