

SCHEDULE 1

TERMS OF SERVICE FOR DENTISTS

PART II

CONTINUING CARE ARRANGEMENT, CAPITATION ARRANGEMENT AND TREATMENT ON REFERRAL

Mixing of general dental services and private care and treatment

17.—(1) Subject to sub-paragraph (3), a contractor may, with the consent of the patient provide privately any part of the care and treatment—

- (a) necessary under a continuing care arrangement or a capitation arrangement to secure and maintain the oral health of a patient; or
- (b) to be provided as part of treatment on referral.

(2) A contractor or a dentist assisting that contractor in the provision of general dental services shall not, with a view to obtaining the agreement of a patient to undergo care and treatment privately—

- (a) advise a patient falsely that the care and treatment which is necessary in the patient's case—
 - (i) under the continuing care arrangement or capitation arrangement with a contractor to secure and maintain oral health; or
 - (ii) having regard to the reason given for referral, is not available from that contractor under general dental services; or
- (b) seek to mislead the patient about the quality of care and treatment available under general dental services.

(3) Sub-paragraph (1) shall not apply—

- (a) where the treatment necessary to secure oral health relates to a single tooth, in which case the treatment shall be provided wholly under general dental services or wholly privately;
- (b) in respect of orthodontic care and treatment in which case—
 - (i) the assessment, diagnosis and planning of treatment in connection with the orthodontic care and treatment shall be provided wholly under general dental services or wholly privately; and
 - (ii) the orthodontic treatment shall be provided wholly under general dental services or wholly privately;
- (c) to the provision privately of general anaesthesia in association with any care and treatment provided under general dental services.