

## SCHEDULE 2

### TERMS OF SERVICE FOR DOCTORS

#### Newly registered patients

**14.**—(1) Subject to sub-paragraphs (4) to (9), where a patient has been accepted on a doctor's list under paragraph 6 or assigned to a doctor's list under regulation 21, the doctor shall, in addition to and without prejudice to his other obligations in respect of that patient under these terms of service, within 28 days of the date of such acceptance or assignment invite the patient to participate in a consultation either at his practice premises or, if the condition of the patient so warrants, at such other place as the doctor is obliged under paragraph 13(b) to render personal medical services to that patient.

(2) Where a patient (or, in the case of a patient who is a child, his parent) agrees to participate in a consultation mentioned in sub-paragraph (1), the doctor shall, in the course of that consultation—

- (a) seek details from the patient as to his medical history and, so far as may be relevant to the patient's medical history, as to that of his consanguineous family, in respect of—
  - (i) illnesses, immunisations, allergies, hereditary conditions, medication and tests carried out for breast or cervical cancer,
  - (ii) social factors (including employment, housing and family circumstances) which may affect his health,
  - (iii) factors of his lifestyle (including diet, exercise, use of tobacco, consumption of alcohol, and misuse of drugs or solvents) which may affect his health, and
  - (iv) the current state of his health;
- (b) offer to undertake a physical examination of the patient, comprising—
  - (i) the measurement of his height, weight and blood pressure, and
  - (ii) the taking of a urine sample and its analysis to identify the presence of albumen and glucose;
- (c) record, in the patient's medical records, his findings arising out of the details supplied by, and any examination of, the patient under this sub-paragraph;
- (d) assess whether and, if so, in what manner and to what extent he should render personal medical services to the patient;
- (e) in so far as it would not, in the opinion of the doctor, be likely to cause serious damage to the physical or mental health of the patient to do so, offer to discuss with the patient (or, where the patient is a child, the parent) the conclusions the doctor has drawn as a result of the consultation as to the state of the patient's health.

(3) On each occasion where a doctor invites a patient or parent to participate in a consultation pursuant to sub-paragraph (1) he shall—

- (a) make the invitation in writing or, if the invitation is initially made orally, confirm it in writing, by a letter either handed to the patient or his representative or sent to the patient or parent at the address recorded in his medical records as being his last home address;
  - (b) record in the patient's medical records the date of each such invitation and whether or not it was accepted; and
  - (c) where, as a result of making the invitation, the doctor becomes aware that the patient is no longer residing at the address shown in his medical records, advise the FHSA accordingly.
- (4) A doctor shall not be obliged to offer a consultation pursuant to sub-paragraph (1)—
- (a) if he is a restricted services principal;

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- (b) in respect of a child under the age of 5 years;
- (c) to any patient who, immediately before joining the list of the doctor, was a patient of a partner of the doctor and who, during the 12 months immediately preceding the date of his acceptance or assignment to the doctor's list, had participated in a consultation pursuant to sub-paragraph (1); or
- (d) to the extent allowed by the FHSA, to any patient within a class of patients in respect of which the FHSA or, on appeal, the Secretary of State has, pursuant to sub-paragraphs (5) to (8), deferred the doctor's obligation under sub-paragraph (1).

(5) Where a doctor assumes responsibility for a list of patients on his succession to a practice declared vacant, or otherwise becomes responsible for a significant number of new patients within a short period, he may apply, in accordance with sub-paragraph (6), to the FHSA for the deferment of his obligation under sub-paragraph (1) for a period not exceeding 2 years from the date of the application.

(6) An application pursuant to sub-paragraph (5) shall be made in writing and shall be accompanied by a statement of the doctor's proposals, by reference to particular classes of patient, with a view to securing that all eligible patients are invited to participate in a consultation pursuant to sub-paragraph (1) by the end of the period of the deferment.

(7) Within 2 months of receiving an application the FHSA shall determine it—

- (a) by approving the application;
- (b) by approving the application subject to conditions; or
- (c) by refusing the application.

(8) A doctor may appeal in writing to the Secretary of State against any refusal of an application, or against any condition subject to which an application is approved by the FHSA pursuant to sub-paragraph (7)(b), and on determining such an appeal the Secretary of State shall either confirm the FHSA's decision or substitute his own determination for that of the FHSA.

(9) The Secretary of State shall notify the doctor in writing of his determination and shall include with the notice a statement of his reasons for it.