Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 19th day of July, One Thousand Nine Hundred and Forty, in the presence of

(L.S.) *G. W. Brownell,*
Assistant Secretary.

NATIONAL HEALTH INSURANCE.

Medical Benefit, p. 141.
Medical Benefit Council, p. 145.
Regulations, p. 146.
Subsidiary Employments, p. 167.

Medical Benefit.

THE NATIONAL HEALTH INSURANCE (MEDICAL BENEFIT) AMENDMENT REGULATIONS (NORTHERN IRELAND), 1940, DATED JUNE 14, 1940, MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER THE NATIONAL HEALTH INSURANCE ACTS (NORTHERN IRELAND), 1936 TO 1939.

1940. No. 60.

The Ministry of Labour for Northern Ireland, in exercise of the powers conferred on it by the National Health Insurance Acts (Northern Ireland), 1936 to 1939, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

1.—These regulations may be cited as the National Health Insurance (Medical Benefit) Amendment Regulations (Northern Ireland), 1940, and shall be read as one with the National Health Insurance (Medical Benefit) Regulations (Northern Ireland), 1938 (hereinafter referred to as the " principal regulations "), and the National Health Insurance (Medical Benefit) Amendment Regulations (Northern Ireland), 1939, and shall have effect as from the commencement of the period of the present emergency.

2.—In these regulations the following expressions have the meanings hereby assigned to them :—

" Absentee practitioner " means a practitioner who has for the time being ceased, owing to his absence on emergency service, to be able to give treatment personally and who has signified his acceptance of a mutual scheme for the protection of the practices of practitioners absent on emergency service.

" Acting practitioner " means an insurance practitioner who, not being on emergency service, has signified his acceptance of a mutual scheme for the protection of the practices of absentee practitioners,

" Emergency service " means whole-time service, during the period of the present emergency, in any of the Naval, Military or Air Forces of the Crown, or in whole-time employment during that period in civil defence service or otherwise which the Ministry considers may properly be treated for the purposes of these regulations in the same manner as service in those Forces.

" Period of the present emergency " has the meaning assigned to it in Section 17 of the National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939, that is to say, the period beginning with the 3rd September, 1939, and ending with such date as His Majesty may by order in Council declare to be the date on which the emergency that was the occasion of the passing of the National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939, came to an end.

" Permanent list " means the list prepared under regulation 14 of the principal regulations of persons who had been accepted by an insurance practitioner or who had been assigned to him in accordance with the principal regulations and for whose treatment the practitioner was responsible at the date of the commencement of the period of the present emergency.

" Temporary list " means the list of persons accepted by or assigned to an insurance practitioner in accordance with the provisions of the principal regulations since the date of the commencement of the period of the present emergency.

3.—Notwithstanding anything in the principal regulations the following provisions shall have effect for the period of the present emergency :—

(*a*) The name of an insured person shall not be removed from the permanent list of an absentee practitioner unless that person has died, ceased to be entitled to medical benefit, removed outside the district within which that practitioner has undertaken to provide treatment, or transferred to a practitioner who is not an acting practitioner.

(*b*) A person accepted by or assigned to any insurance practitioner after the commencement of the period of the present emergency shall be placed upon the temporary list of that practitioner.

(*c*) An insured person on the list of an absentee practitioner may make application for acceptance by another insurance practitioner and if accepted by, or assigned to, such practitioner shall be entitled to obtain treatment from him forthwith.

(*d*) Where the Ministry is satisfied that an insurance practitioner who has been absent on emergency service has returned from such service and is able to give treatment personally, every insured person who was on his list at the date when he undertook such service shall, if still resident within the district within which that practitioner has undertaken to provide treatment, be notified by the Ministry that he will be retransferred to or reinstated in that practitioner's list at the expiration of 14 days from the receipt of such notification unless he informs the Ministry in the meantime that he does not desire to be so re-transferred, and the Ministry shall re-transfer the said person accordingly, failing any request by him to the contrary.

(*e*) Any insured person who had not at the date of the commencement of the period of the present emergency chosen or been assigned to an insurance practitioner, or who during the period of the present emergency becomes entitled to medical benefit, or transfers from another insurance practitioner may apply for treatment to and be accepted by an insurance practitioner, but at the end of the period of the present emergency the Ministry shall notify each such insured person that he may, if he so desires, select another practitioner and if within fourteen days of being so notified he signifies his desire to be placed on the list of another practitioner he shall immediately be placed on that list, but if he does not signify his desire to select another practitioner he shall remain on the list of the practitioner he had chosen or to whom he had been assigned.

(*f*) The following paragraph shall be added to the First Schedule to the principal regulations :—

93a.—Notwithstanding anything contained in clause 93 of this Schedule payment shall be made to an absentee practitioner notwithstanding that he has not designated any particular practitioner to conduct his insurance practice during his absence and that insured persons on his permanent list may have selected or been assigned to acting practitioners in accordance with the terms of this regulation, and such payment shall be made in the following manner :—

(i) There shall be paid quarterly to each absentee practitioner or his legal representative one half of his proper proportion of the Practitioners' Fund for that quarter, based on the number of persons on his permanent list on the first day of the quarter, after account has been taken of any adjustments in accordance with para. (*a*)

of regulation 3 of the National Health Insurance (Medical Benefit) Amendment Regulations (Northern Ireland), 1940;

(ii) The remaining one half of his proper proportion of the Practitioners' Fund for the quarter shall be divided among the acting practitioners in the district in proportion to the number of insured persons from his permanent list included in their respective lists on the first day of the quarter:
Provided that—

(*a*) if the Ministry considers that owing to special circumstances which have arisen in consequence of the present emergency the sum payable to any practitioner under this paragraph does not represent an equitable share of the Practitioners' Fund, the Ministry may make such adjustments in the sums payable under this paragraph as it may consider reasonable.

(*b*) where under the provisions of clause 20 of this Schedule an absentee practitioner has appointed a deputy to conduct his practice during his absence, this paragraph shall not apply in the case of insured persons for whose treatment the deputy is responsible.

(*g*) No payment under regulation 22 (which relates to mileage) of the principal regulations shall be made to an absentee practitioner in respect of the period of his absence.

(*h*) No payment under regulation 23 (which relates to the supply of drugs and appliances) of the principal regulations shall be made to an absentee practitioner in respect of the period of his absence, but the sums which would otherwise have been payable to him may be paid to such practitioner or practitioners and in such proportion as the Ministry thinks fit having regard to the extent to which the said practitioner or practitioners are or may be responsible for the supply of drugs and appliances to the persons in respect of whom the sums are payable.

(*i*) Where an absentee practitioner withdraws from the medical list or dies, and he, or his representative, as the case may be, requires the Ministry to issue a notice under clause 28 of the First Schedule to the principal regulations, the Ministry shall proceed under that clause as if the insured persons who were on the practitioner's list at the commencement of his emergency service (other

than any insured person who had been accepted by or assigned to him in accordance with the provisions of sub-paragraphs (*c*) and (*e*) above) and have since been accepted by or assigned to other practitioners, had not been so accepted or assigned.

4.—For the period of the present emergency, where any question arises under regulation 29 of the principal regulations, that question may, notwithstanding anything contained in the said regulation, be referred to the Chairman of the Medical Service Committee, and, if the Chairman is of opinion that an investigation by that Committee is unnecessary, the Ministry may dispense with such investigation.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this 14th day of June, in the year one thousand nine hundred and forty.

(L.S.) *W. Allen,*
Assistant Secretary to the Ministry of Labour for Northern Ireland.

Medical Benefit Council.

REGULATIONS, DATED 16TH DAY OF MARCH, 1940, MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER THE NATIONAL HEALTH INSURANCE ACTS (NORTHERN IRELAND), 1936 TO 1939.

1940. No. 28.

The Ministry of Labour for Northern Ireland in exercise of the powers conferred on it by the National Health Insurance Acts (Northern Ireland), 1936 to 1939, and of all other powers enabling it in that behalf, hereby makes the following Regulations :—

1.—These Regulations may be cited as the National Health Insurance (Medical Benefit Council) (Amendment) Regulations (Northern Ireland), 1940, and shall be read as one with the National Health Insurance (Medical Benefit Council) Regulations (Northern Ireland), 1936, hereinafter referred to as the Principal Regulations.

2.—Sub-paragraph (*a*) of the proviso to Regulation 23 of the Principal Regulations shall not apply for the period of the present emergency.

3.—In these Regulations, " period of the present emergency " has the meaning assigned to it by Section 17 of the National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939.