

## SCHEDULE 6

### OTHER CONTRACTUAL TERMS

#### PART 4

#### PERSONS WHO PERFORM SERVICES

##### **Independent prescribers and supplementary prescribers**

**58.**—(1) Where—

- (a) a contractor employs or engages a person who is an independent prescriber or a supplementary prescriber whose functions will include prescribing;
- (b) a contractor is a partnership or limited liability partnership and one of the partners or members as the case may be is an independent prescriber or a supplementary prescriber whose functions will include prescribing;
- (c) a contractor is a company and one of the members is an independent prescriber or a supplementary prescriber whose functions will include prescribing; or
- (d) the functions of a person who is an independent prescriber or a supplementary prescriber whom the contractor already employs or has already engaged are extended to include prescribing,

[<sup>F1</sup>the contractor must notify] the Health Board in writing within the period of 7 days beginning with the date on which the contractor employed or engaged the person, the person became a partner or member as the case may be of the partnership, limited liability partnership or company that is a party to the contract (unless, immediately before becoming such a partner or member of that partnership, limited liability partnership or company that is such a party, the person fell under sub-paragraph (1) (a) or the person's functions were extended as the case may be.

(2) Where—

- (a) the contractor ceases to employ or engage a person who is an independent prescriber or a supplementary prescriber whose functions included prescribing;
- (b) the partner or member, as the case may be, in a partnership or limited liability partnership who is an independent prescriber or a supplementary prescriber whose functions include prescribing, ceases to be a partner or member of the partnership or limited liability partnership;
- (c) the member of a company who is an independent prescriber or a supplementary prescriber whose functions include prescribing, ceases to be a member of the company;
- (d) the functions of a person who is an independent prescriber or a supplementary prescriber whom the contractor employs or engages in its practice are changed so that they no longer include prescribing; or
- (e) the contractor becomes aware that a person who is an independent prescriber or a supplementary prescriber whom the contractor employs or engages has been removed or suspended from the relevant register,

[<sup>F2</sup>the contractor must notify] the Health Board in writing by the end of the second working day after the day when the event occurred.

(3) The contractor must provide the following information when it notifies the Health Board in accordance with sub-paragraph (1)—

- (a) the person's full name;

**Changes to legislation:** There are currently no known outstanding effects for the The National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018, Paragraph 58. (See end of Document for details)

- (b) the person’s professional qualifications;
  - (c) the person’s identifying number which appears in the relevant register;
  - (d) the date on which the person’s entry in the relevant register was annotated to the effect that the person was qualified to order drugs, medicines and appliances for patients;
  - (e) the date on which—
    - (i) the person was employed or engaged, if applicable;
    - (ii) the person became a partner or member, as the case may be in the partnership or limited liability partnership, if applicable;
    - (iii) the person became a member of the company, if applicable; or
    - (iv) one of the person’s functions became prescribing in its practice.
- (4) The contractor must provide the following information when it notifies the Health Board in accordance with sub-paragraph (2)—
- (a) the person’s full name;
  - (b) the person’s professional qualifications;
  - (c) the person’s identifying number which appears in the relevant register;
  - (d) the date on which—
    - (i) the person ceased to be employed or engaged in its practice;
    - (ii) the person ceased to be a partner or member, as the case may be in the partnership or limited liability partnership;
    - (iii) the person ceased to be a member of the company;
    - (iv) the person’s functions changed so as no longer to include prescribing; or
    - (v) the person was removed or suspended from the relevant register.

**Textual Amendments**

- F1** Words in sch. 6 para. 58(1) substituted (1.4.2018) by The National Health Service (General Medical Services Contracts and Primary Medical Services Section 17C Agreements) (Scotland) Amendment Regulations 2018 (S.S.I. 2018/94), regs. 1, 7(d)(i)
- F2** Words in sch. 6 para. 58(2) substituted (1.4.2018) by The National Health Service (General Medical Services Contracts and Primary Medical Services Section 17C Agreements) (Scotland) Amendment Regulations 2018 (S.S.I. 2018/94), regs. 1, 7(d)(ii)

**Changes to legislation:**

There are currently no known outstanding effects for the The National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018, Paragraph 58.