
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Medical Services Contracts) Regulations 2015 (S.I. 2015/1862) (“the GMS Contracts Regulations”) and the National Health Service (Personal Medical Services Agreements) Regulations 2015 (S.I. 2015/1879) (“the PMS Agreements Regulations”) which make provision in respect of services provided under a general medical services contract and a personal medical services agreement made pursuant to Part 4 of the National Health Service Act 2006 (c. 41). They apply to England only.

The GMS Contracts Regulations and the PMS Agreements Regulations are amended so as:

- (a) to make the offer and provision of a maternal postnatal check by a GP at 6 to 8 weeks following the delivery of a baby or discharge from secondary care, an “essential service” (see paragraph 2 of Schedule 1);
- (b) to enable electronic repeat dispensing to be provided by a dispenser other than a nominated dispenser (see paragraph 3 of Schedule 1 and paragraph 2 of Schedule 2);
- (c) where a contractor is able to send information to another NHS body, health care provider or to a patient by fax or by secure electronic means, to prevent the contractor sending information to, or receiving information from, that person by fax (see paragraph 4 of Schedule 1 and paragraph 3 of Schedule 2);
- (d) to require contractors to offer their registered patients the facility to access online their prospective medical records, as well as their coded records, and, if requested by patients, to offer the facility to access online their full historical medical records (see paragraph 5 of Schedule 1 and paragraph 4 of Schedule 2);
- (e) to require contractors to have an online presence (such as a website) and keep that profile up to date, as well as keeping their profile on the NHS website up to date (see paragraph 6 of Schedule 1 and paragraph 5 of Schedule 2).

These Regulations also make various consequential amendments (see paragraphs 7 to 10 and 13 of Schedule 1 and paragraphs 6 to 9 and 11 of Schedule 2).

The Regulations also make minor amendments to update contact details in regulation 74F of the GMS Contracts Regulations and regulation 67F of the PMS Agreements Regulations and to update paragraph 6 of Schedule 1 to the GMS Contracts Regulations so that it refers to the most recent edition of “Health for all Children” by Alan Emond (a revised fifth edition was published by OUP on 28th February 2019) (see paragraphs 11 and 12 of Schedule 1 and paragraph 10 of Schedule 2 to these Regulations).

A full Impact Assessment has not been produced for this instrument as no, or no significant impact, on the private, voluntary or public sector is foreseen.