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HEALTH SERVICES

Maternity Medical Services

REGULATIONS, DATED 19TH OCTOBER 1966, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE HEALTH SERVICES ACTS (NORTHERN IRELAND) 1948 TO 1963.

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The Ministry of Health and Social Services, in exercise of the powers conferred on it by Section 4 of the Health Services (Amendment) Act (Northern Ireland) 1963(**a**) and of all other powers enabling it in that behalf, and in conjunction with the Ministry of Finance, hereby makes the following Regulations:—

Short title and commencement

1. These Regulations may be cited as the Health Services (Maternity Medical Services) Regulations (Northern Ireland) 1966 and shall come into operation on 1st January 1967.

Interpretation

2. In these Regulations the following expressions have the respective meanings hereby assigned to them:—

"the Act" means the Health Services Act (Northern Ireland) 1948(**b**);

"appropriate organisations" means such organisations as the Minister may decide;

"area of practice" in relation to a practitioner means his normal area of practice as indicated by him in his form of application for inclusion in the relevant obstetric list or any revision of such area of practice as later notified by him to the health authority concerned;

"assistant" means a practitioner who acts as an assistant to a practitioner;

"Central Medical Committee" means the Committee appointed under Regulation 12 of the Health Services (Services Committee) Regulations (Northern Ireland) 1948(**c**);

"the General Service Regulations" means the Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1956(**d**);

"maternity medical services" means the provision by a practitioner under Section 38(2)(*b*) of the Act, of personal medical services (other than services which involve the application of special skill or experience of a degree or kind which general practitioners as a class cannot reasonably be expected to possess) in respect of pregnancy, confinement and the post-natal period in accordance with such arrangements and subject to such conditions as may be determined by the Ministry after consultation with appropriate organisations, including an organisation representing the medical profession;

"medical card" means a card issued to a person, in a form approved by the Ministry, for the purpose of enabling that person to obtain or establish a title to receive general medical services under the General Service Regulations and shall include any card provided for a like purpose in Great Britain, the Isle of Man or the Channel Islands;

"practitioner" means a registered medical practitioner whose name is included in an obstetric list.

(**a**) 1963. c. 20.
(**b**) 1948. c. 3.
(**c**) S.R. & O. (N.I.) 1948, No. 164.
(**d**) S.R. & O. (N.I.) 1956, No. 150.

Termination of existing contracts

3. On the coming into operation of these Regulations each health authority shall take such steps as may be necessary to terminate existing contracts with registered medical practitioners for the provision of services under Section 38(2)(*b*) of the Act.

Obstetric Committee

4.—(1) The Ministry shall appoint, in accordance with Schedule 1, a committee to be known as the Obstetric Committee.

(2) The Obstetric Committee shall, having regard to any general criteria drawn up for its guidance by the Ministry in consultation with appropriate organisations, determine the conditions which are necessary for the inclusion and for the continued inclusion of a registered medical practitioner in an obstetric list as defined in Regulation 5 and shall send copies of such conditions to each health authority.

(3) Copies of the conditions referred to in paragraph (2), revised and up-to-date, shall be available for inspection at the offices of each health authority and at such other places as appear to the health authority to be convenient for informing all persons interested.

(4) It shall be the duty of the Obstetric Committee to examine and determine all applications and cases referred to it by a health authority under Regulation 6(4) and Regulation 7(2).

Obstetric lists

5.—(1) Each health authority shall prepare a list, to be called "the obstetric list", of the registered medical practitioners who, having made the necessary application, are accepted for inclusion in the list.

(2) The obstetric list shall contain in addition to the name of a practitioner—

(*a*) the address of any surgery and other place or places at which he provides maternity medical services;

(*b*) particulars of the days and hours at which he undertakes to be in attendance at each place, or a statement to the effect that consultation will be by appointment;

(*c*) the name of any practitioner with whom he is in partnership;

(*d*) the name of any practitioner who is acting as his assistant;

(*e*) where he is acting as an assistant, the name and surgery address of the principal;

and may, if the health authority think fit, be so arranged as to show the area of practice of each practitioner.

(3) Copies of the obstetric list shall be available for inspection at the offices of the appropriate health authority and at such other places as appear to the health authority to be convenient for informing all persons interested and shall be kept revised and up-to-date.

(4) Each health authority shall send a copy of their obstetric list to the Ministry and to the Obstetric Committee and shall within one month thereof inform each of them of any alterations which may from time to time be made therein.

(5) Each health authority shall also send a copy of their obstetric list to each practitioner on that list, each of the other health authorities, the Central Medical Committee, the appropriate Local Medical Committee, the Local

Pharmaceutical Committee, the Board, and the Authority, and at intervals of not more than three months shall notify them of any alterations in the list.

Admission to an obstetric list

6.—(1) Application by a registered medical practitioner for inclusion in an obstetric list shall be made by delivering or sending an application by post to the appropriate health authority in the form set out in Schedule 2.

(2) Subject to Regulation 8 any registered medical practitioner who on the date of coming into operation of the Regulations is providing services on behalf of a health authority under Section 38(2)(*b*) of the Act shall, on making the necessary application, be included in the obstetric list of that authority for a period of five years from that date.

(3) A health authority shall examine each application submitted in accordance with paragraph (1) and, if satisfied that paragraph (2) applies or that the application complies with the conditions determined by the Obstetric Committee in accordance with Regulation 4(2), shall include the applicant in their list and notify him accordingly.

(4) Where a health authority are not satisfied that an application complies with the conditions determined by the Obstetric Committee in accordance with Regulation 4(2) they shall refer the application to the said Committee which shall examine the application, decide whether or not it should be granted, and if granted what restrictions if any should be imposed.

(5) The Obstetric Committee shall inform the health authority of its decision on any application referred to it in accordance with paragraph (4) and the health authority shall comply with the decision and notify the applicant accordingly.

(6) The decision of the Obstetric Committee on applications referred to it in accordance with paragraph (4) shall be final.

(7) If and when an applicant has been notified that his name has been included in an obstetric list he shall be deemed to be under contract with the health authority concerned and shall be bound by the terms of service contained in Schedule 3.

Review of obstetric lists

7.—(1) At the expiration of five years from the date of coming into operation of the Regulations and at intervals of five years thereafter, each health authority shall examine their obstetric list and, in every case in which they are satisfied that the conditions determined by the Obstetric Committee are complied with, shall notify the practitioner concerned that his name has been retained on the obstetric list.

(2) Where a health authority, on examination of their obstetric list in accordance with paragraph (1), are not satisfied that the conditions determined by the Obstetric Committee are complied with in the case of any practitioner, they shall refer the particulars to the Obstetric Committee which shall examine the particulars, decide whether or not the name of the practitioner concerned should be retained on the obstetric list and inform the health authority accordingly. The health authority shall comply with the decision of the Obstetric Committee and shall inform the practitioner thereof.

(3) In any case referred to it under paragraph (2) the decision of the Obstetric Committee as to whether or not the name of a practitioner should be retained on the obstetric list shall be final.

(4) Where a health authority are satisfied that a practitioner has never provided or has ceased to provide maternity medical services they may remove his name from their obstetric list.

(5) Where a practitioner's name has been removed from an obstetric list in accordance with a decision of the Obstetric Committee under paragraph (2), or in pursuance of paragraph (4), his contract with the health authority concerned shall thereupon be terminated.

Disqualification for inclusion in an obstetric list

8. Where in accordance with Section 16 of the Act the name of a person has been excluded or removed from any list of medical practitioners referred to at Section 16(1)(*a*), Section 16(1)(*aa*) or Section 16(1)(*b*) or where his name has been excluded or removed from any corresponding list in Great Britain or the Isle of Man—

(*a*) his name shall be removed from any obstetric list in which it may be included and his contract with the health authority concerned shall thereupon be terminated;

(*b*) his name shall be excluded from any obstetric list so long as he remains disqualified for having his name included in any such list of medical practitioners as aforesaid.

Prohibition on the making of contracts otherwise than with a practitioner

9. A health authority shall not enter into a contract for the provision of services under Section 38(2)(*b*) of the Act with any medical practitioner whose name is not included in their obstetric list.

Selection of practitioner

10. Any person who holds a current medical card and who requires maternity medical services may, after diagnosis of pregnancy by a registered medical practitioner, apply for the provision of such services to any practitioner under contract for this purpose with the health authority for the area in which she resides. The application shall be in writing on a form provided by the appropriate health authority and issued by the practitioner.

Change of practitioner

11.—(1) On the removal of the name of a practitioner from an obstetric list, the health authority concerned shall give each person for whom he has undertaken to provide maternity medical services notice of her right to apply to another practitioner for the provision of such services in accordance with Regulation 10.

(2) Arrangements between a practitioner and any person for the provision of maternity medical services may be terminated at any time by mutual consent and the person may then make fresh arrangements in accordance with Regulation 10.

(3) In default of mutual consent as indicated in paragraph (2) either the practitioner or the person may apply to the health authority for permission to terminate the arrangements and, after considering any representations the practitioner and the person may make, the health authority may terminate the arrangements and give notice to the person of her right to make fresh arrangements in accordance with Regulation 10.