STATUTORY RULES OF NORTHERN IRELAND

2014 No. 3

HEALTH AND PERSONAL SOCIAL SERVICES

The General Dental Services (Amendment) Regulations (Northern Ireland) 2014

Made - - - -	*8th January 2014*
Coming into operation	*31st March 2014*

The Department of Health, Social Services and Public Safety(**1**), in conjunction with the Department of Finance and Personnel, makes the following Regulations in exercise of the powers conferred by Article 61(1), (2) and (2AA), 106 and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(**2**).

In accordance with Article 61(4) of that Order, the Department has consulted with such organisations as appear to be representative of the dental profession.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the General Dental Services (Amendment) Regulations (Northern Ireland) 2014 and shall come into operation on 31st March 2014.

(2) In these Regulations "the principal Regulations" means the Health and Personal Social Services General Dental Services Regulations (Northern Ireland) 1993(**3**).

Amendment of the principal regulations

2.—(1) The principal Regulations are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2 (interpretation)—

(a) in the definition of "approved trainer" after the words "a dental list" insert "or pilot performers list";

(b) in the appropriate place insert ""pilot performers list" means a list, prepared and maintained by the Board in accordance with Directions given by the Department under Article 8(1) of the 1997 Order, of dentists who perform personal dental services under a pilot scheme;".

(**1**) See S.I. 1999/283 (N.I. 1) Article 3 (6)
(**2**) S.I. 1972/1265 (N.I. 14); relevant amending Instruments are Article 13 of S.I. 1978/1907 (N.I. 26), Articles 30, 34, 35 of, and Part 1 of Schedule 5 to, and Part 1of Schedule 6 to, S.I. 1991/ 194 (N.I. 1) and S.I. 1997/1177 (N.I. 7)
(**3**) S.R. 1993 No. 326; relevant amending Regulations are S.R. 1998 No. 245, S.R 1999 No. 100, S.R. 2001 Nos. 2, 89 and 309, S.R. 2002 No. 171, S.R. 2003 No. 325, S.R. 2005 No. 311 and S.R. 2007 No. 392

(3) After regulation 20(6) (approval of payments) insert—

"(6A) Subject to paragraphs (6B) and (7), in the case of orthodontic care and treatment the RBSO shall make the payments which, in accordance with the Scale of Fees, fall to be made by it for the provision of orthodontic care and treatment where it is satisfied—

(a) orthodontic care and treatment has been provided to a patient who has been assessed as having a treatment need—

(i) in grade 4 or 5 of the Dental Health Component of the Index of Orthodontic Treatment Need(**4**); or

(ii) in grade 3 of the Dental Health Component of that Index with an aesthetic Component of 6 or above; or

(b) prior approval has been granted for the orthodontic care and treatment as required by virtue of paragraph 2 of Schedule 5.

(6B) In the case of orthodontic care and treatment no payments shall be made by the RBSO unless the diagnosed Index of Orthodontic Treatment Need rating is recorded and reported including the sub-classification of the Dental Health Component."

(4) In Part II of Schedule 5 (prior approval treatment), for paragraph 2 substitute—

"(2) Any orthodontic care and treatment to be provided by that dentist, to a person who is assessed by the dentist as having a treatment need which is not in—

(a) grade 4 or 5 of the Dental Health Component of the Index of Orthodontic Treatment Need; or

(b) grade 3 of the Dental Health Component of that Index with an Aesthetic Component of 6 or above,

but the dentist is of the opinion that orthodontic care and treatment should be provided to that person because of the exceptional circumstances of the dental and oral condition of that person."

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 8 January 2014

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L.S.

Heather Stevens
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Social Services and Public Safety

(**4**) Information on the Index of Orthodontic Treatment Need is available from the British Orthodontic Society at www.bos.org.uk