



## SCOTTISH EXECUTIVE

Health Department  
Directorate of Service Policy and Planning

St Andrew's House  
Regent Road  
EDINBURGH  
EH1 3DG

Dear Colleague

### GENERAL DENTAL SERVICES

1. **AMENDMENT NO 83 TO THE STATEMENT OF DENTAL REMUNERATION AND AMENDMENT NO 11 TO THE SCOTTISH MINISTERS' DETERMINATION: PAYMENTS IN CONSEQUENCE OF SUSPENSION UNDER AN INTERIM SUSPENSION ORDER OF THE NHS TRIBUNAL**
2. **AMENDMENT OF THE NHS (GENERAL DENTAL SERVICES) (SCOTLAND) REGULATIONS 1996**
3. **MAXIMUM PATIENT CHARGE**
4. **PATIENTS RECEIVING TAX CREDITS**
5. **LEAFLETS**

### Summary

1. This letter advises NHS Boards, NHS Trusts and Practitioner Services of the publication of an amendment to the Statement of Dental Remuneration (SDR), Amendment No 83, and Amendment No 11 to the Scottish Ministers' Determination: Payments in Consequence of Suspension under an Interim Suspension Order of the NHS Tribunal, which take effect from 1 April 2002. This letter also advises on an increase in the maximum patient charge for a course of dental treatment.

### Action

2. NHS Boards, NHS Trusts and Practitioner Services are asked to note that with effect from 1 April 2002:

2.1 the revised SDR come into force, including a 3.6 per cent increase in the fee-scale for all courses of dental treatment started **on or after 1 April 2002**. The Memorandum to this letter provides more information;

2.2 the maximum patient charge for a course of dental treatment will rise from £360 to £366. This will apply to all courses of dental treatment started **on or after 1 April 2002**.

11 March 2002

### Addresses

For action  
Chief Executives,  
NHS Boards and NHS Trusts

Director, Practitioner Services

For information  
Chief Executive,  
Common Services Agency

### Enquiries to:

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3. NHS Boards and Trust Chief Executives are reminded of the need to ensure that they make their Hospital and Community Dental staff aware of the new scale of fees, which they require to calculate the proper patient charge for certain dental appliances.
4. A copy of the SDR, Amendment No 83, and the Memorandum to this letter is being sent directly to general dental practitioners and salaried dentists.
5. Supplies of Amendment No 83 will be sent under separate cover to Primary Care NHS Trusts and Island NHS Boards for their own use and for new dentists joining their lists.
6. NHS Boards, Primary Care Trusts and Practitioner Services are asked to note the amendments to the NHS (General Dental Services) (Scotland) Regulations 1996 detailed in the Memorandum to this letter. Copies of the NHS (General Dental Services) and (Dental Charges) (Scotland) Amendment Regulations 2002 will be sent to Primary Care Trusts/Island NHS Boards once they are available. Primary Care Trusts/Island NHS Boards are asked to send a copy of the Regulations to all dentists on their dental lists. If a dentist has more than one list number within a Primary Care Trust/Island NHS Board area he/she should only be sent one copy of the Regulations.
7. Supplies of new forms GP215 (remote area allowance), GP216 (project approval and certification) and GP217 (clinical audit allowance), referred to in paragraphs 21 and 25 of the Memorandum to this letter, will be sent to Primary Care Trusts/Island NHS Boards when available. Copies of the forms should be sent to dentists on request. Further supplies can be obtained from Banner Business Supplies in the normal way.

#### Patients Receiving Tax Credits

7. Primary Care Trusts/Island NHS Board and Practitioner Services are asked to note that with effect from 9 April 2002 the limit at which patients (and/or their partners) receiving Disabled Person's Tax Credit or Working Families' Tax Credit may receive free NHS dental treatment is being increased. For awards starting on or after 9 April 2002 people whose maximum tax credit is reduced by £72.20 or less will be entitled to free NHS dental treatment for courses begun **on or after 9 April 2002**.

#### Leaflets

8. Leaflet HC12 "Charges and optical voucher values", which lists examples of patients' charges, will be re-printed to reflect the changes in the fee-scale. Supplies of the revised leaflet should be ordered from Banner Business Supplies. Please destroy any old versions of the HC12 once you have received stocks of the re-printed version. This leaflet is also on the Department of Health website at [www.doh.gov.uk/nhscharges/hc12.htm](http://www.doh.gov.uk/nhscharges/hc12.htm).
9. This letter is on the SHOW website at [www.show.scot.nhs.uk](http://www.show.scot.nhs.uk).

Yours sincerely

DR HAMISH WILSON  
Primary Care Division

**DENTISTS  
NATIONAL HEALTH SERVICE  
GENERAL DENTAL SERVICES**

- 1. AMENDMENT NO 83 TO THE STATEMENT OF DENTAL REMUNERATION AND AMENDMENT NO 11 TO THE SCOTTISH MINISTERS' DETERMINATION: PAYMENTS IN CONSEQUENCE OF SUSPENSION UNDER AN INTERIM SUSPENSION ORDER OF THE NHS TRIBUNAL**
- 2. AMENDMENT OF THE NHS (GENERAL DENTAL SERVICES) (SCOTLAND) REGULATIONS 1996**
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1. An amended Statement of Dental Remuneration (SDR), Amendment No 83, and Amendment No 11 to Scottish Ministers' Determination: Payments in Consequence of Suspension under an Interim Suspension Order of the NHS Tribunal, which take effect from 1 April 2002, are attached.

**Amendment No 83 to the Statement of Dental Remuneration**

**Fee Increase**

2. The Scottish Executive has accepted the Review Body recommendation for 2002/2003 on dentists' remuneration without staging.
3. Remuneration to general dental practitioners, salaried dentists and sessional payments to dentists taking part in Emergency Dental Services will increase by 3.6% from 1 April 2002. The new fees will apply to courses of treatment started **on or after 1 April 2002**.

**Changes to Determinations I to XI**

4. Figures have been calculated and updated following the normal conventions. Changes are sidelined in Amendment No 83.

**Determination I - Narrative Changes**

*Section I - Interpretation*

5. A new definition of "an emergency" has been added.

*Section II - Diagnosis*

**Item 1(a) - Examination and Report**

6. This item has been amended to provide that an examination has to include the assessment and recording of any malocclusion. This item has also been amended to make it

clear that where a registered patient is examined as a result of trauma the dentist should claim an item 1(a) and not a 1(b) or 1(c).

### Item 3 - Colour Photographs

7. This item has been amended to clarify that a claim under this item can only be paid where a fee under item 1(a), 1(b) or (c) is payable or has been paid under the same course of treatment.

### *Section V - Conservative Treatment*

#### Item 18(b)(5) - Provision of Bridges

8. This item has been amended to make it a discretionary fee.

### *Section VIII - Orthodontic Treatment*

9. A new proviso 9 has been added to make it a condition that no fee under item 32 will be payable unless any appliance provided has been fitted by the dentist.

### *Section XII - Occasional Treatment*

10. This section has been amended to remove the distinction between the range of treatments available to un-registered patients and the range available to patients registered with a dentist elsewhere. A dentist may provide any of the items included in the revised Section XII, irrespective of whether the patient has entered into a continuing care or capitation arrangement with another dentist who is not "the same dentist" in terms of the definition in Section I of Determination I.

11. The other main changes to Section XII are:

11.1 A new assessment and advice fee has been included at item 47(a) in recognition of the clinical time spent on making a diagnosis and discussing treatment options with the patient. It may be claimed for the assessment of an adult or child patient. It is payable within each course of treatment including when the course requires no intervention, but merely advice. The new fee is equivalent to an item 1(a) (examination and report) and normal patient charges will apply. There is a time bar on further claims for the same patient of 5 complete calendar months, as with item 1(a). Dentist may claim an appropriate examination fee if subsequently accepting a patient into a continuing care arrangement within the 5 month period;

11.2 The restriction on the number of teeth which can be extracted, item 52, under occasional treatment has been removed;

11.3 Item 58(f), root fillings can be provided on permanent teeth anterior to the first molar, but not more than 2 premolar teeth can be treated in a course of treatment unless in connection with trauma. For clinical reasons, root treatment of molar teeth is no longer considered appropriate to occasional treatment and so the fee for molar endodontics has been deleted;

11.4 Revised item 59 includes the replacement of synthetic resin dentures bearing one or more teeth anterior to the first premolar, where there are no unsound teeth in the same arch. This includes both full (complete) and partial dentures. Items 59(b)(2), (3) and (4) are no longer available under occasional treatment;

11.5 A new proviso to item 60 (treatment special to minors) has been added to provide that where treatment is required in an emergency or in association with sedation there is no restriction on the number of teeth which can be treated in one course of treatment.

12. Paragraph 17 (occasional treatment) of Schedule 1 (terms of service) to the NHS (General Dental Services) (Scotland) Regulations 1996 is being amended to reflect the removal of the distinction between registered and un-registered occasional patients. The Regulations are also being amended to make it a terms of service requirement that any filling or root filling provided under item 58 (conservative treatment) which requires to be repaired or replaced within 12 months is done so at no further charge to the patient.

#### *Section XV - Conditions of Payment of Remuneration*

13. A new paragraph 8 (claims for repairs and replacements - occasional treatment) has been added.

#### **Determination II - Rates of Remuneration for a Salaried Dentist and the Provision of Emergency Dental Services**

14. Paragraph 9 (emergency dental services) has been amended to provide for a pro-rata sum appropriate to the sessional fee to be paid for each hour or part hour that a dentist provides emergency dental services in excess of a 3 hour session.

#### **Determination VII - Continuing Professional Development Allowances**

15. Remote dentists, as defined in Determination VII, will be able to claim an additional allowance for undertaking continuing professional development (CPD). This additional allowance is in recognition of the long journeys which dentists who operate from remote area have to make to their local postgraduate centre for the purposes of undertaking CPD. With effect from 1 April 2002 a dentist who is a remote dentist will be entitled to claim an additional £94.33 for each 1/2 session of education time of more than 1 hour and up to 2 hours and £188.65 for each session of education time of more than 2 hours and up to 3 1/2 hours. The maximum additional allowance payable will not exceed £1,132 for the year for a remote island dentist and £566 for the year for a remote mainland dentist.

16. A revised CPDA claim form (GP214) is being produced and will be issued by courses organisers for courses which take place on or after 1 April 2002.

#### **Determination IX - Commitment Payments**

17. The commitment payment scheme has been revised to extend the scheme to begin after five years' service, to provide that the vocational training year will be treated as a qualifying year and to allow occasional patients to count towards registration levels. Two occasional patients will be considered to be equivalent to the continuing care of one

registered patient. In addition, to ensure that dentists are not disadvantaged when taking maternity leave, a provision has been introduced that when a dentist receives a maternity payment she will be deemed to have received the equivalent weekly rate of her gross income during "the test period" for the purposes of calculating a commitment payment.

18. The definition of "GDS-related activities" has been clarified. Within the definition there is an element of discretion. To allay any possible confusion, the Scottish Executive suggests that activities similar to the ones listed in the Annex to this Memorandum should count as GDS-related activities.

### **New Determination XI - Clinical Audit Allowances**

19. This new Determination provides for payments to be made for dentists, and their assistants, taking part in clinical audit activities. With effect from 1 April 2002 it will be a requirement that all dentists (principals, assistants and vocational trainees) who provide general dental services take part in at least 15 hours of clinical audit during each three year period. Schedule 1 to the National Health Service (General Dental Services) (Scotland) Regulations 1996 is being amended to make participation in clinical audit a terms of service requirement. Principal dentists will be expected to take reasonable steps to ensure that any assistant of his also undertakes clinical audit activities.

20. Projects for which an allowance can be claimed required to be approved by the Scottish Council for Postgraduate Medical and Dental Education, which will become NHS Education for Scotland with effect from 1 April 2002.

21. 2 new forms are being produced, GP216 (project approval and completion) and GP217 (clinical audit claim form). Copies of the forms will be sent to Primary Care Trusts/Island NHS Boards, when available, and will be issued on request.

22. Please note that where it indicates in paragraph 4(1) of Determination XI that a certificate of completion of the approved project will be signed "by a member of the SCPMDE" this should read "on behalf of the SCPMDE".

### **New Determination XII - Remote Areas Allowance**

23. This new Determination provides for allowances to be paid to dentist who are remote dentists, as defined in Determination XII. This allowance is payable in recognition of the remoteness of such dentists' practices and the inability of these dentists to build up substantial lists given the population densities in particular areas. A remote allowance will not be payable to a dentist who operates from more than one address where the address from which he provides the greatest proportion of general dental services is not in a remote area.

24. With effect from 1 April 2002 remote dentists will be able to claim an allowance of £1,500 per year, less any abatement which represents the proportion which the dentist's NHS earnings bear to his total earnings. A new claim form (GP215) is being produced for this purpose and can be obtained from Primary Care Trusts/Island NHS Boards on request.

## **Amendment of the NHS (General Dental Services) (Scotland) Regulations 1996**

25. Copies of NHS (General Dental Services) and (Dental Charges) Amendment Regulations 2002, which bring the changes referred to in paragraphs 12 and 18 into effect, will be sent to you for information and retention as soon as they are available.

### **Maximum Patient Charge**

22. On **1 April 2002** the maximum patient charge for a single course of dental treatment will rise from £360 to £366. This figure will apply to all course of dental treatment begun on or after 1 April 2002.

### **Patients Receiving Tax Credits**

23. The limit at which patients (and their partners) receiving Disabled Person's Tax Credit and Working Families' Tax Credit may receive free NHS dental treatment is being increased. For awards starting **on or after 9 April 2002** people whose maximum tax credit is reduced by £72.20 or less will be entitled to free dental treatment for courses begun on or after 9 April 2002.

24. From October 2000, the Inland Revenue started sending out tax credit exemption certificates. This means that from 9 April anyone entitled to remission from NHS dental charges based on receipt of a tax credit should have a certificate as evidence of entitlement that they do not have to pay any NHS charges.

### **Leaflets**

25. Leaflet HC12 "Charges and optical voucher values", which list examples of patients' charges, will be re-printed to reflect the changes in the fee-scale. Supplies of the revised leaflets should be order from your Primary Care Trust/Island NHS Board. Please destroy any old versions of the HC12 you may have in stock once you receive the reprinted version. This leaflet is also on the Department of Health website at [www.doh.gov.uk/nhscharges/hc12.htm](http://www.doh.gov.uk/nhscharges/hc12.htm).

### **Enquiries**

26. Any enquiries arising from this Memorandum should be taken up with your Primary Care Trust/Island NHS Board.

SCOTTISH EXECUTIVE HEALTH DEPARTMENT

11 March 2002

**GDS-RELATED ACTIVITIES**

- Dental advisers to Primary Care Trusts/Island NHS Boards
- Practice inspectors for Primary Care Trusts/Island NHS Boards
- Part-time clinical assistant posts in hospitals
- Work associated participation in management and organisation of the mandatory Vocational Training Scheme (excluding trainers and trainees)
- Scottish Dental Vocational Training Committee (and equivalents)
- Scottish Dental Vocational Training Equivalence and Certification Committee (and equivalents)
- Postgraduate/Clinical tutors
- Clinical Audit facilitators
- Those serving on Postgraduate and/or Audit committees
- Membership of and/or involvement in Discipline Committees or the NHS Tribunal and all related work for complaints, conciliation, etc (but not representational activities)