WELSH STATUTORY INSTRUMENTS

2008 No. 1329 (W.138)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Medical Services Contracts) (Wales) (Amendment) Regulations 2008

Made - - - -	*19 May 2008*
Laid before the National Assembly for Wales - -	*21 May 2008*
Coming into force - -	*16 June 2008*

The Welsh Ministers, in exercise of the powers conferred by sections 47(1) and 203(9) and (10) of the National Health Service (Wales) Act 2006(**1**) hereby make the following Regulations:

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the National Health Service (General Medical Services Contracts) (Wales) (Amendment) Regulations 2008.

(2) These Regulations come into force on 16 June 2008.

(3) These Regulations apply in relation to Wales.

(4) In these Regulations "the principal Regulations" means the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004(**2**).

Amendment of regulation 2 of the principal Regulations

2. In regulation 2(1) (interpretation) of the principal Regulations, insert the following definitions in the appropriate place in the alphabetical order—

""home oxygen order form" means a form provided by a Local Health Board and issued by a health care professional to authorise a person to supply home oxygen services to a patient requiring oxygen therapy at home;

"home oxygen services" means any of the following forms of oxygen therapy or supply—

(a) ambulatory oxygen supply,

(b) urgent supply,

(c) hospital discharge supply,

(**1**) 2006 c. 42.
(**2**) S.I.2004/478 (W.48).

(d) long term oxygen therapy, and

(e) short burst oxygen therapy;".

Amendment of Schedule 6 to the principal Regulations

3.—(1) Schedule 6 (other contractual terms) to the principal Regulations is amended in accordance with the following provisions of this regulation.

(2) for paragraph 38 (prescribing), substitute—

"**38.** The contractor shall ensure that—

(a) any prescription form or repeatable prescription for drugs, medicines or appliances issued by a prescriber; and

(b) any home oxygen order form issued by a health care professional,

complies as appropriate with the requirements in paragraphs 39, and 41 to 44.";

(3) In paragraph 39 (which relates to prescribing)—

(a) in sub-paragraph (1), after "Subject to" insert "sub-paragraph (1A) and to";

(b) after sub-paragraph (1), insert—

"(1A) A health care professional shall order any home oxygen services which are needed for the treatment of any patient who is receiving treatment under the contract by issuing a home oxygen order form."; and

(c) after sub-paragraph (3), insert—

"(3A) A home oxygen order form shall be signed by a health care professional.";

(4) for paragraph 65 (signing of documents), substitute—

"**65.**—(1) In addition to any other requirements relating to such documents whether in these regulations or otherwise, the contractor shall ensure—

(a) that the documents specified in sub paragraph (2) include—

(i) the clinical profession of the health care professional who signed the document; and

(ii) the name of the contractor on whose behalf it is signed; and

(b) that the documents specified in sub-paragraph (3) include the clinical profession of the health care professional who signed the document.

(2) The documents referred to in sub-paragraph (1)(a) are—

(a) certificates issued in accordance with regulation 21, unless regulations relating to particular certificates require otherwise; and

(b) any other clinical documents, apart from those documents specified in sub-paragraph (3).

(3) The documents referred to in sub-paragraph (1)(b) are batch issues, prescription forms, repeatable prescriptions and home oxygen order forms.".