

OFFERYNNAU STATUDOL CYMRU

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Y GWASANAETH IECHYD GWLADOL, CYMRU

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) (Diwygio) (Rhif 2) (Cymru) 2001

Wedi'u gwneud - - *17 Gorffennaf 2001*

Yn dod i rym

Rheoliadau 1 i 4 a 5(a) *1 Awst 2001*

Rheoliad 5(b) *1 Medi 2001*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 15(1), 35(1), 36(1) a 126(4) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977(1) drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) (Diwygio) (Rhif 2) (Cymru) 2001 a deuant i rym ar 1 Awst 2001, ac eithrio rheoliad 5(b) a ddaw i rym ar 1 Medi 2001.

(2) Bydd y Rheoliadau hyn yn gymwys i Gymru yn unig.

Diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) 1992

2. Diwygir Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) 1992 ("y prif Reoliadau")(2) yn unol â'r darpariaethau canlynol yn y Rheoliadau hyn.

- (1) 1977 p. 49; gweler adran 128(1), fel y'i diwygiwyd gan Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 (p.19) ("Deddf 1990"), adran 26(2)(g) ac (i) ar gyfer y diffiniadau o "prescribed" a "regulations". Diwygiwyd adran 15(1) gan adran 5(2) o Ddeddf Iechyd a Nawdd Cymdeithasol 1984 (p.48) ("Deddf 1984"); gan Ddeddf 1990, adran 12(1) a chan Ddeddf Awdurdodau Iechyd 1995 (p.17) ("Deddf 1995"), Atodlen 1, paragraff 6(e). Amnewidiwyd adran 35(1) gan O.S. 1985/39, erthygl 7(9), ac fe'i diwygiwyd gan Ddeddf 1995, Atodlen 1, paragraff 24. Rhifwyd adran 36(1) felly gan Ddeddf 1984, Atodlen 3, paragraff 5(1) ac fe'i diwygiwyd gan O.S. 1981/432, erthygl 3(3)(a); gan O.S. 1985/39, erthygl 7(10); gan adran 25 o Ddeddf Iechyd a Meddyginiaethau 1988 (p.49), ac Atodlen 2, paragraff 4 iddi; gan Ddeddf 1990, adran 24(2) a chan Ddeddf 1995, adran 2(1) ac Atodlen 1, paragraff 25(a). Diwygiwyd adran 126(4) gan Ddeddf 1990, adran 65(2); a chan Ddeddf Iechyd 1999 (p.8), ("Deddf 1999"), Atodlen 4, paragraff 37(6). Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adrannau 15(1), 35(1), 36(1) a 126(4) o Ddeddf 1977 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), erthygl 2 ac Atodlen 1, fel y'i diwygiwyd gan adran 66(5) o Ddeddf 1999.
- (2) O.S.1992/661; yr offerynnau diwygio perthnasol yw O.S.1993/2209, 1995/3092, 1996/704, 1998/1648 a 2000/3118.

Diwygio rheoliad 2 o'r prif Reoliadau

3. Yn rheoliad 2 o'r prif Reoliadau (dehongli)—

- (a) ym mharagraff (1) dilëwch y diffiniad o "FHSA"; a
- (b) ar ôl paragraff (1) mewnosodwch—

“(1A) In the application of these Regulations in relation to Wales “FHSA” shall, in each place where this abbreviation occurs, have effect as if there substituted the words “Health Authority”.”

Diwygio rheoliad 19 o'r prif Reoliadau

4. Yn rheoliad 19 o'r prif Reoliadau (Datganiad o Dâl Deintyddol)—

- (a) yng ngholofn 2 o'r Tabl a nodir o dan baragraff (1) yn lle'r cofnod “Postgraduate education allowances” rhowch “Continuing professional development allowances”;
- (b) ar ddiwedd y Tabl hwnnw mewnosodwch yng ngholofn (1) y rhif Rhufeinig “X” a mewnosodwch yng ngholofn (2) “Clinical audit allowances”.

Diwygio Atodlen 1 i'r prif Reoliadau

5. Yn Atodlen 1 (telerau gwasanaeth ar gyfer deintyddion)—

- (a) ar ôl paragraff 31D (indemniad proffesiynol)(3) mewnosodwch—

“Clinical audit activities

31E.—(1) In the relevant period a dentist shall—

- (a) undertake at least 15 hours of clinical audit activities, and
- (b) take reasonable steps to ensure that any assistant of his also undertakes such activities.

(2) In this paragraph—

“clinical audit activities” means activities which involve the systematic and critical analysis of the quality of dental care provided by the dentist, including the processes used by him for diagnosis, intervention and treatment and his use of resources, and may include peer review by means of participation in meetings of a group of no fewer than four dentists where such a group considers the quality and performance of specific treatments and approaches to treatment, and

“the relevant period” means—

- (a) subject to sub-paragraph (b) below, where a dentist’s name is included in a dental list and he is providing dental services—

- (i) on 1st August 2001, the period of three years commencing on that date,
- (ii) from a date after 1st August 2001, the period of three years commencing with that later date,

and each successive period of three years

thereafter;

- (b) where a dentist’s name remains included in a dental list but he does not provide dental services during any continuous period in excess of thirteen weeks, the

period specified in sub-paragraph (a), to which is added any such continuous period during which he is not providing dental services.”; a

(b) Ar ôl paragraff 31E (fel y'i mewnosodir gan baragraff (a) uchod) mewnosodwch—

“Quality assurance system

31F.—(1) A dentist shall establish, and operate in accordance with this paragraph, a practice based quality assurance system which is applicable to all the persons specified in sub-paragraph (2).

(2) The specified persons are—

- (a) the dentist,
- (b) any other dentist either employed by him or engaged as a deputy, and
- (c) any employee of the dentist other than one falling within sub-paragraph (b) above.

(3) A dentist shall ensure that in respect of his practice based quality assurance system, he has specified a person (who need not be connected with the dentist’s practice) to be responsible for operating that system.

(4) A dentist shall ensure that in respect of his practice based quality assurance system, there is displayed in a prominent position in his practice premises, in a part to which patients have access, a written statement of his commitment to the matters referred to in sub-paragraph (5).

(5) In this paragraph and in paragraph 31G “a practice based quality assurance system” means one which comprises—

- (a) a system to ensure that all dental care provided is of a consistent quality,
- (b) a system to ensure that effective measures of infection control are used,
- (c) a system to ensure that all legal requirements relating to health and safety in the workplace are satisfied,
- (d) a system to ensure that all legal requirements relating to radiological protection are satisfied, and
- (e) a system to ensure that any requirements of the General Dental Council in respect of the continuing professional development of dentists are satisfied.

Quality assurance system return

31G.—(1) Subject to sub-paragraph (3), a dentist whose name is included in the dental list shall provide to the Health Authority by the 30th June each year a written return which states—

- (a) whether there has been compliance with all the systems specified in paragraph 31F(5) in respect of the period of 12 months ending on the 31st March of that year, and
- (b) whether any changes to his practice or procedures have occurred as a result of the operation of the practice based quality assurance system and if so, the nature of those changes.

(2) Where a dentist practises in partnership with one or more dentists whose names are included in the dental list, the information referred to in sub-paragraph (1) shall be provided in respect of the partnership as a whole instead of by each dentist individually.

Statws This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

(3) The return to be provided by 30th June 2002 shall relate to the period from 1st September 2001 to 31st March 2002.”.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(4)

17 Gorffennaf 2001

Dafydd Elis Thomas
Llywydd y Cynulliad Cenedlaethol

(4) 1998 p. 38

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn diwygio ymhellach Reoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Deintyddol Cyffredinol) 1992 (O.S. 1992/661) ("y prif Reoliadau") sy'n rheoleiddio ar ba delerau y mae gwasanaethau deintyddol cyffredinol yn cael eu darparu o dan Ddeddf y Gwasanaeth Iechyd Gwladol 1977.

Mae'r Rheoliadau'n diwygio rheoliad 19(1) o'r prif Reoliadau fel bod y cofnod ar gyfer pwnc dyfarniad VIII, "Lwfansau datblygiad proffesiynol parhaus" yn cael ei roi yn lle "Lwfansau addysg ôl-raddedig" a bod dyfarniad X newydd yn cael ei ychwanegu, ar y pwnc "Lwfansau archwiliadau clinigol".

Mae'r Rheoliadau'n diwygio Atodlen 1 i'r prif Reoliadau ymhellach, sef Atodlen sy'n nodi'r telerau gwasanaeth sy'n gymwys i ddeintyddion sydd ar restr ddeintyddol Awdurdod Iechyd. Ychwanegir tri theler gwasanaeth newydd i'r perwyl y bydd rhaid i ddeintydd, dros gyfnodau o dair blynedd yn olynol, wneud 15 awr o weithgareddau sy'n cynnwys archwilio clinigol, sefydlu a gweithredu system sicrwydd ansawdd sydd wedi'i seilio ar y practis a rhoi ffurflen flynyddol i'r Awdurdod Iechyd ar gyfer y system honno.