OFFERYNNAU STATUDOL CYMRU

# 2003 Rhif 138 (Cy.10)

# Y GWASANAETH IECHYD GWLADOL, CYMRU

## Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) a (Ffioedd Deintyddol) (Diwygio) (Cymru) 2003

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| *Wedi'u gwneud* | - - | *28 Ionawr 2003* |
| *Yn dod i rym* | - - | *1 Chwefror 2003* |

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 15(1), 35(1), 36(1), 79(1), 79A a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(**1**) drwy hyn yn gwneud y Rheoliadau canlynol:

**Enwi, cychwyn, dehongli a chymhwyso**

**1.**—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) a (Ffioedd Deintyddol) (Diwygio) (Cymru) 2003 a deuant i rym ar 1 Chwefror 2003.

(2) Yn y Rheoliadau hyn —

"Rheoliadau 1992" ("*the 1992 Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) 1992(**2**);

"Rheoliadau 1989" ("*the 1989 Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Ffioedd Deintyddol) 1989(**3**).

(3) Bydd y Rheoliadau hyn yn gymwys i Gymru yn unig.

(**1**) 1977 p.49 ("Deddf 1977"); *gweler* adran 128(1) fel y'i diwygiwyd gan Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19) ("Deddf 1990"), adran 26(2)(g) ac (i) am ddiffiniadau "prescribed" a "regulations". Diwygiwyd adran 15(1) gan Ddeddf 1990 Act, adran 12(1)(b) a chan Ddeddf Awdurdodau Iechyd 1995 (p.17) ("Deddf 1995"), adran 2(1) ac Atodlen 1, paragraff 6. Cafodd adran 35(1) ei hamnewid gan OS 1985/39, erthygl 7(9), a'i diwygio gan Ddeddf 1995, adran 2(1) ac Atodlen 1, paragraff 24. Cafodd adran 36(1) ei Rhif o felly gan Ddeddf Iechyd a Nawdd Cymdeithasol 1984 (p.48), adran 5(4) ac Atodlen 3, paragraff 5 a'i diwygio gan O.S. 1981/432, erthygl 3(3)(a); gan O.S. 1984/39, erthygl 7(10); gan Ddeddf Iechyd a Meddyginiaethau (p.49) ("Deddf 1988"), adran 25 ac Atodlen 2, paragraff 4; gan Ddeddf 1990, adran 24 a chan Ddeddf 1995, adran 2 ac Atodlen 1, paragraff 25(a). Mewnosodwyd adrannau 79(1) a 79A gan Ddeddf 1988, adran 11(3). Diwygiwyd adran 126(4) gan Ddeddf 1990, adran 65(2) a chan Ddeddf Iechyd 1999 (p.9) ("Deddf 1999"), adran 65(1) ac Atodlen 4, paragraff 37. Trosglwyddir swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 15(1), 35(1), 36(1), 79(1), 79A a 126(4) o Ddeddf 1977 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999, O.S. 1999/672, erthygl 2, fel y'i diwygiwyd gan adran 66(5) o Ddeddf 1999.

(**2**) O.S. 1992/661; OS 1992/1509 a 2001/2706 a 4000 yw'r offerynnau diwygio perthnasol.

(**3**) O.S. 1989/394; OS 1998/2221 a 2001/1359 yw'r offerynnau diwygio perthnasol.

**Diwygio rheoliad 9 o Reoliadau 1992**

**2.** Yn rheoliad 9 o Reoliadau 1992 (tynnu oddi ar restr ddeintyddol ar sail oedran) —

(a) yn lle paragraff (1) rhowch —

"(1) A Health Authority shall, on 1st April in 2003 and in each successive year thereafter, remove from the dental list the name of any dentist included in the list who has attained the age of 70 years, during the period of 12 months ending on the 1st April in that year.";

(b) hepgorwch baragraff (2);

(c) yn lle'r geiriau "paragraph (1) or (2)" ym mhob man y'u ceir ym mharagraffau (3) a (4) rhowch y geiriau "paragraph (1)".

**Diwygio Atodlen 1 i Reoliadau 1992**

**3.** Yn Atodlen 1 i Reoliadau 1992 (telerau gwasanaeth i ddeintyddion), yn lle paragraff 17 (triniaeth achlysurol) rhowch —

"**17.**—(1) Whether or not a patient has entered into a continuing care arrangement or capitation arrangement with another dentist, a dentist who is not acting on behalf of that dentist may provide any of the items listed in sub-paragraph (2) as occasional treatment.

(2) For the purposes of sub-paragraph (1) the listed items are—

(a) the assessment of, and giving of advice to, a patient,

(b) the issuing of a prescription,

(c) a radiographic examination and radiological report,

(d) the dressing of deciduous or permanent teeth and other palliative treatment,

(e) the repair and fixing of inlays, crowns and bridges,

(f) the extraction of deciduous or permanent teeth,

(g) the provision of post-operative care,

(h) the provision of sedation,

(i) the provision, replacement, repair or alteration of dentures or other dental appliances,

(j) urgent treatment for acute conditions of the gingivae or oral mucosa, including treatment for pericoronitits or for ulcers and herpetic lesions, and any necessary oral hygiene instruction in connection with such treatment,

(k) any treatment immediately necessary as a result of trauma,

(l) domiciliary visits and recalled attendance,

(m) conservative treatment of permanent or retained deciduous teeth, by way of fillings or root fillings, and

(n) in respect of patients under 18, conservative treatment of deciduous teeth.

(3) Where the dentist, due to any cause beyond his control, is unable to complete a course of occasional treatment which he has commenced, the dentist shall forthwith notify the Board in writing of the extent of the occasional treatment he has provided and the reason why he is unable to complete the remainder of the treatment.

(4) Subject to sub-paragraphs (5) and (6), where a dentist has provided conservative treatment by way of any filling or root filling in accordance with sub-paragraph 2(m), the dentist shall repair or replace the filling in question at no charge to the patient.