2. MEDICAL PRACTITIONERS' FEES

[*See* also NATIONAL HEALTH SERVICE, E., p. 2140 below.]

The Medical Practitioners (Fees) (No. 2) Regulations, 1948

1948 No. 1453

Made - - - - 28*th June*, 1948
Coming into Operation 5*th July*, 1948

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The Minister of Health in pursuance of his powers under subsection (1) of section 9 of the Midwives Act, 1936(a), as amended by subsection (3) of section 23 of the National Health Service Act, 1946(b), and of all other powers enabling him in that behalf hereby makes the following regulations:—

1. These regulations may be cited as the Medical Practitioners (Fees) (No. 2) Regulations, 1948, and shall come into operation on the 5th day of July, 1948.

2. The Interpretation Act, 1889(c), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. In these regulations, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them:—

" medical practitioner having obstetric experience " means a registered medical practitioner whose experience in obstetrics is for the time being approved by the Local Obstetric Committee and whose name is included in the separate part of the medical list referred to in Regulation 4 of the National Health Service (General Medical and Pharmaceutical Services) Regulations, 1948(d);

" Local Obstetric Committee " means a committee recognised by the Minister for the purpose of approving the obstetric experience of a medical practitioner;

" Regional Hospital Board ", " Board of Governors of a teaching hospital ", and " Local Health Authority " have the same meaning as in the National Health Service Act, 1946.

4. The scale of fees set out in the First Schedule hereto is fixed as the scale of fees payable to medical practitioners under subsection (1) of section 14 of the Midwives Act, 1918(e).

5. The conditions subject to which fees are to be payable to medical practitioners under the said subsection are as follows:—

(*a*) The medical practitioner shall be a medical practitioner having obstetric experience:

Provided that this condition shall not apply—

(i) where the services performed by the medical practitioner are in respect of an emergency for which he was first called in before the 5th day of July, 1948; or

(ii) until the Local Health Authority have supplied the midwives practising in their area with a list of medical practitioners having obstetric experience who have agreed to answer calls by midwives; or

(a) 26 Geo. 5 & 1 Edw. 8. c. 40. (b) 9 & 10 Geo. 6. c. 81.
(c) 52 & 53 Vict. c. 63. (d) S.I. 1948 No. 506, p. 2140 below.
(e) 8 & 9 Geo. 5. c. 43.

(iii) where the medical practitioner was called in because a medical practitioner having obstetric experience was not available when the emergency arose.

(*b*) The medical practitioner shall not have arranged to provide the patient with maternity medical services in accordance with the National Health Service (General Medical and Pharmaceutical Services) Regulations, 1948, or be under an obligation to give the treatment to the patient by virtue of any office held by him under a Regional Hospital Board, Board of Governors of a teaching hospital, or Local Health Authority or of any agreement made between him and such Regional Hospital Board, Board of Governors or Local Health Authority.

(*c*) The medical practitioner shall not have agreed to attend the patient under any other arrangements made by or on behalf of the patient or by any club, medical institute or other association, of which the patient or her husband is a member.

(*d*) The medical practitioner shall not receive or agree to receive a fee from the patient or her representative.

(*e*) The fees set out in paragraphs (viii) and (x) of the First Schedule hereto shall not be payable—

(i) in respect of any services performed by the medical practitioner later than the fourteenth day after his first attendance, except where he has reported to the local supervising authority before the expiration of the said fourteenth day that he considers, for reasons stated in writing, that his further attendance is necessary;

(ii) in respect of any services performed by the medical practitioner after the expiration of four weeks from the birth.

(*f*) The fees set out in paragraphs (i) to (vi) of the First Schedule hereto shall not be payable unless at the conclusion of his attendance a report in the form set out in the Second Schedule to these regulations shall have been furnished by the medical practitioner to the medical officer of health of the local supervising authority.

6. The Medical Practitioners (Fees) Regulations, 1948(a), are hereby revoked but without prejudice to anything duly done or suffered or to any right privilege obligation or liability acquired accrued or incurred thereunder.

7. These regulations shall not extend to Scotland or Northern Ireland.

FIRST SCHEDULE

PART

Scale of Fees for Medical Practitioners called in by Midwives

(i) Fee for all attendances of a medical practitioner during the period from the commencement of labour until the child is born, whether or not operative assistance is involved, including subsequent visits to mother and/or child during the first fourteen days inclusive of the day of birth, and including also a post-natal examination at or about the sixth week after the birth, except where owing to circumstances beyond his control the practitioner cannot undertake such examination, £4 14s. 6d.

(ii) Fee for all or any of the following, namely, version in labour, removal of adherent or retained placenta, exploration of the uterus, treatment of post-partum haemorrhage or any operative emergency arising directly from parturition, including subsequent visits during the first fourteen days inclusive of the day of birth, and including also a post-natal examination at or about the sixth week after the birth, except where owing to circumstances beyond his control the practitioner cannot undertake such examination, £4 14s. 6d. A fee shall not be payable under this paragraph when a fee under paragraph (i) hereof is payable.

(a) S.I. 1948 No. 695.

(iii) Fee for a single attendance only, either during the period from the commencement of labour until the child is born (whether or not operative assistance is involved) or for any of the purposes mentioned in paragraph (ii) hereof, £2 12s. 6d. A fee shall not be payable under this paragraph when a fee under paragraph (i) or paragraph (ii) hereof is payable.

(iv) Fee for either of the following, namely (*a*) suturing the perineum, (*b*) resuscitation of baby, £3 3s. od.: Provided that where only one attendance is made a fee of £2 12s. 6d. shall be payable in lieu of the said fee of £3 3s. od. A fee shall not be payable under this paragraph when a fee under paragraphs (i) to (iii) hereof is payable.

(v) Fee for induction of labour whether or not more than one visit is involved, £2 12s. 6d. A fee shall not be payable under this paragraph when a fee under paragraphs (i) to (iv) hereof is payable.

(vi) Fee for attendance at, or in connection with, an abortion, miscarriage, cases of threatened abortion or ante-partum haemorrhage after the 28th week of pregnancy, including all visits in respect of such attendance during the fourteen days from and including the first visit, £4 4s. od.: Provided that where only one attendance is made a fee of £2 12s. 6d. shall be paid in lieu of the said fee of £4 4s. od.

(vii) Fee for attendance of a second medical practitioner to give an anaesthetic, whether on the occurrence of abortion or miscarriage, at parturition or subsequently, £1 15s. od.

(viii) Fee for visits to mother and/or child not included under paragraphs (i) to (vi) hereof:—

Day (9 a.m. to 8 p.m.) First visit 12s. 6d. Subsequent visit 10s. 6d.

Night (8 p.m. to 9 a.m.) £1 1s. od.

(ix) The usual mileage fee of the district to be paid for all attendances under paragraphs (i) to (viii) hereof: Provided that one mileage fee only shall be paid in respect of one journey, whether such journey shall have been made for visiting one, or more than one, patient.

(x) Fee for attendance on mother or child at the medical practitioner's residence or surgery, 5s. od.

(xi) The appropriate fee as prescribed above shall be increased by the amount of any reasonable expenses necessarily incurred by the practitioner in supplying any of the drugs or preparations specified in Part II of this Schedule where such a drug or preparation is essential for the proper treatment of the mother or her child.

PART II

List of Drugs and Preparations

Carbon dioxide.
Ergometrine.
Lobeline.
Liver extract and injections of liver.
Methylamphetamine.
Oxygen.
Penicillin preparations.
Pethidine.
Sex hormones.
Sulphonamide preparations.
Vasopressin.
Vitamin B_1 complex.
Vitamin K.

SECOND SCHEDULE

Form of Report to be furnished on conclusion of attendances for which a fee will be claimed under paragraphs (i) to (vi) of the First Schedule to the Medical Practitioners (Fees) (No. 2) Regulations, 1948.

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To the Medical Officer of Health of the.....*

(1) Name and address of patient attended.....

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(2) Name of midwife by whom called in.....

(3) Date of first visit.....

†(4) Condition for which attendance was given.....

(5) Nature of assistance given.....

(6) Total number of visits made.....

(7) Date of last visit.....

(8) Condition of patient at last visit (*a*) local.....
(*b*) general.....

‡(9) Date of birth of child.....

‡(10) Whether the practitioner was present at the birth.....

(11) Where the service for which a fee is claimed includes the making of a post-natal examination at or about the sixth week after the birth the following information should be given:—

(*a*) Whether such an examination has been made and if so date on which such an examination was made.....

(*b*) If such an examination has not been made, the circumstances which have prevented the practitioner from making one should be stated.....

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Signature of practitioner.....

Address of practitioner.....

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* Insert name of the local supervising authority under the Midwives Acts, 1902 to 1936, for the area in which the patient was attended.

† The entry should state the condition found by the practitioner himself whether or not it agrees with the reason given by the midwife for calling in medical aid.

‡ This information is only required when a fee will be claimed under paragraphs (i) to (iii) of the First Schedule to the regulations.

Given under the official seal of the Minister of Health this twenty-eighth day of June, nineteen hundred and forty-eight.

(L.S.)

Aneurin Bevan,
Minister of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

The regulations prescribe the fees to be paid by local supervising authorities under the Midwives Acts to medical practitioners called in to the assistance of midwives in cases of emergency and also prescribe the conditions subject to which the fees are to be payable.

The regulations revoke the Medical Practitioners (Fees) Regulations, 1948, and are necessitated by the coming into operation of the National Health Service on the 5th July, 1948.