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STATUTORY INSTRUMENTS

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**2019 No. 1137**

**The National Health Service (General Medical Services Contracts and Personal Medical Services Agreements) (Amendment) Regulations 2019**

**PART 2**

**Amendment of the GMS Contracts Regulations**

**Amendment of regulation 71 of the GMS Contracts Regulations**

**8. In regulation 71 of the GMS Contracts Regulations (patient online services)(1)—**

(a) for paragraph (3) substitute—

“(3) A contractor must when complying with the requirements in paragraph (1)(a)—

(a) ensure that a minimum of 25% of its appointments per day during core hours are made available for online booking, whether or not those appointments are booked online, by telephone or in person, to include all appointments which must be made available for direct booking by NHS 111(2) in accordance with paragraph 11B of Part 1 of Schedule 3 to these Regulations(3); and

(b) consider whether it is necessary, in order to meet the needs of its registered patients, to increase the proportion of appointments which are available for its registered patients to book online and, if so, increase that number.

(3A) In the case of appointments required to be made available for direct booking by NHS 111, in accordance with paragraph 11B of Part 1 of Schedule 3 to these Regulations, those appointments can be released to be booked by a contractor’s registered patients by any means in the two hour period within core hours prior to the appointment time, or such other period agreed pursuant to a local arrangement, if they have not been booked by NHS 111 prior to this time.”.

(b) omit paragraphs (4) and (6);

(c) after paragraph (5) insert—

“(5A) In addition to complying with the requirements in paragraphs (1) and (5), a contractor must offer to its newly registered patients, the facility to access online all information entered onto the patient’s medical record on or after 1st October 2019 in so far as its computerised clinical systems and redaction software allow, unless—

(a) in the reasonable opinion of the contractor, access to such information would not be in the patient’s best interests because it is likely to cause serious harm to—

(i) the patient’s physical or mental health, or

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(1) Amended by [S.I. 2018/844](#).

(2) NHS 111 is a service available online and by telephone for urgent medical help.

(3) This provision provides that a minimum number of appointments must be available for NHS 111 staff to book directly online depending upon the number of registered patients.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (ii) the physical or mental health of any other person; or
  - (b) the information includes a reference to any third party who has not consented to its disclosure.”; and”
- (d) for paragraph (9) substitute—
  - “(9) In this regulation—
    - (a) “local arrangement” means an arrangement between the contractor and the Board as to the timeframe within which appointments not booked by NHS 111 can be released for booking by the contractor’s registered patients; and
    - (b) “newly registered patient” means a person who becomes a registered patient on or after 1st October 2019.”.