

SCHEDULE 3

Other contractual terms

PART 4

Assignment of patients to lists

Factors relevant to assignments

40. When assigning a person as a new patient to a contractor's list of patients under paragraph 39(1)(a) or (b), the Board must have regard to—

- (a) the preferences and circumstances of the person;
- (b) the distance between the person's place of residence and the contractor's practice premises;
- (c) any request made by a contractor to remove the person from its list of patients within the preceding period of six months beginning with the date on which the application for assignment is received by the Board;
- (d) whether, during the preceding period of six months beginning with the date on which the application for assignment is received by the Board, the person has been removed from a list of patients on the grounds referred to in—
 - (i) paragraph 24 (relating to the circumstances in which a person may be removed from a contractor's list of patients at the request of the contractor),
 - (ii) paragraph 25 (relating to the removal from the contractor's list of patients of persons who are violent), or
 - (iii) the equivalent provisions to those paragraphs in relation to arrangements made under section 83(2)(1) of the Act or section 92(2) of the Act (which relate to arrangements for the provision of primary medical services);
- (e) in a case to which sub-paragraph (d)(ii) applies (or equivalent provisions as mentioned in sub-paragraph (d)(iii) apply), whether the contractor has appropriate facilities to deal with such patients; and
- (f) such other matters as the Board considers relevant.

(1) Section 83 was amended by paragraph 30 of Schedule 4 to the Health and Social Care Act 2012 (c.7) ("the 2012 Act").

(2) Section 92 was amended by paragraph 36 of Schedule 4 to the 2012 Act.