

SCHEDULE 1

TERMS OF SERVICE FOR DENTISTS

PART II

CONTINUING CARE ARRANGEMENT, CAPITATION ARRANGEMENT AND TREATMENT ON REFERRAL

Treatment on referral

14.—(1) Subject to sub-paragraphs (2) and (3), a contractor may accept a patient who has been referred to the contractor by another dentist who is providing or assisting with the provision of dental services to that patient (whether or not pursuant to the Act) otherwise than under Part III of this Schedule for particular care and treatment.

(2) Subject to sub-paragraph (3) a contractor shall not accept a patient for orthodontic treatment unless that patient has been referred to the contractor for such treatment by a dentist who is providing or assisting with the provision of dental services to that patient (whether or not pursuant to the Act) otherwise than under Part III of this Schedule.

(3) A contractor may only accept a patient who presents for orthodontic treatment without being referred under sub-paragraph (2) if the contractor has obtained the prior approval in writing of the SDPB to the effect that the SDPB is satisfied that there are exceptional circumstances which allow the patient to so present.

(4) Subject to paragraph (5) a contractor who accepts a patient for treatment under sub-paragraphs (1), (2) or (3) shall—

- (a) at the time at which the contractor accepts the patient, provide the patient with a form of acceptance supplied by the Health Board, or a form to like effect, which shall specify—
 - (i) the name of the patient;
 - (ii) the name of the dentist who will carry out the care and treatment;
 - (iii) particulars of the places where the patient will receive care and treatment; and
 - (iv) the telephone number at which the dentist, or a deputy, may be contacted during normal surgery hours, or at other times in an emergency if different;
- (b) ensure that at the time of the first examination of the patient by a dentist, the dentist provides the patient with a plan for treatment on a form supplied by the Health Board, or a form to like effect, which shall specify—
 - (i) details of the care and treatment which, in the opinion of the dentist, at the date of that examination, is necessary for the dentist to provide having regard to the reason for the referral;
 - (ii) the dentist's estimate of the NHS charge (if any) in respect of that care and treatment;
 - (iii) any proposals the dentist may have for private care and treatment as an alternative to the care and treatment proposed under general dental services, including particulars of the cost to the patient;
- (c) ensure that where, in the opinion of the dentist, the care and treatment included in the plan for treatment provided under paragraph (b) of this sub-paragraph needs to be varied, the dentist provides the patient with a revised plan for treatment in accordance (except as to the time of its provision) with paragraph (b) of this sub-paragraph;

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- (d) complete the care and treatment, which is referred to in paragraph (b)(i) of this sub-paragraph;
 - (e) until such time as the treatment on referral has been completed, provide the patient with emergency cover in accordance with paragraph 6(1) and (2), but only to the extent that the patient requires prompt care and treatment in relation to the particular care and treatment for which the patient has been referred or for which the patient has presented; and
 - (f) repair or replace in accordance with sub-paragraph (2) any restoration which requires repair or replacement.
- (5) Subject to sub-paragraphs (3) and (4), a contractor shall in the course of treatment on referral repair or replace at no charge to the patient any of the following restorations, namely, filling, root filling, inlay, pinlay or crown which has to be repaired or replaced and which was provided by or on behalf of the contractor in the course of the treatment on referral.
- (6) A contractor shall not be under an obligation to repair or replace any restoration under sub-paragraph (5) where—
- (a) within 12 months after the date on which the restoration was provided—
 - (i) a dentist has provided private treatment; or
 - (ii) another contractor has provided occasional treatment otherwise than of a temporary nature,on the tooth in respect of which the restoration was provided;
 - (b) the dentist who carried out the restoration advised the patient at the time of the restoration and indicated on any plan for treatment provided to the patient in accordance with sub-paragraph (4)(b) or (c) and on the patient record that—
 - (i) the restoration was intended to be temporary in nature; or
 - (ii) in the dentist's opinion, a different form of restoration was more appropriate but, notwithstanding that advice, the patient insisted on the restoration which was provided;
 - (c) in the dentist's opinion, the condition of the tooth in respect of which the restoration was provided is such that the restoration cannot satisfactorily be repaired or replaced and different treatment is now required; or
 - (d) the repair or replacement is required as a result of trauma.
- (7) The obligation to repair or replace any restoration under sub-paragraph (5) shall cease 12 months after the date on which the restoration was provided or when the treatment on referral has been completed, whichever is the sooner.
- (8) Sub-paragraph (4)(b) shall not apply where a patient is referred to a dentist for examination and advice only.