

# THE NATIONAL HEALTH SERVICE (GENERAL MEDICAL SERVICES) REGULATIONS 1992

## *Schedule 2*

### Terms of Service for Doctors

#### ***Important Note***

This copy of the NHS (General Medical Services) Regulations 1992 has been electronically reproduced from a version published March 1999 by the GPC secretariat, which was the 1996 consolidated version additionally incorporating seven further statutory instruments (SI).

Although the document has been checked for errors, it is intended only as a guide for members and constituents of the WMRLMC, and has no official status. For a statement of law, reference must be made to the appropriate statutory instrument.

#### **Employees**

28. (1) A doctor shall, before employing any person to assist him in the provision of general medical services, take reasonable care to satisfy himself that the person in question is both suitably qualified and competent to discharge the duties for which he is to be employed.
- (1A) The duty imposed by paragraph (1) is in addition to the duty imposed by paragraph 22A(I) so far as it relates to assistants. [amended by SI 1994 No 3130 wef 1/1/95]
- (2) When considering the competence and suitability of any person for the purpose of sub-paragraph (1), a doctor shall have regard, in particular, to:
- (a) that person's academic and vocational qualifications;
  - (b) that person's training and his experience in employment; and
  - (c) any guidance issued by the ,HA. pursuant to regulation 39.
- (3) A doctor shall afford to each employee reasonable opportunities to undertake appropriate training with a view to maintaining that employee's competence.
- 28A. (1) Where-
- (a) a doctor employs a nurse prescriber whose functions will include prescribing in his practice; or
  - (b) the functions of a nurse prescriber whom he already employs are extended to include prescribing, he shall notify the Health Authority within the period of seven days beginning with the date on which the event occurred.
- (2) Where-

- (a) the doctor ceases to employ a nurse prescriber whose functions included prescribing in his practice;
- (b) the functions of a nurse prescriber whom he employs in his practice are changed so that they no longer include prescribing, in his practice; or
- (c) the doctor becomes aware that a nurse prescriber whom he employs has been removed or suspended from the professional register,

he shall notify the Health Authority by the end of the second day after the day when the event occurred.

- (3) A doctor shall provide the following information when he notifies the Health Authority in accordance with sub-paragraph (1)-
  - (a) the nurse's full name;
  - (b) her professional qualifications;
  - (c) her identifying number which appears in the professional register;
  - (d) the date on which her entry in the professional register was annotated to the effect that she was qualified to order drugs, medicines and appliances for patients;
  - (e) the date-
    - (i) on which she was employed, if her functions include prescribing in his practice, or
    - (ii) on which one of her functions became to prescribe in his practice.
- (4) A doctor shall provide the following information when he notifies the Health Authority in accordance with sub-paragraph (2)
  - (a) the nurse's full name;
  - (b) her professional qualifications;
  - (c) her identifying number which appears in the professional register;
  - (d) the date-
    - (i) she ceased to be employed in his practice,
    - (ii) her functions changed so as no longer to include prescribing, or
    - (iii) on which she was removed or suspended from the professional register. [as amended by SI 1999 No 326 wef 8/3/99].