STATUTORY INSTRUMENTS

1965 No. 1994

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The National Health Service (General Medical and Pharmaceutical Services) Amendment Regulations 1965

Made - - - -	23*rd November* 1965
Laid before Parliament	30*th November* 1965
Coming into Operation	1*st December* 1965

The Minister of Health, in exercise of the powers conferred on him by Sections 33, 38, 39 and 74 of the National Health Service Act 1946(**a**), as amended by the National Health Service (Amendment) Act 1949(**b**) and of all other powers enabling him in that behalf, hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the National Health Service (General Medical and Pharmaceutical Services) Amendment Regulations 1965, and shall come into operation on 1st December 1965.

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

2. The National Health Service (General Medical and Pharmaceutical Services) Regulations 1962(**d**) shall be amended as follows:—

(1) After paragraph (3) of regulation 13 (which provides for the preparation of the allocation scheme) there shall be inserted the following paragraph :

" (3A) Without prejudice to any provision in the allocation scheme permitting larger lists of patients—

(*a*) where following the death or retirement of a partner, or the cessation of employment of an assistant, a practitioner has more than the number of patients on his list allowed by the allocation scheme and actively seeks a new partner or assistant, the Council may, on his undertaking not to accept further patients other than children of existing patients, permit him to retain, during the remainder of the quarter in which the event occurred and in the next ensuing quarter, not more than the number of patients on his list at the date of the event ;

(*b*) where following the creation of a partnership of which he is a member a practitioner has more than the number of patients on his list allowed by the scheme, the Council may permit him to retain, for such period not exceeding nine months after the date of commencement of the partnership as they may determine, not more than the number of patients on his list at such date.

For the purposes of this paragraph " quarter " means a period of three months ending 31st March, 30th June, 30th September, or 31st December."

(a) 9 & 10 Geo. 6. c. 81.
(b) 12, 13 & 14 Geo. 6. c. 93.
(c) 52 & 53 Vict. c. 63.
(d) S.I. 1962/2248 (1962 III, p. 3092).

(2) After paragraph (3) of regulation 17 (which regulation provides for arrangements for temporary residents) there shall be added the following paragraph:—

"(4) A person who—

(*a*) normally resides in a school or similar institution but is temporarily residing at home, or

(*b*) normally resides at home but is temporarily residing in any institution,

and who is on the list of a practitioner providing general medical services in the district of his temporary residence may, if requiring treatment when temporarily residing at home or in any institution, apply to another practitioner providing services in that district to be accepted by him as a temporary resident. For the purposes of this provision temporary residence extending beyond 3 months shall cease to be regarded as temporary and the person shall thereupon be removed from the list of the first-named practitioner."

(3) For regulation 18(4) (which regulation provides for the removal of certain patients from a doctor's list) there shall be substituted the following:—

"(4) Where such a person leaves the United Kingdom with the intention of being away for a period of three months or is in Her Majesty's Forces or is in process of serving a prison sentence or sentences totalling in the aggregate more than two years, he shall be removed from the practitioner's list from the date on which the Council first received notification of such departure, enlistment or imprisonment."

(4) For paragraph 2(*f*) of Part II of Schedule 1 (which paragraph provides for additional payments to practitioners) there shall be substituted the following sub-paragraph:—

"(*f*) payment in respect of rural practice;"

(5) After paragraph 2(i) of Part II of Schedule 1 there shall be added the following sub-paragraph:—

"(*j*) payment in respect of the improvement of practice premises."

The word "and" at the end of paragraph 2(*h*) shall be deleted and inserted at the end of paragraph 2(*i*).

(6) In the proviso to paragraph 4 of Part III of Schedule 1, immediately after the words "the limiting number" there shall be inserted the following words:—

"or shall not exceed the total amount which the Council may permit under the provisions of regulation 13(3A) of these regulations (which amount is also referred to hereinafter as "the limiting number")".

(7) In Appendices A and B to Part III of Schedule 1 (which appendices prescribe claim forms in respect of emergency treatment) immediately before the word "signed" there shall be inserted the following words:—

"* I claim a rural practice payment. The distance from my main surgery to the place where the service was rendered is ..... miles."

and at the end of each form there shall be added the words—

"* Delete if inapplicable. If you wish to claim for units other than ordinary distance, you should inform the Executive Council."

(8) In Appendix D to the said Part III (which appendix prescribes the form of notification of treatment of a temporary resident) for the words "If doctor claims mileage he should enter mileage distance here." there shall be substituted the words "If the doctor claims a rural practice payment he should enter the distance from his main surgery to the patient's temporary residence: ..... miles."

(9) In Part I of Schedule 3 (which part contains a list of prescribed appliances)—

(*a*) "Connections" and "Pinchcocks" shall be deleted,

(*b*) for the words "Vaccination shields and pads" there shall be substituted the words "Vaccination pads", and

(*c*) immediately after the word "Masks" there shall be inserted the words "Metatarsal pads".

(10) For Part II of Schedule 3 (which part contains a list of prescribed chemical reagents) there shall be substituted the following part:—

"PART II

LIST OF PRESCRIBED CHEMICAL REAGENTS

Benedict's Solution (Qualitative)	Indicators required for measurement of *p*H of urine
Compounds required for oral administration for the purpose of cholecystographic examination	Litmus Papers
Diagnostic Nitroprusside Tablets	Phenylketonuria Detection Strips
Diagnostic solution-tablets of Copper	Proteinuria Detection Strips
Fehling's Solution	Rothera's Reagent
Gerhardt's Reagent	Strong Solution of Ammonia
Glycosuria Detection Strip	

"

(11) For sub-paragraph (1) of paragraph 3 of Part I of Schedule 4 (which paragraph deals with the provision of pharmaceutical services) there shall be substituted the following sub-paragraph:—

"3.—(1) A chemist shall supply with reasonable promptness to any person who presents an order for drugs or appliances on a prescription form provided for the purpose by a Council and signed by a practitioner on the medical list of a Council or by his deputy or assistant such drugs as may be so ordered and such of the appliances so ordered as he supplies in the normal course of his business.

(2) A chemist shall not supply pharmaceutical services except on an order on such a signed prescription form:

Provided that where a practitioner personally known to the chemist requests him by telephone or in writing to dispense a drug in a case of urgency before a prescription form is issued and undertakes to furnish him within 24 hours with a signed prescription form therefor, the chemist may supply the drug prior to receiving the form."

(12) Sub-paragraph (2) of paragraph 3 of Part I of Schedule 4 shall be renumbered (3), and there shall be inserted thereafter the following sub-paragraph:—

"(4) Subject to the provisions of any regulations in force under section 10(7) of the Weights and Measures Act 1963(a), any supply under this paragraph shall conform to the requirements of the order on the prescription form."

(13) Sub-paragraphs (3), (4) and (5) of paragraph 3 of Part I of Schedule 4 shall be respectively renumbered (5), (6) and (7).

(14) In paragraph 4(2)(*b*) of Part I of Schedule 4 (which paragraph provides for the hours of opening of pharmacies) the words after "indicating" shall be deleted and there shall be substituted the following words:—

"the addresses of other registered pharmaceutical chemists and authorised sellers of poisons in the neighbourhood whose places of business are required to be open in accordance with the said scheme at times when his place of business is not so required, and the times at which they are so open."

(15) After paragraph 5 of Part I of Schedule 4 (which paragraph makes provision for the dispensing of medicines) there shall be inserted the following paragraph:—

"*Fitting of Appliances*

5A.—(1) Subject to paragraph 3(1) of this Part, a chemist shall make all necessary arrangements—

(*a*) for measuring a person who presents an order for a truss or other appliance of a type requiring measuring and fitting by the chemist, and

(*b*) for fitting the appliance.

(2) He shall be readily available to make all necessary adjustments to the appliance and shall make such adjustments with reasonable promptness."

(16) In Schedule 5 (which contains a list of prescribed medical certificates required under or for the purpose of certain enactments)—

(*a*) opposite items 2 and 3, there shall be added to the list of enactments "Home Guard Act 1951 (15 Geo. 6. c. 8.).";

(*b*) item 5 (To obtain permission to import foreign drugs and appliances) shall be deleted; and

(*c*) opposite item 12 there shall be added to the list of enactments "Army Reserve Act 1962 (10 & 11 Eliz. 2. c. 10).".

Given under the official seal of the Minister of Health on 23rd November 1965.

(L.S.)

Kenneth Robinson,
Minister of Health.

(a) 1963 c. 31.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the National Health Service (General Medical and Pharmaceutical Services) Regulations 1962. The main amendments:—

(1) provide that a doctor may—

(*a*) with the permission of the Executive Council retain in special cases a larger list of patients than permitted by the allocation scheme (regulation 2(1) and (6));

(*b*) accept as temporary residents certain persons already on the lists of other doctors in the same area (regulation 2(2));

(*c*) receive additional payments when engaged in rural practice, subject to the completion of amended claim forms in special cases (regulation 2(4), (7) and (8));

(*d*) receive payment in respect of the improvement of practice premises (regulation 2(5));

(2) amend the list of appliances and chemical reagents which may be supplied or prescribed and the list of medical certificates which a doctor must supply free of charge (regulation 2(9), (10) and (16));

(3) modify the requirements placed on a chemist in his terms of service

(*a*) in respect of the supply of drugs and appliances (regulation 2(9), (10), (11), (12) and (15)); and

(*b*) in respect of exhibiting the names and addresses of other chemists whose premises are open when his are closed (regulation 2(14));

(4) provide for the removal from a doctor's list of a person serving a prison sentence or sentences totalling in aggregate more than two years (regulation 2(3)).