STATUTORY INSTRUMENTS

1967 No. 1135 (S. 93)

NURSES AND MIDWIVES

The Medical Practitioners (Fees) (Scotland) Regulations 1967

Made - - -	*25th July* 1967
Coming into Operation	*1st August* 1967

In exercise of the powers conferred on me by section 14 of the Midwives (Scotland) Act 1951(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. These regulations may be cited as the Medical Practitioners (Fees) (Scotland) Regulations 1967, and shall come into operation on 1st August 1967.

2.—(1) In these regulations—

"the 1966 regulations" means the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1966(b) as amended by the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Amendment Regulations 1966(c).

(2) The Interpretation Act 1889(d) applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. The scale of fees payable to medical practitioners in terms of section 14(2) of the Midwives (Scotland) Act 1951 shall be the scale of fees set out in Schedule 1 hereto.

4. The conditions subject to which fees are to be payable under the said section 14(2) are as follows:—

(*a*) the medical practitioner shall not be entitled to receive payment for any treatment in respect of which he claims a fee under the said section 14(2) if he is also entitled to receive payment for such treatment by virtue of any arrangement to provide maternity medical services in accordance with the 1966 regulations;

(*b*) the medical practitioner shall not have agreed to attend the patient in relation to her pregnancy or the childbirth 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;

(*c*) the medical practitioner shall not be under an obligation to give any treatment for which he is claiming a fee under the said section 14(2) to the patient by virtue of an office held by him under a Regional Hospital Board or Local Health Authority or of any agreement made between him and such Regional Hospital Board or Local Health Authority;

(a) 1951 c. 54.
(b) S.I. 1966/1233 (1966 III, p. 3330).
(c) S.I. 1966/1618 (1966 III, p. 5057).
(d) 1889 c. 63.

(*d*) the medical practitioner shall not have received or agreed to receive a fee in relation to her pregnancy or the childbirth from the patient or her representative;

(*e*) the fees set out in paragraphs (i) to (v) of Schedule 1 to these regulations shall not be payable unless the medical practitioner has at the conclusion of his attendance furnished to the Medical Officer of Health of the local supervising authority a report in the form set out in Schedule 2 to these regulations; and

(*f*) the fees set out in paragraph (vii) of the said Schedule 1 to these regulations shall not be payable to a medical practitioner who has arranged to provide general medical services to the mother or child under the 1966 regulations for any services performed by him after the period of 14 days beginning with the day of the birth; and those fees shall not be payable to any other medical practitioner for services performed—

(i) after the period of 14 days beginning with the day of his first attendance or

(ii) after the period of 28 days beginning with the day of the birth:

Provided that a fee may be paid to a medical practitioner after the said period of 14 days beginning with the day of his first attendance where the practitioner has reported to the local supervising authority during that period that he considers for reasons stated in writing that his further attendance is necessary.

5. The Medical Practitioners (Fees) (Scotland) 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.

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

25th July 1967.

SCHEDULE I

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, and subsequent visits to mother or child during the first 14 days inclusive of the day of birth, including a post-natal examination at or about the 6th week but in any case not later than the 12th week after the birth, except where owing to circumstances beyond his control the practitioner cannot undertake such examination, £6.5s.0d. Provided that where in circumstances not beyond his control a practitioner does not undertake the post-natal examination mentioned above, a fee of £5.0s.0d. shall be payable in lieu of the said fee of £6.5s.0d.

(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 other than suturing the perineum, together with subsequent visits during the first 14 days inclusive of the day of birth, including a post-natal examination at or about the 6th week but in any case not later than the 12th week after the birth, except where owing to circumstances beyond his control the practitioner cannot undertake such examination, £6.5s.0d. Provided that where in circumstances not beyond his control a practitioner does not undertake

(**a**) S.I. 1948/1431 (Rev. XV, p. 25: 1948 I, p. 1963).

the post-natal examination mentioned above, a fee of £5.0s.0d. shall be payable in lieu of the said fee of £6.5s.0d. A fee shall not be payable under this paragraph when a fee under paragraph (i) hereof is payable.

(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, £3.3s.0d. A fee shall not be payable under this paragraph when a fee under paragraph (i) or paragraph (ii) hereof is payable.

(iv) Fee for any of the following, namely (*a*) induction of labour whether or not more than one visit is involved, (*b*) suturing the perineum or (*c*) attendance for the purpose of resuscitation of baby, £4.4s.0d. Provided that where only one attendance is made in connection with (*b*) or (*c*) a fee of £3.3s.0d. shall be payable in lieu of the said fee of £4.4s.0d. A fee shall not be payable under this paragraph when a fee under paragraphs (i), (ii) or (iii) hereof is payable.

(v) Fee for attendance at, or in connection with, an abortion, miscarriage, cases of threatened abortion or, after the 28th week of pregnancy ante-partum haemorrhage, including all visits in respect of such attendance during the 14 days from and including the first visit, £5.0s.0d. Provided that where only one attendance is made a fee of £3.3s.0d. shall be paid in lieu of the said fee of £5.0s.0d.

(vi) Fee for attendance of a second medical practitioner to give an anaesthetic, whether on the occurrence of abortion or miscarriage, at parturition or subsequently, £2.10s.0d.

(vii) Fee for visits to mother or child not included under paragraphs (i) to (v) hereof, 15s. for each visit up to a maximum of £5.5s.0d.

(viii) The usual mileage fee of the district to be paid for all attendances under paragraphs (i) to (vii) inclusive 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.

SCHEDULE 2

Form of Report to be furnished on conclusion of attendances for which a fee will be claimed under paragraphs (i) to (v) of Schedule 1 to the Medical Practitioners (Fees) (Scotland) Regulations 1967.

(Date).....

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 called in .....

(4) Date of first visit .....

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

(6) Nature of assistance given .....

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

(8) Date of last visit .....

(9) Condition of patient at last visit (*a*) local .....

(*b*) general .....

‡(10) Date of birth of child .....

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

(12) 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 (Scotland) Act 1951 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 Schedule 1 to the regulations.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations prescribe the fees payable by local supervising authorities to medical practitioners called in to the assistance of midwives in cases of emergency and the conditions subject to which they are payable. They replace with amendments, mainly in regard to fees, the Medical Practitioners (Fees) (Scotland) Regulations 1948.