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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 302**

**The National Health Service (General Medical Services and Primary Medical Services Section 17C Agreements) (Scotland) Amendment Regulations 2021**

**Amendments to the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018**

18. After schedule 3 insert—

“SCHEDULE 3A

Regulation 14A

VACCINATION SERVICES

**Requirement to provide vaccination services**

1.—(1) Subject to the provisions of this paragraph, where the Health Board is satisfied that by reason of distance, inadequacy of means of communication, or other exceptional circumstances, the Health Board will have serious difficulties in delivering any vaccination service to the provider’s patients, the Health Board may require the provider to provide those services to the provider’s patients until further notice.

(2) The Health Board may not require a provider to deliver services in accordance with sub-paragraph (1) unless it has first consulted the area medical committee regarding the matter.

(3) The Health Board may not require a provider to provide a vaccination service in accordance with sub-paragraph (1) unless the provider was, immediately prior to the Health Board notifying the provider of the requirement, offering that particular vaccination service to the provider’s patients as part of an additional service, an enhanced service or as part of a transitional arrangement under regulation 28A.

(4) Nothing in sub-paragraph (3) prevents the provider and the Health Board from agreeing that the provider will deliver a vaccination service in accordance with this schedule.

(5) The Health Board must give a provider reasonable notice that the provider is required to provide a vaccination service and must, if the provider is no longer required to provide a service, give reasonable notice that the requirement to provide the service is to be discontinued.

(6) A notice served by the Health Board under sub-paragraph (1) must list all of the vaccinations and immunisations which the provider is required to provide as a consequence of the notice, as of the date of the notice.

(7) A provider which is required to provide a vaccination service may request that the Health Board reviews that requirement.

(8) A review request under sub-paragraph (7) may not be made by the provider—

- (a) unless the provider has been providing the vaccination service for a period of not less than 6 months; and
- (b) the provider has not made a review request in respect of the service in the 6 months prior to its present review request.

- (9) Where it receives a review request, the Health Board must—
- (a) acknowledge the review request within 30 days;
  - (b) consider any comments which the provider has provided to accompany the review request;
  - (c) within 3 months of receiving the review request, provide the provider with either—
    - (i) a written statement of reasons as to why the provider is required to continue to provide the vaccination service; or
    - (ii) a written plan for the discontinuation of the requirement that the provider provide the vaccination service which includes the date on which the requirement will end.
- (10) When considering whether it will have serious difficulty in delivering a vaccination service or serving notice under sub-paragraph (1), or when considering a review request submitted under sub-paragraph (7), the Health Board must comply with any directions given by the Scottish Ministers in relation to these matters.
- (11) For the purposes of this paragraph a “vaccination service” comprises—
- (a) offering and administering to patients all doses necessary to complete the recommended course of vaccination for a single disease, or in the case of a combination vaccine which protects the patient against multiple diseases, all doses necessary to complete the recommended course of vaccination for all of the diseases for which that combination vaccine provides protection; and
  - (b) providing appropriate information and advice to patients regarding the course of vaccination offered.

### **Conditions which apply to all vaccination services**

2. The provider must—
- (a) in relation to each vaccination service which they provide, provide such facilities and equipment as are necessary to enable the provider to properly perform that service; and
  - (b) provide each vaccination service which they provide, within core hours as is appropriate to meet the reasonable needs of their patients.

### **Vaccinations and immunisations**

- 3.—(1) A provider who is required in accordance with paragraph 1 to provide vaccinations and immunisations to their patients must comply with the requirements in sub-paragraphs (2) and (3).
- (2) The provider must—
- (a) offer to provide to patients all vaccinations and immunisations (excluding childhood vaccinations and immunisations) of a type and in the circumstances for which a fee is provided for in directions given under section 17M of the Act;
  - (b) where a patient has informed the provider that the patient intends to travel outside of the United Kingdom, offer to provide the patient with all vaccinations and immunisations of a type and in circumstances for which a fee is provided for in directions given under section 17M of the Act;
  - (c) provide appropriate information and advice to patients about such vaccinations and immunisations;
  - (d) record in the patient’s record kept in accordance with paragraph 36 of schedule 1 any refusal of the offers referred to in sub-paragraphs (a) and (b);

- (e) where an offer referred to in sub-paragraphs (a) and (b) is accepted, administer the vaccinations and immunisations and include in the patient's record kept in accordance with paragraph 36 of schedule 1—
  - (i) the patient's consent to vaccination or immunisation, or the name of the person who gave consent to the vaccination or immunisation and that person's relationship to the patient;
  - (ii) the batch numbers, expiry date and title of the vaccine;
  - (iii) the date of administration;
  - (iv) in a case where two vaccines are administered in close succession, the route of administration and the injection site of each vaccine;
  - (v) any contraindications to the vaccination or immunisation; and
  - (vi) any adverse reactions to the vaccination or immunisation.
- (3) The provider must ensure that all staff involved in administering vaccines are trained in the recognition and initial treatment of anaphylaxis.

#### **Childhood vaccinations and immunisations**

4.—(1) A provider who is required in accordance with paragraph 1 to provide childhood vaccinations and immunisations to their patients must comply with the requirements in sub-paragraphs (2) and (3).

- (2) The provider must—
  - (a) offer to provide to children all vaccinations and immunisations of a type and in the circumstances for which a fee is provided for in directions given under section 17M of the Act;
  - (b) where a patient has informed the provider that the patient intends to travel outside of the United Kingdom, offer to provide the patient with all vaccinations and immunisations of a type and in circumstances for which a fee is provided for in directions given under section 17M of the Act;
  - (c) provide appropriate information and advice to patients and, where appropriate, their parents, about such vaccinations and immunisations;
  - (d) record in the patient's record kept in accordance with paragraph 36 of schedule 1 any refusal of the offers referred to in sub-paragraph (a) and (b);
  - (e) where an offer referred to in sub-paragraph (a) and (b) is accepted, administer the vaccinations and immunisations and include in the patient's record kept in accordance with paragraph 36 of schedule 1—
    - (i) the patient's consent to vaccination or immunisation, or the name of the person who gave consent to vaccination or immunisation and that person's relationship to the patient;
    - (ii) the batch numbers, expiry date and title of the vaccine;
    - (iii) the date of administration;
    - (iv) in a case where two vaccines are administered in close succession, the route of administration and the injection site of each vaccine;
    - (v) any contraindications to the vaccination or immunisation; and
    - (vi) any adverse reactions to the vaccination or immunisation.
- (3) The provider must ensure that all staff involved in administering vaccines are trained in the recognition and initial treatment of anaphylaxis.

### **Supplementary vaccinations and immunisations**

5.—(1) Where directions given under section 17M have provided for a fee to be payable for the provision of a vaccination or immunisation of a specified type in specified circumstances, but those directions have not specified that the vaccination or immunisation is to form part of the vaccinations and immunisations described by paragraph 3 or the childhood vaccinations and immunisations described by paragraph 4, the vaccination or immunisation is to be considered a “supplementary vaccination and immunisation”.

(2) Subject to paragraph 1, a Health Board may require a provider to provide to their patients any of the supplementary vaccinations and immunisations.

(3) A provider who is required to provide any supplementary vaccination and immunisation to their patients must comply with the requirements in sub-paragraph (4) and (5).

(4) The provider must—

- (a) offer to provide to patients all such vaccinations and immunisations which the Health Board may specify;
- (b) provide appropriate information and advice to patients about such vaccinations and immunisations or, where appropriate, if the patient is a child, provide this information and advice to their parents;
- (c) record in the patient’s record kept in accordance with paragraph 36 of schedule 1 any refusal of the offer referred to in sub-paragraph (a);
- (d) where the offer is accepted, administer the vaccinations and immunisations and include in the patient’s record kept in accordance with paragraph 36 of schedule 1—
  - (i) the patient’s consent to vaccination or immunisation, or the name of the person who gave consent to the vaccination or immunisation and that person’s relationship to the patient;
  - (ii) the batch numbers, expiry date and title of the vaccine;
  - (iii) the date of administration;
  - (iv) in a case where two vaccines are administered in close succession, the route of administration and the injection site of each vaccine;
  - (v) any contraindications to the vaccination or immunisation; and
  - (vi) any adverse reactions to the vaccination or immunisation.

(5) The provider must ensure that all staff involved in administering vaccines are trained in the recognition and initial treatment of anaphylaxis.”.