
WELSH STATUTORY INSTRUMENTS

2006 No. 181

The National Health Service (General Ophthalmic Services Supplementary List) and (General Ophthalmic Services) (Amendment and Consequential Amendment) (Wales) Regulations 2006

PART 1

Supplementary List

Notification

16.—(1) Where a Local Health Board decides to—

- (a) refuse to admit a practitioner to its supplementary list on the grounds specified in regulation 6;
- (b) impose conditions on the practitioner's inclusion in that list under regulation 8;
- (c) remove the practitioner from that list under regulation 10;
- (d) remove the practitioner from that list contingently under regulation 12; or
- (e) suspend the practitioner from that list under regulation 13,

it must notify the persons or bodies specified in paragraph (2) and must additionally notify those included in paragraph (3), if requested to do so by those person or bodies in writing (including electronically), of the matters set out in paragraph (4).

(2) Where paragraph (1) applies, a Local Health Board must, within 7 days of that decision, notify—

- (a) the National Assembly for Wales;
- (b) any Local Health Board or equivalent body that, to the knowledge of the notifying Local Health Board—
 - (i) has the practitioner in any list or equivalent list,
 - (ii) is considering an application for inclusion in any list or equivalent list by the practitioner, or
 - (iii) has in its area any place where the practitioner assists in the provision of general ophthalmic services;
- (c) the Secretary of State;
- (d) the Scottish Executive;
- (e) the Northern Ireland Executive;
- (f) the General Medical Council, General Optical Council or any other appropriate regulatory body;
- (g) the NPSA; and

- (h) where it is a fraud case, the NHS Counter Fraud and Security Management Service.
- (3) The persons or bodies to be additionally notified in accordance with paragraph (1) are—
 - (a) persons or bodies that can establish that they—
 - (i) are or were employing the practitioner, are using or have used the practitioner’s services, or
 - (ii) are considering employing or using the practitioner’s services in a professional capacity; and
 - (b) a partnership, any of whose members provide or assist in the provision of general ophthalmic services, and can establish that the practitioner is or was a member of the partnership or that it is considering inviting the practitioner to become such a member.
- (4) The matters referred to in paragraph (1) are—
 - (a) the name, address and date of birth of the practitioner;
 - (b) the practitioner’s registration number;
 - (c) the date and a copy of the decision of the Local Health Board; and
 - (d) a contact name of a person in the Local Health Board for further enquiries.
- (5) The Local Health Board must send to the practitioner concerned a copy of any information about him or her that it has provided to the persons or bodies listed in paragraph (2) or (3), and any correspondence with that person or body relating to that information.
- (6) Where the Local Health Board has notified any of the persons or bodies specified in paragraph (2) or (3) of the matters set out in paragraph (4), it may, in addition, if requested by that person or body, notify that person or body of any evidence that was considered, including any representations from the practitioner.
- (7) Where a Local Health Board is notified by the FHSAA that it has imposed a national disqualification on a practitioner who was, or had applied to be, included in its supplementary list, the Local Health Board must notify the persons or bodies listed in paragraph (2)(b), (g) and (h) and paragraph (3).
- (8) Where a decision is changed on review or appeal, or a suspension lapses, the Local Health Board must notify the persons or bodies that were notified of the original decision of the later decision or of the fact that the suspension has lapsed.