# 1967 No. 947 (S.71)

# NATIONAL HEALTH SERVICE, SCOTLAND

## The National Health Service (General Dental Services) (Scotland) Amendment Regulations 1967

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| *Made* - - - | 22*nd June* 1967 |
| *Laid before Parliament* | 30*th June* 1967 |
| *Coming into Operation* | 10*th July* 1967 |

In exercise of the powers conferred on me by sections 33, 39, 45, 46 and 72 of the National Health Service (Scotland) Act 1947(**a**), as amended (**b**), section 1 of the National Health Service Act 1951(**c**), section 2 of the National Health Service Act 1952(**d**) and section 1 of the National Health Service Act 1961(**e**) and of all other powers enabling me in that behalf, I hereby make the following regulations:—

**1.**—(1) These regulations may be cited as the National Health Service (General Dental Services) (Scotland) Amendment Regulations 1967 and shall come into operation on 10th July 1967.

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

**2.** The National Health Service (General Dental Services) (Scotland) Regulations 1966(**g**) shall be amended as follows—

(1) For paragraph (2) of regulation 27 (which paragraph provides for determination of sums payable to the practitioner and by the patient for dental services provided under regulation 23) there shall be substituted the following paragraph—

" (2) When approving dental services to be provided under regulation 23, not being treatment to which paragraph (4) of that regulation applies, the Board shall determine—

(*a*) the total sum payable to the practitioner for the services approved, in accordance with the regulations; and

(*b*) the amount thereof payable in accordance with regulation 23(2) by the patient, being the difference between the said total sum and the sum which would have been payable in accordance with the regulations for the supply or repair of a suitable denture made of synthetic resin, vulcanite or metal with the same number of teeth, or for suitable conservative treatment covered by items 6 or 22 of the scale of fees, whichever is the case;

and shall inform the practitioner of their determinations.".

(2) For the proviso to sub-paragraph (2) of paragraph 6 of Part I of Schedule 1 (which sub-paragraph prohibits the acceptance of fees or remuneration by

(**a**) 1947 c. 27.
(**b**) 1949 c. 93.
(**c**) 1951 c. 31.
(**d**) 1952 c. 25.
(**e**) 1961 c. 19.
(**f**) 1889 c. 63.
(**g**) S.I. 1966/1449 (1966 III, p. 3802).

practitioners, except as provided in the regulations) there shall be substituted the following proviso—

" Provided that this sub-paragraph shall not have any effect in relation to any claim made by a practitioner in respect of loss of remunerative time resulting from failure of a patient to keep an appointment.".

(3) In sub-paragraph (3) of paragraph 12 of Part I of Schedule 1 (which sub-paragraph limits the employment of assistants) for the words from the beginning to the words " shall consult the Local Dental Committee: " there shall be substituted the following—

" A practitioner shall not employ more than 2 assistants in all for the provision of general dental services without the consent of the Council or Councils in whose areas he is providing such services, or, on appeal, the Secretary of State, and before giving any consent under this sub-paragraph, a Council shall consult the Local Dental Committee for its area: ".

(4) For Schedule 2 (which sets out the treatment for which the prior approval of the Board is required) there shall be substituted the following Schedule—

" SCHEDULE 2

TREATMENT FOR WHICH THE PRIOR APPROVAL OF THE BOARD IS REQUIRED

| A<br>Category and Item No. in Scale of Fees | | B<br>Item of Treatment |
|---|---|---|
| I. Diagnosis | 2(*a*) and (*b*) | Radiological examination—<br>(*a*) in cases including apicectomy, involving 6 or more intra-oral films;<br>(*b*) in orthodontic cases, involving 7 or more intra-oral films, or 3 or more extra-oral films, or 3 or more intra-oral films together with 3 or more extra-oral films;<br>(*c*) in cases including root treatment, involving 5 or more intra-oral films;<br>(*d*) in any other cases, involving 4 or more intra-oral films, or 2 or more extra-oral films, or 3 or more intra-oral films together with one or more extra-oral films. |
| II. Conservative Treatment | 3 | Scaling and gum treatment where the last course of treatment in respect of which provision was made for payment under item 3 to the same practitioner† commenced at any time during any of the 5 months preceding the month in which the further treatment is to be done. |

†Reference in this Schedule to dental treatment by the same practitioner shall include also dental treatment by his principal or the partner of either, or by the assistant of any of them and where the practitioner is employed by a body corporate shall include treatment by another employee of that body.

| A<br>Category and Item No. in Scale of Fees | | B<br>Item of Treatment |
|---|---|---|
| | 3(*b*) | Scaling and gum treatment to be followed by extraction of the teeth charted for scaling, gum treatment and extraction during the same course of treatment. |
| | 5 | Periodontal treatment other than treatment provided under items 3 and 4. |
| | 8 | Gold fillings. |
| | 9 | Inlays (other than the provision of one compound metal inlay involving the incisal angle of an incisor or canine tooth, where only one inlay is required during the same course of treatment, and other than renewal of a facing under item 9(*c*) or refixing or recementing an inlay under item 9(*d*)). |
| | 10 | Crowning of permanent teeth (other than, where only one crown is required during the same course of treatment, the provision under item 10(*d*)(i) or (iii) of one porcelain jacket crown on a vital incisor or canine tooth for a patient aged 16 years or over, or the provision under item 10(*f*)(i) or (ii) of one synthetic resin post or dowel crown with or without diaphragm, and other than refixing or recementing a crown). |
| III. Surgical Treatment | 11 | Extractions (*a*) necessitating the supply of dentures for a patient aged less than 21 years, or (*b*) comprising part of a course of orthodontic treatment. |
| | 12 | Alveolectomy; removal of a cyst, buried root, impacted tooth, etc.; surgery on soft tissue. |
| | 13(*a*)(iii) | Administration of an anaesthetic in connection with treatment under item 11, where special difficulties arise owing to the medical condition of the patient and the anaesthetic is to be administered by a doctor or dentist other than the dentist carrying out the extraction. |
| | 13(*b*) | General anaesthetic adminstered in connection with items 5, 7(*c*) and 12 of the scale of fees. |

| A Category and Item No. in Scale of Fees | | B Item of Treatment |
|---|---|---|
| IV. Dentures, bridges and special appliances. | 14, 19(*a*) | Provision of dentures (other than (*a*) the provision of dentures in vulcanite or synthetic resin carrying one or more incisor or canine teeth or 4 or more pre-molar or molar teeth, necessitated by the extraction during the same course of treatment of a tooth or teeth of a patient aged 21 years or more, or (*b*) the replacement of dentures, except where free replacement is sought in cases of loss or damage or where dentures in vulcanite or synthetic resin are to be replaced by dentures in other materials). |
| | 15(*a*)(ii) | Relining of dentures in vulcanite or synthetic resin accompanied by repairs and/or additions. |
| | 15(*b*) | Addition of soft lining or soft partial lining to a new or existing vulcanite or synthetic resin denture where this is required on account of the abnormal anatomical condition of the patient's alveolus. |
| | 15(*c*) | Replacement or refitting of soft lining or soft partial lining which has been provided on account of the abnormal anatomical condition of the patient's alveolus. |
| | 18 | Backing or posting and tagging of teeth on non-metallic based dentures. |
| | 19(*b*) | Repairs to metal dentures at a cost of more than £1 18s. 0d. |
| | 19(*c*) | Additions to metal dentures. |
| | 20 | Bridges. |
| | 21(*a*) | Provision of obturators. |
| | 21(*b*) | Repairs to obturators at a cost of more than £1 18s. 0d. |
| | 21(*c*) | Treatment involving splints or other appliances, except repairs at a cost of not more than £1 18s. 0d. |
| V. Treatment special to children. | 22(*c*)(i) | Conservation by preparation of self-cleansing areas followed by applications of silver nitrate or similar medicaments where the treatment occurs within 12 months of similar |

| A<br>Category and Item No. in Scale of Fees | | B<br>Item of Treatment |
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| | | treatment to the same surface by the same practitioner.† |
| | 22(*c*)(ii) | Conservation by topical applications of obtundents and coagulants where the treatment occurs within 12 months of similar treatment by the same practitioner.† |
| | 23(*a*)(i) | Removal of calculus and other deposits from the teeth of children aged 9 years or over at the beginning of a course of treatment where the last course of treatment in respect of which provision was made for payment under item 23(*a*) or (*b*) to the same practitioner† commenced at any time during any of the 5 months preceding the month in which the further treatment is to be done. |
| | 23(*a*)(ii) | Removal of calculus and other deposits from the teeth of children under the age of 9 years at the beginning of a course of treatment. |
| | 23(*b*) | Removal of calculus where in exceptional cases it is present to an abnormal degree. |
| | 23(*c*) | Removal of stain where the last course of treatment in respect of which provision was made for payment to the same practitioner† commenced at any time during any of the 11 months preceding the month in which the further treatment is to be done. |
| | 24(*a*) | Orthodontic treatment other than repairs to orthodontic appliances. (See item 11.) |
| VI. General Items | 29 | Any treatment not included in items 1–28 of the scale of fees." |

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

St. Andrew's House,
Edinburgh, 1.
22nd June 1967.

†Reference in this Schedule to dental treatment by the same practitioner shall include also dental treatment by his principal or the partner of either, or by the assistant of any of them and where the practitioner is employed by a body corporate shall include treatment by another employee of that body.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations amend the National Health Service (General Dental Services) (Scotland) Regulations 1966 by providing for a new Schedule 2, incorporating changes to the list of items of treatment which dentists may provide under the general dental services only with the prior approval of the Scottish Dental Estimates Board. Minor amendments are also made in the provisions dealing with the sums payable in respect of more expensive dental appliances and special dental treatment (regulation 27(2)), the acceptance of fees or remuneration by practitioners (paragraph 6(2) of Schedule 1, Part I) and the employment of assistants (paragraph 12(3) of Schedule 1, Part I).