

**NATIONAL HEALTH SERVICE**  
**GENERAL MEDICAL SERVICES**  
**AMENDMENT TO THE STATEMENT OF FEES AND ALLOWANCES**

**Summary**

This announces changes to the rules relating to the payments to be made to Practitioners who are suspended by Health Authorities.

**Action**

Health Authorities should forward a copy to the chairperson of their Local Medical Committee.

**Background**

1. Sections 49I and 49J of the Health and Social Care Act 2001 and the NHS (General Medical Services) Amendment (No. 4) Regulations 2001 came into force with effect from 14 December 2001.
2. From that date Health Authorities are able to suspend doctors from their medical list. Suspended doctors are entitled to receive payments during any such suspension. The attached amendment to paragraph 46 of the Statement of Fees and Allowances governs the calculation of such payments.
3. The NHS Tribunal will no longer be responsible for suspending practitioners after 13 December 2001. Doctors suspended by the NHS Tribunal prior to 14 December should continue to be remunerated in accordance with the instructions in force at the time that they were suspended.

**Determination**

The Secretary of State, after consultation with the representatives of the profession, hereby makes a determination in accordance with Regulation 34 of the National Health Service (General Medical Services) Regulations 1992 (as amended) that paragraph 46 of the Statement of Fees and Allowances payable to General Medical Practitioners in England shall be amended in accordance with the following pages with effect from 14 December 2001, except in relation to practitioners suspended by the National Health Service Tribunal before 14th December 2001.

Signed by authority of the Secretary of State  
for Health

**Code A**

Date: 14 December 2001

Rob Webster  
A member of the Senior Civil Service  
Department of Health

### **Payments to Suspended GP Principals**

1. The heading in SFA paragraph 46 shall be amended to read as follows:

Payments during periods for which a practitioner is suspended by a Health Authority by virtue of Sections 49I or 49J of the NHS Act 1977.

2. Paragraph 46.1 shall be amended to read: -

During periods for which a practitioner is suspended by the Health Authority by virtue of sections 49I or 49J of the NHS Act 1977 arrangements are to be made, including the provision of payments, to ensure that

- i. the provision of general medical services is maintained for the patients; and
- ii. the practitioner's level of income is protected as far as reasonably practical.

3. Paragraph 46.10 shall be amended to read: -

Where the Health Authority suspend a GP Principal from the medical list he/she is prevented from working as a principal practitioner in general medical services within the area of the Health Authority. With effect from 1 April 2002 the GP Principal's suspension from the medical list by the Health Authority will also prevent the practitioner from working as a deputy or assistant practitioner in general medical services unless the practitioner is separately admitted to a Health Authority supplementary list. Payments to which the suspended practitioner is eligible under paragraph 46.8 above shall be reduced by the amount of any new income received from any alternative NHS work undertaken during the period of the suspension. Earnings received from non-NHS sources shall be disregarded as shall any continuing earnings received from any work the practitioner undertook alongside their normal GMS duties prior to the suspension.