2010 No. 208

NATIONAL HEALTH SERVICE

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

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

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
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

---------------------------

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
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 REVOCA TIONS
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