



## SCOTTISH EXECUTIVE

Health Department  
Directorate of Human Resources

General Medical Services  
St Andrew's House  
Regent Road  
EDINBURGH  
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Dear Colleague

### GENERAL MEDICAL SERVICES SUPPLEMENTARY MEDICAL LISTS REMOVAL OF PATIENTS FROM GENERAL PRACTITIONERS' LISTS

#### Summary

1. This circular provides additional guidance on supplementary medical lists. It also revokes the requirement to remove patients from their GP's list where they suffer mental illness and spend 2 years in hospital as a consequence of their condition.

#### Background – supplementary lists

2. The [NHS \(General Medical Services Supplementary Lists\)\(Scotland\) Regulations 2003](#) came into effect on 28 February 2003 with consequential amendment of the NHS (General Medical Services)(Scotland) Regulations 1995. Circular [PCA\(M\)\(2003\)4](#) dated 12 March 2003 provided guidance on the introduction of the supplementary lists.

3. The guidance is to the effect that doctors who **assist** in any capacity in the provision of services but who are not on the medical list of the NHS Board or Primary Care Trust where the services are being delivered must gain admission to the supplementary medical list.

4. However, those principal GPs who provide out of hours services in another area through an "out of hours arrangement" under paragraph 17A of Schedule 1 to the 1995 Regulations do not require to join such a list.

5. To provide an "out of hours arrangement" for another principal GP a doctor must, in terms of paragraph 17A(2) of Schedule 1, have their name on a medical list. In such cases the responsibilities of the other doctor are transferred to the out of hours doctor. The transferee doctor is therefore not **assisting** in the provision of services. Consequently there is no need for the transferee doctor to make an application to join a supplementary list.

22 September 2003

#### Addresses

#### For action

Chief Executives of  
Primary Care Trusts/NHS Boards  
General Medical Practitioners

#### For information

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6. Where a principal GP proposes to provide services in another area as a locum or to assist in some other way he/she is required to gain admission to the supplementary list. Any doctor who assists or deputises for a transferee GP in the provision of out of hours services is required to have his/her name on the supplementary list.

7. Guidance on disciplinary procedures for GPs was issued under cover of Circular PCA(M)(1997)5 dated 14 February 1997. Paragraph 2.2 of the guidance deals with cases where services are provided by a deputy who is on a medical list. It states that it is for the Board or Trust whose medical list contains the name of the GP for whom another doctor provided services to refer such a deputy to a medical discipline committee. In contrast with this and in line with paragraphs 3 to 6 above, where a doctor who has taken over responsibility for patients under an out of hours arrangement may have breached the Terms of Service it is for the Board or Trust whose medical list contains the name of that doctor to decide what action to take. Regulation 3(5) of the NHS (Service Committees and Tribunal)(Scotland) Regulations 1992, as amended, which defines the "appropriate Health Board or Primary Care NHS Trust" refers.

8. The supplementary lists guidance also describes how principal GPs who engage doctors to assist in the provision of services would, from 1 August 2003, be required to check clinical references. This was to have been given effect by an amendment of the 1995 Regulations. That has been delayed and the requirement will not apply from 1 August. Further guidance will be issued at a later date.

#### **Background – removal of patients**

9. Ministers are concerned that the removal from their GP list of patients with mental illness who spend 2 years in hospital as a consequence of their condition may stigmatise the individuals concerned and have decided that removal in these circumstances should cease. Following consultation with organisations representing those with mental illness the decision has been taken to revoke paragraph 10 of ECS(A)1/1953.

10. Primary Care Trusts/NHS Boards should ensure that patients who have been removed in the past are re-allocated to a GP's list of patients when they are released from hospital. Subject to the rights of the GP and patient in terms of the National Health Service (Choice of Medical Practitioner)(Scotland) Regulations 1998 there will often be advantage in the patient returning to the practice they were with prior to removal.

#### **Action**

11. Primary Care Trusts/NHS Boards are requested to bring this Circular to the attention of all GP practices in their area and to their Area Medical Committee for the attention of the Secretary of the GP Sub-Committee.

Yours sincerely



**MIKE PALMER**  
**Assistant Director (Workforce & Policy)**