

## SCHEDULE 5

### OTHER CONTRACTUAL TERMS

#### PART 5

##### RECORDS, INFORMATION, NOTIFICATIONS AND RIGHTS OF ENTRY

###### **Inquiries about prescriptions and referrals**

73.—(1) The contractor shall, subject to sub-paragraphs (2) and (3), sufficiently answer any inquiries whether oral or in writing from the Board concerning –

- (a) any prescription form issued by a prescriber;
- (b) the considerations by reference to which prescribers issue such forms;
- (c) the referral by or on behalf of the contractor of any patient to any other services provided under the Order; or
- (d) the considerations by which the contractor makes such referrals or provides for them to be made on his behalf.

(2) An inquiry referred to in sub-paragraph (1) may only be made for the purpose either of obtaining information to assist the Board to discharge its functions or of assisting the contractor in the discharge of his obligations under the contract.

(3) The contractor shall not be obliged to answer any inquiry referred to in sub-paragraph (1) unless it is made –

- (a) in the case of sub-paragraph (1)(a) or (b), by an appropriately qualified health care professional; or
- (b) in the case of sub-paragraph (1)(c) or (d), by an appropriately qualified medical practitioner,

appointed in either case by the Board to assist it in the exercise of its functions under this paragraph and that person produces, on request, written evidence that he is authorised by the Board to make such an inquiry on its behalf.