STATUTORY RULES OF NORTHERN IRELAND

1999 No. 60

HEALTH AND PERSONAL SOCIAL SERVICES

The Health and Personal Social Services (Fund-holding Practices) (Amendment) Regulations (Northern Ireland) 1999

Made - - - -	*16th February 1999*
Coming into operation	*1st April 1999*

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 17(2) and (3), 18(4) and 19 of the Health and Personal Social Services (Northern Ireland) Order 1991(**1**) and of all other powers enabling it in that behalf hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Personal Social Services (Fund-holding Practices) (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation on 1st April 1999.

(2) In these Regulations, "the principal Regulations" means the Health and Personal Social Services (Fund-holding Practices) Regulations (Northern Ireland) 1993(**2**).

Amendment of regulation 1 of the principal Regulations

2.—(1) Regulation 1 of the principal Regulations (citation, commencement and interpretation) is amended as follows.

(2) In paragraph (2), in the appropriate position in alphabetic order, insert—

""the 1997 Order" means the Health Services (Primary Care) (Northern Ireland) Order 1997(**3**);";

""personal medical services" has the meaning given to it in Article 3(7) of the 1997 Order;";

""pilot scheme" has the meaning given to it in Article 3 of the 1997 Order;"; and

""pilot scheme provider" means a person, other than a Health and Social Services Board, who is a party to a pilot scheme.".

(**1**) S.I.1991/194 (N.I. 1) – as amended by S.I. 1994/429 (N.I. 2) and S.I. 1997/1177 (N.I. 7)
(**2**) S.R. 1993 No. 142 – as amended by S.R. 1996 No. 131, S.R. 1997 No. 184 and S.R. 1998 No. 323
(**3**) S.I. 1997/1177 (N.I. 7)

(3) In paragraph (4), after "medical list" insert "in which he is included or (in the case of a medical practitioner who is not included in a medical list but who performs personal medical services under a pilot scheme) to the address of the pilot scheme provider given in the pilot scheme".

Amendment of regulation 8 of the principal Regulations

3. In regulation 8(**4**) of the principal Regulations (withdrawal or death of a member of a fund-holding practice), in paragraph (5)(a), after the words "Health and Social Services Board" insert "or to perform personal medical services under a pilot scheme to which the Health and Social Services Board is a party,".

Amendment of regulation 16 of the principal Regulations

4.—(1) Regulation 16 of the principal Regulations (payment for drugs, medicines and listed appliances) is amended as follows.

(2) Before paragraph (1) insert—

"(A1) This regulation does not apply to members of a standard fund-holding practice or community fund-holding practice(**5**) who perform personal medical services under a pilot scheme, and—

(a) the pilot scheme makes provision for the cost (however calculated) of the drugs, medicines and listed appliances supplied pursuant to orders given by or on behalf of members of the practice to be deducted from the net consideration payable under the pilot scheme to the provider, or accounted for in some other way; or

(b) under which there are to be provided services which are not personal medical services but which are services which may be provided by virtue of Article 3(3) of the 1997 Order (other than the provision of drugs, medicines or listed appliances for immediate treatment or by way of personal administration or application).".

Amendment of regulation 19 of the principal Regulations

5. For regulation 19(A1)(**6**) of the principal Regulations (payments to staff) substitute—

"(A1) This regulation does not apply to—

(a) the members of a GP commissioning group; or

(b) the members of a standard fund-holding practice or community fund-holding practice who perform personal medical services under a pilot scheme which makes provision for the cost (however calculated) of payments to staff to be included in the consideration payable under the pilot scheme to the provider.".

Amendment of Schedule 1 to the principal Regulations

6. In Schedule 1 to the principal Regulations (conditions for obtaining recognition), after paragraph 6(**7**) add—

"**7.** In the case of members of a practice who provide or perform personal medical services under a pilot scheme—

(**4**) Regulation 8 was substituted by regulation 4 of S.R. 1996 No. 131 and amended by regulation 6 of both S.R. 1997 No. 184 and S.R. 1998 No. 323
(**5**) Definitions inserted by regulation 2 of S.R. 1997 No. 184
(**6**) Paragraph (A1) was inserted by regulation 12 of S.R. 1998 No. 323
(**7**) Paragraph 6 was substituted by regulation 14 of S.R. 1996 No. 131