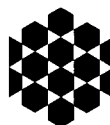


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Department of
**Health, Social Services
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An Roinn

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CIRCULAR NO. HSS(PCD) 6/2004

The Chief Executive of each Health and Social Services Board
The Chief Executive of the Central Services Agency
GMS Contractors

Copied for information to: Chair, GPC(NI)
Chair, BMA Council
Secretary, BMA(NI)
Chair of each Local Medical Committee
Chair, RCGP(NI)
Dr Agnes McKnight, NI Medical & Dental Training
Agency

27 May 2004

Dear Colleague

NEW GMS CONTRACT – REGULATIONS

1. In order to facilitate full implementation of the new GMS Contract, the Department has made a series of Regulations, based on those introduced elsewhere in the United Kingdom, which replace the Regulations which governed the former GMS arrangements.
2. The purpose of this Circular is to draw these Regulations to your attention and to provide a brief summary of what each provides. A copy of each set of Regulations is enclosed with this circular.

The Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004 S.R. 2004 No. 140

3. This key set of Regulations lays down the core terms of the new contract, as set out in the contract document “Investing in General Practice”. The provisions contained in the Regulations form the basis of the clauses in the



Standard Model Contract, which practices have signed. The Regulations came into operation on 29 March 2004.

The General Medical Services Transitional and Consequential Provisions (No. 1) (Northern Ireland) Order 2004 S.R. 2004 No. 141

4. The Order sets out transitional arrangements to provide for the move from the former GMS arrangements to general medical services contracts. It established the right of those providing GMS prior to 1 April 2004 to be offered either a general medical services contract or a default contract, and set out the requirements that would apply to the operation of default contracts. In the event, no default contracts were signed in Northern Ireland. The Order came into operation on 29 March 2004.
5. This Order also contains the important provision that claims under the former Statement of Fees and Allowances can continue to be submitted and paid. Article 42 of the Order contains this provision which stipulates that, unless required to be submitted within a period specified in the SFA, claims can continue to be submitted up to six years after the event. Although this period of time has been allowed for the making of claims in keeping with what was permitted under the old SFA, practices are nevertheless urged to submit any outstanding claims to the CSA as early as possible, given that there will be practicable problems for the Agency in continuing to run two payment systems. It will also be helpful to the Agency if, when submitting a claim, practices indicate whether or not further claims will be forthcoming.

The General Medical Services Transitional and Consequential Provisions (No. 2) (Northern Ireland) Order 2004 S.R. 2004 No. 156

6. This Order, which came into operation on 1 April 2004, makes further transitional provision in relation to the replacement of old GMS with general medical services contracts. In particular, the Order deals with matters which were still outstanding on 31 March 2004 under the 1997 General Medical Services Regulations, which have now been revoked. In most cases, it provides for those matters to be dealt with as part of the new contractual arrangements. The Order is also concerned with transitional arrangements in relation to the Health and Personal Social Services (Disciplinary Procedures) Regulations 1996, which have been amended so that they no longer apply to doctors. Provision is made for matters which are outstanding in relation to doctors under those Regulations on 31 March 2004 to be concluded.
7. Schedule 1 to the Order makes amendments to various Regulations as a consequence of the introduction of the new GMS Contract legislation, and at Schedule 2 lists the various Regulations which have now been revoked, including the 1997 GMS Regulations.

The Health and Personal Social Services (General Medical Services Contracts) (Prescription of Drugs, Etc) Regulations (Northern Ireland) 2004 S.R. 2004 No. 142

8. These Regulations list at Schedule 1 those drugs, medicines or other substances that may not be ordered for a patient under a general medical services contract. Schedule 2 to the Regulations specifies the drugs, medicines and other substances that may be ordered under a GMS contract in certain specified circumstances. These Schedules replace Schedules 10 and 11 to the 1997 GMS Regulations. The above Regulations came into operation on 1 April 2004. (Boards and the CSA have already received copies of these Regulations under cover of Circular HSS(PCD)4/2004, which was issued on 8 April.)

The Health and Personal Social Services (Primary Medical Services Performers Lists) Regulations (Northern Ireland) 2004 S.R. 2004 No. 149

9. These Regulations, which came into operation on 1 April 2004, introduce primary medical services performers lists in place of the former medical lists, and require Boards to maintain and publish such performers lists. The Regulations also provide that no general medical practitioner may perform primary medical services unless he/she is on the performers list of the Board (or Boards) in whose area those services are to be performed.
10. Guidance on these Regulations and the new listing arrangements will be issued separately, along with copies of the Regulations.

Action

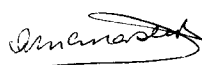
11. Boards, GMS contractors and other recipients of this guidance are asked to note that the above Regulations have been made by the Department and also note the matters that they cover.

Queries

12. Any queries about this Circular, or requests for further copies of the Regulations, should be addressed to:

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Yours sincerely



IVAN McMASTER