

Status: Point in time view as at 07/12/2015. This version of this provision has been superseded.

Changes to legislation: The National Health Service (Personal Medical Services Agreements) Regulations 2015, Paragraph 39 is up to date with all changes known to be in force on or before 10 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 2

Other required terms

PART 4

Assignment of patients to lists

Factors relevant to assignments

39. When assigning a person as a new patient to a contractor's list of patients under paragraph 38(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 23 (relating to circumstances in which a patient may be removed from a contractor's list of patients at the request of the contractor),
 - (ii) paragraph 24 (relating to circumstances in which a patient who is violent may be removed from a contractor's list of patients), or
 - (iii) the equivalent provisions to those paragraphs in relation to arrangements made under section 83(2) of the Act ^{M1} (which relates to the provision of primary medical services) or under a contract made in accordance with the General Medical Services Contracts Regulations;
- (e) in a case to which sub-paragraph (d)(ii) applies (or to which the 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.

Marginal Citations

M1 Section 83 was amended by paragraph 30 of Schedule 4 to the [Health and Social Care Act 2012 \(c.7\)](#)

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