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STATUTORY INSTRUMENTS

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**2016 No. 875**

**The National Health Service (General Medical Services Contracts and Personal Medical Services Agreements) (Amendment) Regulations 2016**

**PART 2**

**Amendment of the GMS Contracts Regulations**

**Amendment of regulation 67 of the GMS Contracts Regulations**

**2. In regulation 67 of the GMS Contracts Regulations (patient records)—**

**(a) for paragraph (5) substitute—**

“(5) Where a patient on the contractor’s list of patients dies, the contractor must send the complete records relating to that patient to the Board—

- (a) in a case where the contractor was informed by the Board of that patient’s death, before the end of the period of 14 days beginning with the date on which the contractor was so informed; or
- (b) in any other case, before the end of the period of one month beginning with the date on which the contractor learned of that patient’s death.

(5A) Where a patient on a contractor’s list of patients has registered with another provider of primary medical services and the contractor receives a request from that provider for the complete records relating to that patient, the contractor must send to the Board—

- (a) the complete records, or any part of the records, sent via the GP2GP facility in accordance with regulation 69 for which the contractor does not receive confirmation of safe and effective transfer via that facility; and
- (b) any part of the records held by the contractor only in paper form.

(5B) Where a patient on a contractor’s list of patients—

- (a) is removed from that list at that patient’s request under paragraph 23 of Schedule 3, or by reason of the application of any of paragraphs 24 to 31 of that Schedule; and
- (b) the contractor has not received a request from another provider of medical services with which that patient has registered for the transfer of the complete records relating to that patient,

the contractor must send a copy of those records to the Board.

(5C) Where a contractor’s responsibility for a patient terminates in accordance with paragraph 32 of Schedule 3, the contractor must send any records relating to that patient that it holds to—

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(a) if known, the provider of primary medical services with which that patient is registered; or

(b) in all other cases, the Board.

(5D) For the purposes of this regulation, “GP2GP facility” has the same meaning as in paragraph (2) of regulation 69.”;

(b) omit paragraph (6); and

(c) omit paragraph (7).