

SCHEDULE 3

Other contractual terms

PART 4

Assignment of patients to lists

Assignment of patients to list of patients: open and closed lists

- 39.**—(1) Subject to paragraph 40, the Board may—
- (a) assign a new patient to a contractor whose list of patients is open; and
 - (b) only assign a new patient to a contractor whose list of patients is closed in the circumstances specified in sub-paragraph (2).
- (2) The circumstances specified in this sub-paragraph are where—
- (a) the assessment panel has determined under paragraph 41(7) that new patients may be assigned to the contractor in question, and that determination has not been overturned either by a determination of the Secretary of State under paragraph 42(13) or (where applicable) by a court; and
 - (b) the Board has entered into discussions with the contractor in question regarding the assignment of new patients if such discussions are required under paragraph 43.