

2018 No.

HEALTH CARE AND ASSOCIATED PROFESSIONS

DOCTORS

**The Medical Profession (Responsible Officers) (Amendment)
Regulations 2018**

<i>Made</i> - - - -	***2018
<i>Laid before Parliament</i>	***2018
<i>Coming into force</i> - -	***2018

The Secretary of State, in exercise of the powers conferred by sections 45A(1) and (3) and 45B(3)(a) to (c) of the Medical Act 1983(a) makes the following Regulations.

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the Medical Profession (Responsible Officers) (Amendment) Regulations 2018 and come into force on 1st April 2018.

(2) These Regulations apply in relation to England only.

(3) In these Regulations “the 2010 Regulations” means the Medical Profession (Responsible Officers) Regulations 2010(b).

Amendment to Part 1 of the 2010 Regulations

2. In regulation 1(2)(c) (interpretation) of Part 1 of the 2010 Regulations (general) in the appropriate places insert—

““ACO” means a body known as an accountable care organisation having been so designated by the Board, because it is providing or arranging the provision of health services under the National Health Service Act 2006 which are referred to in a contract based on a standard contract, developed by the Board, for accountable care models;”

““the Integrated Services Provider Contract Directions” mean the Primary Medical Services (Integrated Services Provider Contracts) Directions 2017(d);”

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- (a) 1983 c. 54; sections 45A to 45F (Part V Responsible Officers) were inserted by section 119 of the Health and Social Care Act 2008 (c. 14); “prescribed” means prescribed by Regulations; and the “appropriate authority” means the Secretary of State in relation to England
- (b) S.I. 2010/2841 as amended by S.I. 2011/2581, S.I. 2012/1641 and S.I. 2013/391.
- (c) Regulation 1 was amended by S.I. 2013/391.
- (d) The Primary Medical Services (Integrated Services Provider Contracts) Directions were signed on xxx. These Directions are available at [DN: insert web link]. Hard copies may be obtained from [DN: insert postal address for obtaining hard copies]

““Integrated Services Provider Contract” means a contract described in direction 2(1) of the Integrated Services Provider Contract Directions for the provision of primary medical services which, as a part of the health service, the Board considers it appropriate to secure the provision of under section 83(2) of the National Health Service Act 2006 together with one or more of the health and social care services specified in sub-paragraph (b)(i) to (iii) of that direction;”

Amendment to Part 2

3.—(1) Part 2 of the 2010 Regulations (responsible officers) is amended as follows.

(2) In regulation 10(a) (connection between designated bodies and medical practitioners) after paragraph (1)(a)(ii) insert—

“(aa) where none of the preceding sub-paragraphs apply, the medical practitioner—

- (i) is employed by an ACO,
- (ii) is engaged by, or provides primary medical services for an ACO under or pursuant to an Integrated Services Provider Contract held by that ACO, or
- (iii) is engaged by, or provides other health services of the kind mentioned under direction 2(b)(i) and (ii) of the Integrated Services Provider Contract Directions, for or on behalf of an ACO;”.

Amendment to the Schedule

4. In Part 1 of the Schedule to the 2010 Regulations (designated bodies), after paragraph 2 insert—

“**2A.** An ACO.”.

Signed by the authority of the Secretary of State for Health

Philip Dunne
Parliamentary Under Secretary of State
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Medical Profession (Responsible Officers) Regulations 2010 (S.I. 2010/2841) (“the 2010 Regulations”).

Regulation 2 inserts a new definition of “an ACO” which is consequential on the changes made to designated bodies in the Schedule. Further definitions are also added to reflect the introduction of new contractual mechanisms for the delivery of range of integrated health and other services, including public health and social care services, by an ACO provider.

Regulation 3 amends regulation 10 of the 2010 Regulations to insert a new provision that enables an ACO to be the designated body for medical practitioners who provide primary medical services, or other health services, under or pursuant to an Integrated Services Provider Contract.

Regulation 4 amends Part 1 of the Schedule to the 2010 Regulations. An ACO is prescribed as a designated body under Part 1.

(a) Regulation 10 was amended by S.I. 2013/391.