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WELSH STATUTORY INSTRUMENTS

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**2006 No. 489 (W.58)**

**NATIONAL HEALTH SERVICE, WALES**

The National Health Service (Personal Dental  
Services Agreements) (Wales) Regulations 2006

*Made* - - - - 28 February 2006

*Coming into force* 1 March 2006

THE NATIONAL HEALTH SERVICE (PERSONAL DENTAL  
SERVICES AGREEMENTS) (WALES) REGULATIONS 2006

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2. Interpretation

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4. General conditions relating to all agreements
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6. Reasons
7. Appeal

PART 3

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8. Pre-agreement disputes

PART 4

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9. Health service body status

Status: This is the original version (as it was originally made).

PART 5

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- 15. Under - provision of units of dental activity or units of orthodontic activity
- 16. Domiciliary services and sedation services
- 17. Finance
- 18. Fees, charges and financial interests of the contractor
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- 21. Right to a general dental services contract

PART 7

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- 22. Commencement of agreement  
Signature

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- 1. Provision of advanced mandatory services, domiciliary services and sedation services by the contractor
- 2. Referral services
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- 4. Patients to whom orthodontic services may be provided
- 5. Orthodontic course of treatment
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- 7. Monitoring outcomes
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PART 1 — UNITS OF DENTAL ACTIVITY

- 1. (1) Where the contractor provides a banded course of treatment,...
- 2. Where the contractor provides a charge exempt course of treatment,...

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- 3. (1) Where the contractor provides an orthodontic course of treatment...

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2. Patient preference of practitioner
3. Violent patients
4. Patients who refuse to pay NHS charges prior to the commencement of, or during, treatment
5. Irrevocable breakdown in relationship between contractor and patient

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11. Mixing of services provided under the agreement with private services
12. Repair or replacement of restorations
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16. Infection control
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26. Conditions for employment and engagement: persons performing dental services other than dental practitioners
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31. Appraisal and assessment
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34. Confidentiality of personal data
35. Patient information
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*Status: This is the original version (as it was originally made).*

- 37. Requests for information from Community Health Councils
  - 38. Inquiries about prescriptions and referrals
  - 39. Notification of a course of treatment, orthodontic course of treatment etc.
  - 40. Annual report and review
  - 41. Notifications to the Relevant Body
  - 42. Notice provisions specific to an agreement with a qualifying body
  - 43. Notifications to patients following a variation of the agreement
  - 44. Entry and inspection by the Relevant Body
  - 45. Entry and inspection by members of Community Health Councils
  - 46. Entry and inspection by the Commission for Healthcare Audit and Inspection
- PART 6 — COMPLAINTS
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  - 48. Making of complaints
  - 49. Period for making complaints
  - 50. Further requirements for complaints procedures
  - 51. Co-operation with investigations
  - 52. Provision of information
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- 53. Local resolution of agreement disputes
  - 54. Dispute resolution: non-NHS contracts
  - 55. NHS dispute resolution procedure
  - 56. Determination of dispute
  - 57. Interpretation of Part 7
- PART 8 — MID-YEAR REVIEW OF ACTIVITY UNDER AGREEMENTS
- 58. Mid-year reviews
  - 59. Action the Relevant Body can take following a mid-year review
- PART 9 — VARIATION AND TERMINATION OF AGREEMENTS
- 60. (1) Subject to paragraph 32(3), no amendment or variation will...
  - 61. Variation of an agreement: activity under the agreement
  - 62. Termination by agreement
  - 63. Termination on the death of an individual
  - 64. Termination by the contractor
  - 65. Late payment notices
  - 66. Termination by the Relevant Body: general provisions
  - 67. Termination by the Relevant Body: notice
  - 68. Termination by the Relevant Body for the provision of untrue etc. information
  - 69. Termination by the Relevant Body on grounds of suitability etc
  - 70. Termination by the Relevant Body: patient safety and material financial loss
  - 71. Termination by the Relevant Body: remedial notices and breach notices
  - 72. Termination by the Relevant Body: additional provisions specific to contracts with qualifying bodies
  - 73. Agreement sanctions
  - 74. Agreement sanctions and the NHS dispute resolution procedure
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- PART 10 — MISCELLANEOUS
- 76. Evidence of exemption under the Act
  - 77. Clinical governance arrangements
  - 78. Quality assurance system

79. Insurance: negligent performance
  80. Public liability insurance
  81. Gifts
  82. Compliance with legislation and guidance
  83. Third party rights
  84. Signing of documents
- SCHEDULE 4 PATIENT INFORMATION LEAFLET
1. A practice leaflet will include—
  2. In the case of an agreement with a qualifying body—...
  3. The full name of each person performing services under the...
  4. In the case of each person performing dental services under...
  5. Whether the contractor undertakes the teaching or training of persons...
  6. The address of each of the practice premises.
  7. The contractor's telephone and fax numbers and the address of...
  8. Whether the practice premises have suitable access for disabled patients...
  9. How to request services as a patient.
  10. The rights of a patient to express a preference of...
  11. The services available under the agreement.
  12. The normal surgery days and hours of the practice.
  13. The arrangements for the dental hours and days that fall...
  14. If the services in paragraph 13 are not provided by...
  15. The telephone number of NHS Direct and details of NHS...
  16. How patients may make a complaint or comment on the...
  17. The rights and responsibilities of the patient, including keeping appointments....
  18. The action that may be taken where a patient is...
  19. Details of who has access to patient information (including information...
  20. The name, postal and website address and telephone number of...
  21. The fact that details of primary dental services in the...
- SCHEDULE 5 MODIFICATION OF PATIENT PROVISIONS WHERE THE CONTRACTOR IS A LOCAL HEALTH BOARD
1. Paragraphs 3 and 5 of Schedule 3 will apply as...
  2. As if for paragraph 3, there were substituted the following—...
  3. As if for paragraph 5, there were substituted the following—...
- Explanatory Note