OFFERYNNAU STATUDOL CYMRU

2017 Rhif 1040 (Cy. 269)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Deintyddol Cyffredinol a Chytundebau Gwasanaethau Deintyddol Personol) (Cymru) (Diwygio) 2017

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Deintyddol Cyffredinol) (Cymru) 2006 ("y Rheoliadau GDS") a Rheoliadau'r Gwasanaeth Iechyd Gwladol (Cytundebau Gwasanaethau Deintyddol Personol) (Cymru) 2006 ("y Rheoliadau PDS").

Daw'r Rheoliadau hyn i rym ar 1 Rhagfyr 2017.

Mae'r Rheoliadau GDS yn nodi fframwaith i Gymru ar gyfer contractau gwasanaethau deintyddol cyffredinol.

Mae rheoliad 3 yn diwygio paragraff 38 o Atodlen 3 i'r Rheoliadau GDS i ganiatáu cyflwyno'r wybodaeth a bennir ym mharagraff 38(2) o Atodlen 3 i'r Bwrdd Iechyd Lleol ("BILl") yn electronig. Mae'n ofynnol cyflwyno'r wybodaeth honno yn electronig o 1 Mai 2019, er bod pŵer disgresiynol wedi ei roi i'r BILl iddo barhau i dderbyn ffurflenni papur ar ôl y dyddiad hwnnw o dan amgylchiadau eithriadol. Mae darpariaeth drosiannol i ganiatáu cyflwyno ffurflenni papur hyd at 30 Mehefin 2019 mewn cysylltiad â chyrsiau o driniaeth sy'n dod i ben ar 30 Ebrill 2019 neu cyn hynny.

WELSH STATUTORY INSTRUMENTS

2017 No. 1040 (W. 269)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Dental Services Contracts and Personal Dental Services Agreements) (Wales) (Amendment) Regulations 2017

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Dental Services Contracts) (Wales) Regulations 2006 ("the GDS Regulations") and the National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006 ("the PDS Regulations").

These Regulations come into force on 1 December 2017.

The GDS Regulations set out a framework for Wales for general dental services contracts.

Regulation 3 amends paragraph 38 of Schedule 3 to the GDS Regulations to allow for electronic submission of the information specified in paragraph 38(2) of Schedule 3 to the Local Health Board ("LHB"). Electronic submission of that information is required from 1 May 2019, though the LHB is given a discretionary power to continue to accept paper forms after that date in exceptional circumstances. There is a transitional provision to allow paper forms to be submitted until 30 June 2019 in respect of courses of treatment ending on or before 30 April 2019.

Mae’r Rheoliadau PDS yn nodi fframwaith i Gymru ar gyfer cytundebau gwasanaethau deintyddol personol.

Mae rheoliad 4 yn diwygio paragraff 39 o Atodlen 3 i’r Rheoliadau PDS i ganiatáu cyflwyno’r wybodaeth a bennir ym mharagraff 39(3) o Atodlen 3 i’r BILl (fel y “Relevant Body”) yn electronig. Mae’n ofynnol cyflwyno’r wybodaeth honno yn electronig o 1 Mai 2019, er bod pŵer disgresiynol wedi ei roi i’r BILl iddo barhau i dderbyn ffurflenni papur ar ôl y dyddiad hwnnw o dan amgylchiadau eithriadol. Mae darpariaeth drosiannol i ganiatáu cyflwyno ffurflenni papur hyd at 30 Mehefin 2019 mewn cysylltiad â chyrsiau o driniaeth sy’n dod i ben ar 30 Ebrill 2019 neu cyn hynny.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â’r Rheoliadau hyn. O ganlyniad, lluniwyd Asesiad Effaith Rheoleiddiol o’r costau a’r manteision sy’n debygol o ddeillio o gydymffurfio â’r Rheoliadau hyn. Gellir cael copi oddi wrth: Yr Adran Iechyd a Gwasanaethau Cymdeithasol, Llywodraeth Cymru, Parc Cathays, Caerdydd, Cymru CF10 3NQ.

The PDS Regulations set out a framework for Wales for personal dental services agreements.

Regulation 4 amends paragraph 39 of Schedule 3 to the PDS Regulations to allow for electronic submission of the information specified in paragraph 39(3) of Schedule 3 to the LHB (as the “Relevant Body”). Electronic submission of that information is required from 1 May 2019, though the LHB is given a discretionary power to continue to accept paper forms after that date in exceptional circumstances. There is a transitional provision to allow paper forms to be submitted until 30 June 2019 in respect of courses of treatment ending on or before 30 April 2019.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a Regulatory Impact Assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff, Wales CF10 3NQ.

OFFERYNNAU STATUDOL CYMRU

2017 Rhif 1040 (Cy. 269)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Deintyddol Cyffredinol a Chytundebau Gwasanaethau Deintyddol Personol) (Cymru) (Diwygio) 2017

Gwnaed *25 Hydref 2017*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *31 Hydref 2017*

Yn dod i rym *1 Rhagfyr 2017*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 61, 66 a 203(9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(**1**).

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Deintyddol Cyffredinol a Chytundebau Gwasanaethau Deintyddol Personol) (Cymru) (Diwygio) 2017.

(2) Daw'r Rheoliadau hyn i rym ar 1 Rhagfyr 2017.

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

Dehongli

2. Yn y Rheoliadau hyn—

ystyr "y Ddeddf" ("*the Act*") yw Deddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006;

(**1**) 2006 p. 42.

WELSH STATUTORY INSTRUMENTS

2017 No. 1040 (W. 269)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Dental Services Contracts and Personal Dental Services Agreements) (Wales) (Amendment) Regulations 2017

Made *25 October 2017*

Laid before the National Assembly for Wales *31 October 2017*

Coming into force *1 December 2017*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 61, 66 and 203(9) and (10) of the National Health Service (Wales) Act 2006(**1**).

Title, commencement and application

1.—(1) The title of these Regulations is the National Health Service (General Dental Services Contracts and Personal Dental Services Agreements) (Wales) (Amendment) Regulations 2017.

(2) These Regulations come into force on 1 December 2017.

(3) These Regulations apply in relation to Wales.

Interpretation

2. In these Regulations—

"the Act" ("*y Ddeddf*") means the National Health Service (Wales) Act 2006;

(**1**) 2006 c. 42.

ystyr "y Rheoliadau GDS" ("*the GDS Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Deintyddol Cyffredinol) (Cymru) 2006(**1**); ac

ystyr "y Rheoliadau PDS" ("*the PDS Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Cytundebau Gwasanaethau Deintyddol Personol) (Cymru) 2006(**2**).

Diwygio'r Rheoliadau GDS

3.—(1) Mae paragraff 38 o Atodlen 3 i'r Rheoliadau GDS (hysbysu am gwrs o driniaeth, cwrs o driniaeth orthodontig etc.) wedi ei ddiwygio fel a ganlyn.

(2) Yn is-baragraff (1)—

(a) ym mharagraff (e), yn lle "being" rhodder "is"; a

(b) ar ôl paragraff (f), hepgorer ", on a form supplied by that Board,".

(3) Yn lle is-baragraff (2)(d), rhodder—

"(d) in the case of a patient who is exempt from NHS charges, such details of that exemption and the basis of that exemption as the Local Health Board may reasonably request."

(4) Ar ôl is-baragraff (2) mewnosoder yr is-baragraffau a ganlyn—

"(3) In the case of a patient to whom sub-paragraph (2)(d) applies, the contractor must also provide the Local Health Board (or a person authorised on the Local Health Board's behalf) with the written declaration form.

(4) Before 1 May 2019 the contractor may send the information required in sub-paragraph (2) to the Local Health Board either in paper form or by means of electronic submission.

(5) On or after 1 May 2019 the contractor must send the information required in sub-paragraph (2) to the Local Health Board by means of electronic submission, but the Local Health Board may accept submission of that information in paper form—

(a) in such exceptional circumstances as the Local Health Board may reasonably determine; and

(**1**) O.S. 2006/490 (Cy. 59).
(**2**) O.S. 2006/489 (Cy. 58).

"the GDS Regulations" ("*y Rheoliadau GDS*") means the National Health Service (General Dental Services Contracts) (Wales) Regulations 2006(**1**); and

"the PDS Regulations" ("*y Rheoliadau PDS*") means the National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006(**2**).

Amendment to the GDS Regulations

3.—(1) Paragraph 38 of Schedule 3 to the GDS Regulations (notification of a course of treatment, orthodontic course of treatment etc.) is amended as follows.

(2) In sub-paragraph (1)—

(a) in paragraph (e), for "being" substitute "is"; and

(b) after paragraph (f), omit ", on a form supplied by that Board,".

(3) For sub-paragraph (2)(d), substitute—

"(d) in the case of a patient who is exempt from NHS charges, such details of that exemption and the basis of that exemption as the Local Health Board may reasonably request."

(4) After sub-paragraph (2) insert the following sub-paragraphs—

"(3) In the case of a patient to whom sub-paragraph (2)(d) applies, the contractor must also provide the Local Health Board (or a person authorised on the Local Health Board's behalf) with the written declaration form.

(4) Before 1 May 2019 the contractor may send the information required in sub-paragraph (2) to the Local Health Board either in paper form or by means of electronic submission.

(5) On or after 1 May 2019 the contractor must send the information required in sub-paragraph (2) to the Local Health Board by means of electronic submission, but the Local Health Board may accept submission of that information in paper form—

(a) in such exceptional circumstances as the Local Health Board may reasonably determine; and

(**1**) S.I. 2006/490 (W. 59).
(**2**) S.I. 2006/489 (W. 58).

(b) in respect of courses of treatment ending on or before 30 April 2019, for a period ending with 30 June 2019.

(6) In this paragraph, "electronic submission" means information submitted electronically via a computer system approved by the Local Health Board."

Diwygio'r Rheoliadau PDS

4.—(1) Mae paragraff 39 o Atodlen 3 i'r Rheoliadau PDS (hysbysu am gwrs o driniaeth, cwrs o driniaeth orthodontig etc.) wedi ei ddiwygio fel a ganlyn.

(2) Yn is-baragraff (1)—

(a) ym mharagraff (e), hepgorer y geiriau "it completes"; a

(b) ar ôl paragraff (f), hepgorer ", on a form supplied by the Local Health Board,".

(3) Yn lle is-baragraff (3)(d), rhodder—

"(d) in the case of a patient who is exempt from NHS charges, such details of that exemption and the basis of that exemption as the Relevant Body may reasonably request."

(4) Ar ôl is-baragraff (3), mewnosoder yr is-baragraffau a ganlyn—

"(4) In the case of a patient to whom sub-paragraph (3)(d) applies, the contractor must also provide the Relevant Body (or a person authorised on the Relevant Body's behalf) with the written declaration form.

(5) Before 1 May 2019 the contractor may send the information required in sub-paragraph (3) to the Relevant Body either in paper form or by means of electronic submission.

(6) On or after 1 May 2019 the contractor must send the information required in sub-paragraph (3) to the Relevant Body by means of electronic submission, but the Relevant Body may accept submission of that information in paper form—

(a) in such exceptional circumstances as the Relevant Body may reasonably determine; and

(b) in respect of courses of treatment ending on or before 30 April 2019, for a period ending with 30 June 2019.

(b) in respect of courses of treatment ending on or before 30 April 2019, for a period ending with 30 June 2019.

(6) In this paragraph, "electronic submission" means information submitted electronically via a computer system approved by the Local Health Board."

Amendment to the PDS Regulations

4.—(1) Paragraph 39 of Schedule 3 to the PDS Regulations (notification of a course of treatment, orthodontic course of treatment etc.) is amended as follows.

(2) In sub-paragraph (1)—

(a) in paragraph (e), omit the words "it completes"; and

(b) after paragraph (f), omit ", on a form supplied by the Local Health Board,".

(3) For sub-paragraph (3)(d), substitute—

"(d) in the case of a patient who is exempt from NHS charges, such details of that exemption and the basis of that exemption as the Relevant Body may reasonably request."

(4) After sub-paragraph (3), insert the following sub-paragraphs—

"(4) In the case of a patient to whom sub-paragraph (3)(d) applies, the contractor must also provide the Relevant Body (or a person authorised on the Relevant Body's behalf) with the written declaration form.

(5) Before 1 May 2019 the contractor may send the information required in sub-paragraph (3) to the Relevant Body either in paper form or by means of electronic submission.

(6) On or after 1 May 2019 the contractor must send the information required in sub-paragraph (3) to the Relevant Body by means of electronic submission, but the Relevant Body may accept submission of that information in paper form—

(a) in such exceptional circumstances as the Relevant Body may reasonably determine; and

(b) in respect of courses of treatment ending on or before 30 April 2019, for a period ending with 30 June 2019.

(7) In this paragraph, “electronic submission” means information submitted electronically via a computer system approved by the Relevant Body.”

(7) In this paragraph, “electronic submission” means information submitted electronically via a computer system approved by the Relevant Body.”

Vaughan Gething

Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon, un o Weinidogion Cymru
25 Hydref 2017

Cabinet Secretary for Health, Well-being and Sport, one of the Welsh Ministers
25 October 2017

©ⓗHawlfraint y Goron 2017

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Jeff James, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2017

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty’s Stationery Office and Queen’s Printer of Acts of Parliament.

OFFERYNNAU STATUDOL CYMRU

2017 Rhif 1040 (Cy. 269)

Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Deintyddol Cyffredinol a Chytundebau Gwasanaethau Deintyddol Personol) (Cymru) (Diwygio) 2017

WELSH STATUTORY INSTRUMENTS

2017 No. 1040 (W. 269)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Dental Services Contracts and Personal Dental Services Agreements) (Wales) (Amendment) Regulations 2017

£6.00

W201710301000 11/2017

http://www.legislation.gov.uk/id/wsi/2017/1040

ISBN 978-0-348-20167-3