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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 208**

**NATIONAL HEALTH SERVICE**

**The National Health Service (General Dental Services) (Scotland) Regulations 2010**

<i>Made</i>	- - - -	<i>20th May 2010</i>
<i>Laid before the Scottish Parliament</i>	- -	<i>21st May 2010</i>
<i>Coming into force</i>		<i>2nd July 2010</i>

**THE NATIONAL HEALTH SERVICE (GENERAL DENTAL SERVICES) (SCOTLAND) REGULATIONS 2010**

PART I

1. Citation and commencement
2. Interpretation

PART II

3. Terms of service
4. Dental list
5. Application for inclusion in the dental list and notification of changes
6. General provision relating to the dental list
7. Grounds for refusal of application
8. Deferment of a decision on application
9. Local directory of dentists
10. Requirements with which a dentist or body corporate included in a dental list must comply
11. Suspension
12. Removal from dental list
13. Re-inclusion in dental list
14. Disclosure of information
15. Withdrawal from dental list
16. Information about assistants
17. Information about associateship agreements
18. Transfer of continuing care and capitation arrangements
19. Emergency dental services

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- 20. Arrangements for emergency cover
- 21. Health Board patient information leaflets

PART III

- 22. Statement of Dental Remuneration
- 23. Approval of payments
- 24. Drugs
- 25. Recovery of overpayments

PART IV

- 26. Payments to dentists or bodies corporate suspended by a Health Board or by direction of the Tribunal

PART V

- 27. Prior approval - patterns of treatment
- 28. Surveys of the provision of general dental services

PART VI

SDPB

- 29. Appeals from decisions of the SDPB

PART VII

- 30. Publication of particulars
- 31. Service of notices etc
- 32. Signatures
- 33. Revocations, savings and transitional provisions
- 34. Consequential Amendments
- 35. Schedules
- Signature

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SCHEDULE 1      TERMS OF SERVICE FOR DENTISTS  
PART I

- 1. Interpretation
- 2. Incorporation of provisions of Regulations
- 3. General dental services

PART II

- 4. A continuing care arrangement
- 5. A capitation arrangement
- 6. Emergency cover
- 7. Repair or replacement of restorations
- 8. Duration of a continuing care arrangement
- 9. Duration of a capitation arrangement
- 10. Termination of a continuing care arrangement or a capitation arrangement
- 11. Violent patients
- 12. Referral to another contractor or to a hospital or other service
- 13. Referral to dental students

14. Treatment on referral
  15. Inability of contractor to complete care and treatment under a continuing care arrangement or a capitation arrangement or treatment on referral
  16. Care and treatment summaries
  17. Mixing of general dental services and private care and treatment
- PART III
18. Occasional treatment
  19. Referral for occasional treatment
- PART IV
20. Remuneration
  21. Surveys
  22. Standards of care
  23. Sedation
  24. Supply of drugs
  25. Issue of prescription forms
  26. Domiciliary visits
  27. Records
  28. Prior approval of care and treatment
  29. Completion of estimate
  30. Completion of claim forms
  31. Recalled attendance
  32. Completion of care and treatment under a continuing care arrangement or a capitation arrangement or treatment on referral
  33. Dental care professionals
  34. Postgraduate education
  35. Notices
  36. Complaints
  37. Co-operation and investigation
  38. Returns re complaints
  39. Professional indemnity
  40. Clinical audit activities
- PART V
41. Patient information leaflets
  42. Premises and Equipment
  43. Remuneration
  44. Deputies and assistants
- PART VI
45. Attendance
  46. Records
  47. Drugs
  48. Provision of Health Board patient information leaflets
  49. Termination of services

SCHEDULE 2

PART IA

1. An application shall contain the following information:—
2. An application shall contain the following declarations as to whether...
3. An applicant must include either— (a) an enhanced criminal record...
4. An application shall include the following undertakings:—

PART IB    INFORMATION, DECLARATIONS,  
CERTIFICATE, APPLICATIONS,  
UNDERTAKINGS AND, CONSENTS TO  
BE INCLUDED IN AN APPLICATION FOR

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INCLUSION IN SUB-PART B ONLY OF  
THE FIRST PART OF THE DENTAL LIST

1. An application shall contain the following information:—
2. An application shall contain the following declarations as to whether...
3. An applicant must include either— (a) an enhanced criminal record...
4. An application shall include the following undertakings:—

PART II INFORMATION, DECLARATIONS  
CERTIFICATE, UNDERTAKINGS AND  
CONSENTS, TO BE INCLUDED IN AN  
APPLICATION FOR INCLUSION IN THE  
SECOND PART OF THE DENTAL LIST

1. An application shall contain the following information:—
2. An application shall contain the following declarations as to whether...
3. An applicant must include either: (a) an enhanced criminal record...
4. An application shall include the following undertakings:—

PART III INFORMATION WHICH MAY BE  
INCLUDED IN AN APPLICATION FOR  
INCLUSION IN THE DENTAL LIST

SCHEDULE 3 INFORMATION TO BE PROVIDED ABOUT CARE  
AND TREATMENT UNDER GENERAL DENTAL  
SERVICES

1. Details of arrangements in an emergency.
2. Details of repairs and replacements which are provided free of...
3. Explanation of care and treatment to be provided.
4. Details of arrangements if the dentist with whom a patient...
5. Details of care and treatment available under general dental services....
6. Explanation of NHS charges for general dental services and of...
7. Explanation of the arrangements for cancelling appointments.
8. Explanation of the importance of regular care.
9. The consequences of the termination of a continuing care arrangement...

SCHEDULE 4 PRIOR APPROVAL OF CARE AND TREATMENT

PART I ITEMS OF TREATMENT  
PART II CARE AND TREATMENT

1. A course of care and treatment under a continuing care...
2. Any orthodontic care and treatment to be provided by that...
3. A reference in this part of this Schedule, to the...

SCHEDULE 5 INFORMATION TO BE INCLUDED IN PATIENT  
INFORMATION LEAFLETS

1. Where the contractor is a dentist the following personal and...
2. Where the contractor is a body corporate—
3. The following additional information about the provision of general dental...

SCHEDULE 6 INFORMATION TO BE INCLUDED IN HEALTH  
BOARD PATIENT INFORMATION LEAFLET

1. The following personal and professional details of any salaried dentist...
2. The following additional information about the provision of general dental...

SCHEDULE 7 REVOCATIONS

SCHEDULE 8 CONSEQUENTIAL AMENDMENTS

1. The National Health Service (Choice of Dental Practitioner) (Scotland) Regulations 1998
2. The Police Act 1997 (Criminal Records) (Scotland) Regulations 2006 Explanatory Note