



# Health and Social Care Act 2001

## CHAPTER 15

### HEALTH AND SOCIAL CARE ACT 2001

#### PART 1

##### NATIONAL HEALTH SERVICE

###### *Health service funding*

- 1 Determination of allotments to and resource limits for Health Authorities and Primary Care Trusts
- 2 Payments relating to past performance
- 3 Supplementary payments to NHS trusts and Primary Care Trusts
- 4 Public-private partnerships
- 5 Income generation

###### *Terms of employment of health service employees*

- 6 Terms and conditions of employment by health service bodies

###### *Local authority scrutiny of health service provision*

- 7 Functions of overview and scrutiny committees
- 8 Joint overview and scrutiny committees etc.
- 9 Overview and scrutiny committees: exempt information
- 10 Application to the City of London

###### *Public involvement and consultation*

- 11 Public involvement and consultation

###### *Independent advocacy services*

- 12 Independent advocacy services

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### *Intervention powers*

#### 13 Intervention orders

#### *Abolition of Medical Practices Committee and National Health Service Tribunal*

- 14 Abolition of Medical Practices Committee
- 15 Vacancies for medical practitioners
- 16 Abolition of NHS Tribunal

#### *General and personal medical services, general dental services, general ophthalmic services and pharmaceutical services*

- 17 Remuneration of general medical practitioners
- 18 Out of hours medical services
- 19 Enhanced criminal record certificates
- 20 Medical, dental, ophthalmic and pharmaceutical etc. lists
- 21 Conditional inclusion in medical, dental, ophthalmic and pharmaceutical lists
- 22 Dental corporations
- 23 Declaration of financial interests, gifts, etc.
- 24 Supplementary lists
- 25 Suspension and disqualification of practitioners

#### *Personal medical services and personal dental services*

- 26 PMS and PDS lists

#### *The Family Health Services Appeal Authority*

- 27 The Family Health Services Appeal Authority

## **PART 2**

### **PHARMACEUTICAL SERVICES**

#### **CHAPTER 1**

#### **LOCAL PHARMACEUTICAL SERVICES**

#### *Preparation and making of pilot schemes*

- 28 Pilot schemes
- 29 Making pilot schemes
- 30 Designation of priority neighbourhoods or premises

#### *Reviews, variation and termination of pilot schemes*

- 31 Reviews of pilot schemes
- 32 Variation and termination of pilot schemes

#### *NHS contracts and financial provisions*

- 33 NHS contracts
- 34 Funding of preparatory work
- 35 Charges, recovery of payments and penalties

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### *General*

- 36 Effect of the 1977 Act
- 37 Premises from which piloted services may be provided
- 38 Control of entry regulations

### *Assessing the result of pilot schemes*

- 39 Assessing pilot schemes

### *Provision for local pharmaceutical schemes*

- 40 Provision for LPS schemes

### *Corresponding provision, etc.*

- 41 Corresponding provision and application of enactments

## **CHAPTER 2**

### CHANGES TO EXISTING ARRANGEMENTS

#### *England and Wales*

- 42 Dispensing of NHS prescriptions and provision of pharmaceutical services
- 43 Remote provision of pharmaceutical, etc. services

#### *Scotland*

- 44 Dispensing of NHS prescriptions

## **PART 3**

### CARE TRUSTS AND PARTNERSHIP ARRANGEMENTS

- 45 Care Trusts
- 46 Directed partnership arrangements
- 47 Further provisions about directions in connection with directed partnership arrangements and Care Trusts
- 48 Transfer of staff in connection with partnership arrangements

## **PART 4**

### SOCIAL CARE

#### *Nursing care*

- 49 Exclusion of nursing care from community care services

#### *Preserved rights*

- 50 Preserved rights: transfer to local authorities of responsibilities as to accommodation
- 51 Preserved rights: disclosure of information
- 52 Preserved rights: alignment of social security benefits

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*Measures to increase availability of Part 3 accommodation*

- 53 Disregarding of resources when determining need for residential accommodation
- 54 Funding by resident etc. of more expensive accommodation
- 55 Power for local authorities to take charges on land instead of contributions
- 56 Cross-border placements

*Direct payments*

- 57 Direct payments
- 58 Direct payments in respect of children

*Supplementary*

- 59 Interpretation of Part 4

**PART 5**

MISCELLANEOUS AND SUPPLEMENTARY

*Patient information*

- 60 Control of patient information
- 61 Patient Information Advisory Group

*Services for disabled people*

- 62 Reports to Parliament on services for disabled people

*Prescribing rights*

- 63 Extension of prescribing rights

*Supplementary*

- 64 Regulations and orders
- 65 Supplementary and consequential provision etc
- 66 Interpretation
- 67 Minor and consequential amendments and repeals
- 68 Powers of National Assembly for Wales under amended Acts
- 69 Financial provisions
- 70 Short title, commencement and extent

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**SCHEDULES**

SCHEDULE 1 — Exempt information relating to health services

SCHEDULE 2 — Pilot Schemes

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SCHEDULE 3 — LPS Schemes

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SCHEDULE 4 — Partnership Arrangements: Transfer of Staff

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## SCHEDULE 5 — Minor and consequential amendments

### Part 1 — NATIONAL HEALTH SERVICE

- 1 Health Services and Public Health Act 1968 (c. 46)
- 2 House of Commons Disqualification Act 1975 (c. 24)
- 3 In Part 3 of Schedule 1 to that Act (which...
- 4 Patents Act 1977 (c. 37)
- 5 National Health Service Act 1977 (c. 49)
- 6 Mental Health Act 1983 (c. 20)
- 7 Copyright, Designs and Patents Act 1988 (c. 19)
- 8 National Health Service and Community Care Act 1990 (c. 48)
- 9 Trade Union and Labour Relations (Consolidation) Act 1992 (c. 46)
- 10 Tribunals and Inquiries Act 1992 (c. 53)
- 11 National Health Service (Primary Care) Act 1997 (c. 46)
- 12 Health Act 1999 (c. 8)
- 13 Local Government Act 2000 (c. 22)
- 14 Freedom of Information Act 2000 (c. 36)

### Part 2 — SOCIAL CARE

- 15 Local Authority Social Services Act 1970 (c. 42)
- 16 Carers and Disabled Children Act 2000 (c. 16)

### PART 3 — PATIENT INFORMATION

- 17 House of Commons Disqualification Act 1975 (c. 24)
- 18 Freedom of Information Act 2000 (c. 36)

## SCHEDULE 6 — Repeals

### Part 1 — NATIONAL HEALTH SERVICE

### Part 2 — PHARMACEUTICAL SERVICES

### Part 3 — SOCIAL CARE

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