
STATUTORY INSTRUMENTS

2018 No. XXX

NATIONAL HEALTH SERVICE, ENGLAND

**The National Health Service (Performers Lists) (England)
(Amendment) Regulations 2018**

Made - - - - ***
Laid before Parliament ***
Coming into force - - ***

The Secretary of Health, in exercise of the powers conferred by sections 91(1) and (3)(b) and (c) and 272(7) and (8) of the National Health Service Act 2006(a)

Citation, commencement and application

1.—(1) These Regulations may be cited as the National Health Service (Performers Lists) (England) (Amendment) Regulations 2018 and come into force on [insert date] 2018.

(2) These regulations apply to England only.

Interpretation

2. In these Regulations “the 2013 Regulations” means the National Health Service (Performers Lists) (England) Regulations 2013(b).

Amendment of Part 2 of the 2013 Regulations

3. Part 2 of the 2013 Regulations (Medical Performers List) is amended as follows—

(a) in regulation 23 (interpretation)—

(i) in the appropriate place insert—

““an APMS contract” means a contract or an arrangement to which the Alternative Provider Medical Services Directions 2016(c) apply, for the provision of primary medical services, and includes any contracts or arrangements which are made using a combination of sections 9(d) (NHS contracts) and 83(2)(e) (primary medical services) of the 2006 Act;”;

(a) 2006 c. 41. Section 91 was amended by paragraph 35 of Schedule 4 to the Health and Social Care Act 2012 (c. 7).
(b) S.I. No. 2013/335.
(c) The Alternative Provider Medical Services Directions 2016 were signed on 3rd October 2016. They relate to the provision of primary medical services under section 83(2) of the Act under an Alternative Provider Medical Services (APMS) Contract. These Directions are available at: <https://www.gov.uk/government/publications/nhs-primary-medical-services-directions-2013>. Hard copies may be requested by post from the General Practice Team, Quarry House, Quarry Hill, Leeds LS2 7UE.
(d) Section 9 was amended by Schedules 4(1), 5(2) and (3), 7, 17, 19 and 21 to the Health and Social Care Act 2012 (c. 7).
(e) Section 83(2) was substituted by section 30(2) of the Health and Social Care Act 2012. You have included this reference above so not necessary to repeat it here

- (ii) in the appropriate place insert—
 - ““an Integrated Services Provider contract” means a contract to which the Primary Medical Services (Integrated Services Provider Contracts) Directions 2017(a) apply, 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 2006 Act (primary medical services);”;
- (iii) in the appropriate place insert—
 - ““primary medical services” means medical services provided under or pursuant to a contract or an agreement to which Part 4 of the 2006 Act applies;”;
- (iv) for the definition of “scheme”, substitute—
 - ““scheme” means an arrangement to provide primary medical services —
 - (a) under an APMS contract;
 - (b) under a general medical services contract within the meaning of section 84(2) of the 2006 Act; or
 - (c) under section 92 arrangements; and”;
- (b) in regulation 25 (contents of the medical performers list), for paragraphs (d) and (e) substitute—
 - “(d) confirmation of whether the medical practitioner is a contractor in relation to a general medical services contract or provides primary medical services under or pursuant to such a contract;
 - (e) confirmation of whether the medical practitioner provides primary medical services under or pursuant to section 92 arrangements;
 - (ea) confirmation of whether the medical practitioner provides primary medical services under or pursuant to an APMS contract or an Integrated Services Provider contract;”;
- (c) in regulation 26(2)(application for inclusion in the medical performers list)—
 - (i) for sub-paragraphs (f) and (g) substitute—
 - “(f) state whether the medical practitioner is a contractor in relation to a general medical services contract or provides primary medical services under, or pursuant to, section 92 arrangements;
 - (g) state whether the medical practitioner provides primary medical services under, or pursuant to, an APMS contract or an Integrated Services Provider contract;
 - (ga) state whether the medical practitioner is a contractor in relation to a general medical services contract, or provides primary medical services under, or pursuant to, section 92 arrangements or under or pursuant to an APMS contract, for more than one scheme and, if so, which schemes and which of those schemes is the relevant scheme; and”.

Signed by authority of the Secretary of State for Health

Philip Dunne
Parliamentary Under Secretary of State
Department of Health

Date

(a) Primary Medical Services (Integrated Services Provider Contracts) Directions 2017. They relate to the provision of primary medical services under section 83(2) of the Act under an Integrated Services Provider Contract. These Directions are available at: <https://www.gov.uk/government/publications/xxxx>. Hard copies may be requested by post from the General Practice Team, Quarry House, Quarry Hill, Leeds LS2 7UE.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Performers Lists) (England) Regulations (S.I. 2013/335) (“the 2013 Regulations”).

Regulation 3(a)(i) inserts definitions of an “APMS contract”, “Integrated Services Provider contract” and “primary medical services” into regulation 23 (interpretation) of the 2013 Regulations. Primary medical services are provided by medical practitioners under a scheme, the definition of which has been amended by regulation 3(a)(ii) to include primary medical services provided under a contract entered into by the National Health Service Commissioning Board with a provider of primary medical services under section 83(2) of the National Health Service Act 2006.

Paragraphs (b) and (c) of regulation 3 amend regulations 25 (contents of the medical performers list) and 26 (application for inclusion in the medical performers list) of the 2013 Regulations, respectively, to include contracts entered into under section 83(2) of the National Health Service Act 2006 and to include other schemes under which primary medical services can be provided.