

SCHEDULE 1

TERMS OF SERVICE FOR DENTISTS

PART IV

ADDITIONAL TERMS OF SERVICE FOR ALL DENTISTS

Remuneration

20.—(1) Subject to regulation 22 (statement of dental remuneration) and this Schedule, a dentist or contractor shall not—

- (a) claim a fee or accept payment of any fee from the Agency for any treatment provided otherwise than under general dental services;
- (b) claim a fee or accept payment of any fee from the patient for any treatment provided under general dental services, for which a claim has been or will be submitted to the SDPB, except such fee as may be prescribed by the National Health Service (Dental Charges) (Scotland) Regulations 2003;
- (c) claim a fee or accept payment of any fee from the Agency for any treatment provided under general dental services for which a fee has already been claimed under general dental services;
- (d) claim a fee or accept payment of any fee for any treatment which has not been provided, (except such a fee as may be prescribed by regulation 6(3)(a) of the National Health Service (Dental Charges) (Scotland) Regulations 2003;
- (e) claim, solicit or accept payment of any fee or other consideration or offer or promise any inducement as a prerequisite to providing, or agreeing to provide, or assisting or agreeing to assist with the provision of, general dental services, except such fee or other consideration as may be prescribed in the Statement of Dental Remuneration, the National Health Service (Dental Charges) (Scotland) Regulations 2003 or the National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989(1);
- (f) claim a fee or accept payment of any fee from the Agency for any treatment provided to any person under a pilot scheme for personal dental services; or
- (g) make the provision of general dental services to any person subject to any condition other than those specified in these Regulations, permitted in the National Health Service (Dental Charges) (Scotland) Regulations 2003 or otherwise required by law.

(2) Any claim for a fee or other remuneration for the provision of general dental services shall be submitted in accordance with either paragraph (a) or (b):

- (a) the claim shall be submitted by post or by hand and shall be signed—
 - (i) if the care and treatment was provided on behalf of a contractor by a dentist who is also a contractor, by that dentist, who shall also give the name of the contractor on whose behalf the care and treatment was provided;
 - (ii) if the care and treatment was provided on the contractor's behalf by a dentist whose name is included in the second part of the dental list, by that dentist, who shall also give the name of the contractor on whose behalf the care and treatment was provided;

(1) S.I. 1989/364 as amended by S.I. 1992/411, 1994/1770 and 1998/251 and S.S.I. 2004/369, 2005/572, 2005/445, 2006/141 and 2008/290, and 2009/177.

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- (iii) in other cases where the care and treatment was provided by a contractor who is a dentist, by the contractor; or
- (b) the claim shall be submitted by electronic communication (through a computer or similar device) and—
 - (i) if the care and treatment was provided on behalf of a contractor by a dentist who is also a contractor, the claim must contain the PIN allocated to that dentist;
 - (ii) if the care and treatment was provided on the contractor’s behalf by a dentist whose name is included in the second part of the dental list, the claim must contain the PIN allocated to that dentist; and
 - (iii) where the care and treatment was provided by a contractor who is a dentist, the claim must contain the PIN allocated to that contractor.
- (3) When submitting a claim by way of electronic communication under sub-paragraph (2)(b) a person shall make use only of such computer programme as the SDPB has approved as suitable for that purpose.
- (4) In this paragraph a “PIN” shall mean the personal identification number allocated to the contractor (or in the case of an assistant, the identification number allocated to the contractor for the assistants use) by the SPDB.