

KEELING SCHEDULE

The National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012

Regulation 2

This Schedule includes only those amendments which amend existing provisions in regulation 2.

	Regulation 2 (interpretation)
<u>Regulation 2(1)</u>	(1) In these Regulations— “1983 Act” means the Mental Health Act 1983; “the 2006 Act” means the National Health Service Act 2006; “the 2012 Act” means the Health and Social Care Act 2012; “armed forces” means the regular forces and the reserved forces within the meaning of the Armed Forces Act 2006; “the Board” means the National Health Service Commissioning Board; “CCG” means clinical commissioning group;
Amendment of existing definition of commissioning contract.	“commissioning contract” means a contract, other than a primary care contract, entered into by a relevant body in the exercise of its commissioning functions <u>and includes an integrated services provider contract</u> ; “commissioning functions” means the functions of a relevant body in arranging for the provision of services as part of the health service, but it does not include, in relation to the Board, its functions in relation to services provided under a primary care contract; “consultant” means a person who has been appointed to a medical consultant post with a health service provider; “general dental practitioner” means a person whose name is

<p>Insertion of cross reference to new definition of integrated services provider contract.</p> <p>For the purposes of this Keeling Schedule, the proposed cross reference has been included in square brackets.</p>	<p>included in the register maintained by the General Dental Council under section 14 of the Dentists Act 1984;</p> <p>“general medical practitioner” means a person registered in the General Practitioner Register held by the General Medical Council under section 34C of the Medical Act 1983;</p> <p>“health care professional” means a member of a profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002;</p> <p>“health care services” means one or more services consisting of the provision of treatment for the purposes of the health service;</p> <p>“health service provider” means a person, other than a relevant body, who has entered into a commissioning contract;</p> <p>“immigration removal centre” means a removal centre within the meaning of section 147 of the Immigration and Asylum Act 1999;</p> <p><u>“integrated services provider contract” means a contract within the meaning of Schedule 3A(1)(3) to the National Health Service (General Medical Services Contracts) Regulations 2015()”:</u></p> <p><u>[“Integrated Services Provider Contract” is a contract which—</u></p> <p><u>(a) is entered into on or after XXXXX 2018 between a single provider of integrated services, on the one hand, and one or more of the following—</u></p> <p><u>(i) the Board,</u></p> <p><u>(ii) one or more CCGs, or</u></p> <p><u>(iii) one or more English local authorities,</u></p> <p><u>on the other hand; and</u></p> <p><u>(b) relates to arrangements for the provision of primary medical services which, as part of the health service, the Board considers it appropriate to secure the provision of under section 83(2) of the Act() (primary medical services) together with one or more of the services or types of services specified</u></p>
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in paragraphs (i) to (iii)—

(i) such services, accommodation or facilities as a CCG considers it appropriate to make arrangements for the provision of for the purposes of the health service under or by virtue of section 3 (duties of clinical commission groups as to commission of health services) or 3A (power of clinical commissioning groups to commission certain health services) of the Act() or which the Board is required by the Secretary of State to commission by virtue of regulations made under 3B (power to require Board to commission certain health services) of the Act();

(ii) public health services which, as part of the health service, are provided—

(aa) pursuant to the exercise of the public health functions of the Secretary of State under sections 2A (Secretary of State's duty as to protection of public health) or 2B (functions of local authorities and Secretary of State as to improvement of public health)() of, or paragraphs 7C, 8 or 12 of Schedule 1 to, the Act() (further provision about the Secretary of State and services under this Act) (including where those functions are exercised by an NHS body under section 75 partnership arrangements());

(bb) pursuant to the exercise of the public health functions of local authorities under sections 2B (functions of local authorities and Secretary of State as to improvement in public health) or 111 (dental public health) of, and of paragraphs 1 to 7B or 13 of Schedule 1 to, the Act() (further provision about the Secretary of State and services under this Act) (including where those functions are exercised by an NHS body by virtue of section 75 partnership arrangements);

(cc) pursuant to arrangements where the local authority is required to exercise any of the public health functions of the Secretary of State by virtue of regulations made under section 6C of the Act() (regulations as to the exercise by local authorities of certain public health functions); or

(dd) pursuant to arrangements made by the Board, a CCG or a local authority, where those bodies are acting pursuant to arrangements made under section 7A of the Act() (exercise of Secretary of State's public health functions), or

<p>Amendment of existing definition of primary care contract.</p>	<p><u>(iii) any services provided pursuant to the exercise of the adult social services functions of an English local authority either by that authority or, by virtue of section 75 partnership arrangements, on that authority's behalf;]</u></p> <p>The National Health Service (General Medical Services Contracts) Regulations 2015()</p> <p>“maternity services” includes all services relating to female patients from the start of the pregnancy to 6 weeks after the birth other than—</p> <p>(a) the treatment of any medical condition unrelated to pregnancy,</p> <p>(b) the treatment of any medical condition which does not usually occur in the ordinary course of pregnancy, or</p> <p>(c) services relating to the termination of pregnancy in accordance with the Abortion Act 1967;</p> <p>“mental health services” means services provided to patients in relation to a disorder or disability of the mind;</p> <p>“optometrist” means a registered dispensing optician or a registered optometrist within the meaning of the Opticians Act 1989;</p> <p>“patient” means any person who is receiving treatment provided as part of the health service;</p> <p>“primary care contract” means a contract or other arrangement between the Board and a provider of primary care services to provide one or more primary care services, <u>but not an integrated services provider contract;</u></p> <p>“primary care services” means services provided as part of the health service pursuant to arrangements made by the Board under Parts 4 to 7 of the 2006 Act;</p> <p>“relevant body” means a CCG or the Board;</p> <p>“relevant date” means 1st April 2013;</p> <p>“secure children's home” means a children's home used for the purpose of restricting liberty and approved for that purpose in respect of which a person is registered under Part 2 of the Care Standards Act 2000;</p>
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“secure training centre” means a place in which offenders subject to detention and training orders under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detention and training orders) may be detained and given training and education and prepared for their release;

“treatment”, except in Part 9 (waiting times), means an intervention that is intended to manage a person's disease, condition or injury and includes prevention, examination and diagnosis;

“young offender institution” means a place for the detention of offenders sentenced to detention in a young offender institution or to custody for life.