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2008 Rhif 1329 (Cy.138)

2008 No. 1329 (W.138)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd
Gwladol (Contractau
Gwasanaethau Meddygol
Cyffredinol) (Cymru) (Diwygio)
2008

The National Health Service
(General Medical Services
Contracts) (Wales) (Amendment)
Regulations
2008

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004 ac yn gwneud newidiadau mewn perthynas â'r ffordd y caniateir archebu gwasanaethau ocsigen yn y cartref.

These Regulations amend the National Health Service (General Medical Services) (Wales) Regulations 2004 to make changes relating to the way in which home oxygen services may be ordered.

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Gwnaed 19 Mai 2008
*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 21 Mai 2008
Yn dod i rym 16 Mehefin 2008

Made 19 May 2008
*Laid before the National
Assembly for Wales* 21 May 2008
Coming into force 16 June 2008

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 47(1) a 203(9) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(1), drwy hyn yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by sections 47(1) and 203(9) and (10) of the National Health Service (Wales) Act 2006(1) hereby make the following Regulations:

Enwi, cychwyn, cymhwyso a dehongli

Title, commencement, application and interpretation

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) (Diwygio) 2008.

1.—(1) The title of these Regulations is the National Health Service (General Medical Services Contracts) (Wales) (Amendment) Regulations 2008.

(2) Mae'r Rheoliadau hyn yn dod i rym ar 16 Mehefin 2008.

(2) These Regulations come into force on 16 June 2008.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(3) These Regulations apply in relation to Wales.

(4) Yn y Rheoliadau hyn ystyr "y prif Rheoliadau" yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004(2).

(4) In these Regulations "the principal Regulations" means the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004(2).

(1) 2006 p.42.

(2) O.S. 2004/478 (Cy.48).

(1) 2006 c.42.

(2) S.I. 2004/478 (W.48).

Diwygio rheoliad 2 o'r prif Reoliadau

2. Yn rheoliad 2(1) (dehongli) o'r prif Reoliadau, mewnosoder y diffiniadau canlynol yn y lle priodol yn nhrefn yr wyddor—

"home oxygen order form" means a form provided by a Local Health Board and issued by a health care professional to authorise a person to supply home oxygen services to a patient requiring oxygen therapy at home;

"home oxygen services" means any of the following forms of oxygen therapy or supply—

- (a) ambulatory oxygen supply,
- (b) urgent supply,
- (c) hospital discharge supply,
- (d) long term oxygen therapy, and
- (e) short burst oxygen therapy;"

Diwygio Atodlen 6 i'r prif Reoliadau

3.—(1) Diwygir Atodlen 6 (telerau contract eraill) i'r prif Reoliadau yn unol â darpariaethau canlynol y rheoliad hwn.

(2) yn lle paragraff (38) (rhagnodi), rhodder—

"38

The contractor shall ensure that—

- (a) any prescription form or repeatable prescription for drugs, medicines or appliances issued by a prescriber; and
- (b) any home oxygen order form issued by a health care professional,

complies as appropriate with the requirements in paragraphs 39, and 41 to 44.";

(3) Ym mharagraff 39 (sy'n ymwneud â rhagnodi)—

- (a) yn is-baragraff (1), ar ôl "Subject to" mewnosoder "sub-paragraph (1A) and to";
- (b) ar ôl is-baragraff (1), mewnosoder—

"(1A) A health care professional shall order any home oxygen services which are needed for the treatment of any patient who is receiving treatment under the contract by issuing a home oxygen order form."; ac

- (c) ar ôl is-baragraff (3), mewnosoder—

"(3A) A home oxygen order form shall be signed by a health care professional.";

(4) yn lle paragraff 65 (llofnodi dogfennau), rhodder—

Amendment of regulation 2 of the principal Regulations

2. In regulation 2(1) (interpretation) of the principal Regulations, insert the following definitions in the appropriate place in the alphabetical order—

"home oxygen order form" means a form provided by a Local Health Board and issued by a health care professional to authorise a person to supply home oxygen services to a patient requiring oxygen therapy at home;

"home oxygen services" means any of the following forms of oxygen therapy or supply—

- (a) ambulatory oxygen supply,
- (b) urgent supply,
- (c) hospital discharge supply,
- (d) long term oxygen therapy, and
- (e) short burst oxygen therapy;"

Amendment of Schedule 6 to the principal Regulations

3.—(1) Schedule 6 (other contractual terms) to the principal Regulations is amended in accordance with the following provisions of this regulation.

(2) for paragraph 38 (prescribing), substitute—

"38

The contractor shall ensure that—

- (a) any prescription form or repeatable prescription for drugs, medicines or appliances issued by a prescriber; and
- (b) any home oxygen order form issued by a health care professional,

complies as appropriate with the requirements in paragraphs 39, and 41 to 44.";

(3) In paragraph 39 (which relates to prescribing)—

- (a) in sub-paragraph (1), after "Subject to" insert "sub-paragraph (1A) and to";
- (b) after sub-paragraph (1), insert—

"(1A) A health care professional shall order any home oxygen services which are needed for the treatment of any patient who is receiving treatment under the contract by issuing a home oxygen order form."; and

- (c) after sub-paragraph (3), insert—

"(3A) A home oxygen order form shall be signed by a health care professional.";

(4) for paragraph 65 (signing of documents), substitute—

"65

(1) In addition to any other requirements relating to such documents whether in these regulations or otherwise, the contractor shall ensure—

(a) that the documents specified in sub-paragraph (2) include—

- (i) the clinical profession of the health care professional who signed the document; and
- (ii) the name of the contractor on whose behalf it is signed; and

(b) that the documents specified in sub-paragraph (3) include the clinical profession of the health care professional who signed the document.

(2) The documents referred to in sub-paragraph (1)(a) are—

- (a) certificates issued in accordance with regulation 21, unless regulations relating to particular certificates require otherwise; and
- (b) any other clinical documents, apart from those documents specified in sub-paragraph (3).

(3) The documents referred to in sub-paragraph (1)(b) are batch issues, prescription forms, repeatable prescriptions and home oxygen order forms."

"65

(1) In addition to any other requirements relating to such documents whether in these regulations or otherwise, the contractor shall ensure—

(a) that the documents specified in sub-paragraph (2) include—

- (i) the clinical profession of the health care professional who signed the document; and
- (ii) the name of the contractor on whose behalf it is signed; and

(b) that the documents specified in sub-paragraph (3) include the clinical profession of the health care professional who signed the document.

(2) The documents referred to in sub-paragraph (1)(a) are—

- (a) certificates issued in accordance with regulation 21, unless regulations relating to particular certificates require otherwise; and
- (b) any other clinical documents, apart from those documents specified in sub-paragraph (3).

(3) The documents referred to in sub-paragraph (1)(b) are batch issues, prescription forms, repeatable prescriptions and home oxygen order forms."

Edwina Hart

Y Gweinidog dros Iechyd a Gwasanaethau
Cymdeithasol, un o Weiniogion Cymru

19 Mai 2008

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Minister for Health and Social Services, one of the
Welsh Ministers

19 May 2008

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