The National Health Service (General Dental Services Fees) (Scotland) Regulations, 1948

1948 No. 1393 (S. 112)

Made - - - -	*24th June*, 1948
Laid before Parliament	*28th June*, 1948
Coming into Operation	*5th July*, 1948

In exercise of the powers conferred upon me by sections 39 and 45 of the National Health Service (Scotland) Act, 1947(a), and of all other powers enabling me in that behalf I hereby make the following regulations:—

PART I

General

Short title, commencement and construction.

1.—(1) These Regulations may be cited as the National Health Service (General Dental Services Fees) (Scotland) Regulations, 1948, and shall come into operation on the 5th day of July, 1948.

(2) The National Health Service (General Dental Services) (Scotland) Regulations, 1948(b) (hereinafter referred to as " the principal regulations "), and these regulations shall be read as one, and may be cited together as the National Health Service (General Dental Services and Fees) (Scotland) Regulations, 1948.

PART II

Provisions relating to Practitioners practising otherwise than at a Health Centre

Fees for treatment approved.

2.—(1) When approving treatment proposed on a dental estimate form the Board shall determine in accordance with the scale set out in the Schedule to these regulations the fees payable to the practitioner for the treatment approved and shall inform him of their determination.

(2) When approving special dental treatment to be provided under regulation 21 of the principal regulations, not being treatment to which paragraph (4) of the said regulation applies, the Board shall determine

(*a*) the total fees payable to the practitioner for the treatment approved, in accordance with the scale set out in Part II of the Schedule to these regulations; and

(*b*) the amount thereof payable in accordance with paragraph (2) of the said regulation 21 by the person treated, being the difference between the said total fees and the fees determined in accordance with the scale set out in Part I of the said Schedule for such corresponding normal treatment, as the Board consider necessary to secure dental fitness;

and shall inform the practitioner of their determinations.

Fees for treatment completed.

3.—(1) On receipt of a dental estimate form in respect of treatment completed in accordance with these and the principal regulations the Board shall, in accordance with the scale set out in the Schedule to these

(a) 10 & 11 Geo. 6. c. 27. (b) S.I. 1948 No. 1257, p. 2354 above.

regulations and subject to and in accordance with any previous determinations under the foregoing regulation in respect of that treatment, determine the fees payable to the practitioner by the Council and shall notify the Council of their determination.

(2) Subject to the provisions of the principal regulations as to withholding of money and recovery of expenses from a practitioner, the Council shall pay to the practitioner the fees notified to them by the Board under the foregoing paragraph of this regulation.

Conditions.

4. The conditions set out in Part III of the Schedule to these regulations shall have effect as if they were contained in Part I of the First Schedule to the principal regulations.

Additional remuneration.

5.—(1) Where in accordance with the requirements of sub-paragraph (5) of paragraph 3 of Part I of the First Schedule to the principal regulations a practitioner provides treatment elsewhere than at his surgery he shall, subject to the provisions of this regulation, be entitled to receive from the Council an additional fee of 10s. increased by 2s. for each mile or part thereof by which the distance of the place of treatment from the practitioner's surgery exceeds five miles.

(2) Where a practitioner provides treatment to which paragraph 1 of this regulation applies at more than one place in the course of a single journey he shall be entitled to an additional fee as aforesaid in respect only of the provision of treatment at the place furthest from his surgery.

(3) Where a Council have made such special arrangements with a practitioner as are referred to in paragraph (3) of regulation 3 of the principal regulations the Council shall pay to the practitioner such additional remuneration as the Secretary of State may from time to time determine.

6. The fees payable by a Council to a practitioner in respect of drugs supplied by him either in pursuance of regulation 5 of the principal regulations or in pursuance of sub-paragraph (1) of paragraph 9 of Part I of the First Schedule to the principal regulations for use before a supply can be obtained otherwise shall be calculated in accordance with the provisions of the drug tariff referred to in regulation 29 of the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations, 1948(**a**).

7. In the principal regulations:—

(1) After paragraph 11 of Part I of the First Schedule there shall be inserted the following paragraph:—

Fair wages for dental technicians.

"11A. A practitioner who employs a dental technician or dental technicians shall pay rates of wages and observe hours and conditions of work not less favourable than those approved for the time being by the National Joint Council for the Craft of Dental Technicians."

(2) In the Second Schedule item VII (Repair of dentures) shall be deleted and the following item shall be substituted.

"VII	Repairs ...	Repairs to plastic and vulcanite dentures, orthodontic appliances, obturators, and special appliances. Repairs to metal dentures at a cost not exceeding £2.	Repairs to metal dentures at a cost exceeding £2."

(**a**) S.I. 1948 No. 1258, p. 2393 below.

PART III

Provisions relating to Health Centres

Charges for special treatment.

8. In respect of special dental treatment provided at a health centre in accordance with regulation 21 of the principal regulations as modified by regulation 24(*a*) of the said regulations, the Board shall calculate in accordance with the provisions of paragraph (2) of regulation 2 of these regulations the sum which would have been payable by the person receiving the treatment if the treatment had been provided by a practitioner practising elsewhere than at a health centre, and shall determine that sum to be the amount payable by that person.

9. In the principal regulations, in sub-paragraph (1) of paragraph 11 of Part II of the First Schedule there shall be substituted the words " or otherwise " for the words " made under Section 39 of the Act ".

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State

St. Andrew's House,
Edinburgh.
24th June, 1948.

SCHEDULE

SCALE OF FEES

PART I

1. Examination and Advice ...	7s. 6d., not payable in respect of repairs for dentures for edentulous patients, or where the dental practitioner has been paid or is entitled to payment of a similar fee for an examination within the preceding six months in the case of a person 21 years of age or over or four months in the case of a person under 21 years of age.
2. Report	2s. 6d., not payable where no prior approval of treatment by the Board is required, or where no Examination and Advice fee is payable.
3. Normal Scaling and Gum Treatment—per individual.	16s. 6d., not payable where the estimate includes subsequent extraction of the teeth charted for scaling, unless the Board approve.
4. Fillings—per filling :—	
(i) Amalgam	
(*a*) Involving one surface.	£1 0s. 0d., with a maximum fee of £1 10s. 0d. per tooth.
(*b*) Involving more than one surface.	£1 10s. 0d.
(ii) Silicates.	£1 5s. 0d., with a maximum fee of £1 17s. 6d. per tooth.
5. Conservation of deciduous teeth Fee per tooth	10s. 6d.
6. Root treatment (per tooth)—	
(*a*) Single rooted (non-septic)	£2 0s. 0d.
(*b*) Multi-rooted and all septic teeth.	£3 0s. 0d.

7. *Extractions —

1 or 2 teeth	10s. 0d.
3, 4 or 5 teeth	15s. 0d.
6, 7 or 8 teeth	£1 0s. 0d.
9, 10 or 11 teeth	£1 5s. 0d.
12, 13 or 14 teeth	£1 10s. 0d.
15, 16 or 17 teeth	£1 15s. 0d.
18, 19 or 20 teeth	£2 0s. 0d.
over 20	£2 7s. 6d.

8. Administration of general anaesthetic: fee per visit in connection with the extraction of*—

1–3 teeth	10s. 0d.
4–11 teeth	£1 0s. 0d.
12–19 teeth	£1 10s. 0d.
20 teeth or over	£2 0s. 0d.

Provided that no fee in excess of 10s. shall be payable unless a medical or dental practitioner, other than the practitioner carrying out the extraction, administers the anaesthetic and no fee shall exceed £2 0s. 0d. per individual case.

9. *Dentures—

(i) Full upper and full lower	£10 10s. 0d.
(ii) Per denture—	
1, 2 or 3 teeth	£4 17s. 6d.
4–8 teeth	£5 15s. 0d.
9–14 teeth	£6 1s. 6d.

Provided that no fee for both upper and lower denture shall exceed £10 10s. 0d.

(iii) Lingual bar ... ... Such additional fee as the Board may approve.

10. Relining of Dentures—

per denture ... ... £2 5s. 0d.

11. Repairs—

(i) vulcanite or plastic denture :—	
(*a*) Cracks or fractures of a denture.	18s. 0d.
(*b*) Replacing of a loosened tooth, or loosened band or wire.	18s. 0d.
(*c*) Addition of teeth or bands or wires.	£1 8s. 0d.
Maximum fee for each denture.	£2 0s. 0d.
(ii) orthodontic appliances, obturators, splints, radium applicators.	Such fee as the Board may approve.

12. *Apicectomy—per tooth (including root treatment).	Such fee as the Board may approve within a range of £4 0s. 0d. to £5 0s. 0d.
13. *Gingivectomy (including any scaling).	Such fee as the Board may approve within a range of £1 17s. 6d. to £15 0s. 0d.; based upon a minimum of up to 4 teeth (£1 17s. 6d.) and rising by successive units of 4 teeth.
14. *Prolonged Gum Treatment (including deep scaling, correction of traumatic occlusion and oral hygiene instruction etc.).	Such fee as the Board may approve within a range of £2 0s. 0d. to £4 0s. 0d. or such other fee as they may, in special circumstances, approve.
15. *Alveolectomy—for upper or lower jaw.	Such fee as the Board may approve up to a maximum of £4 0s. 0d. or such other fee as they may, in special circumstances, approve.

16. Radiological Examination—	
(*a*) Intra-oral films :—	
First film	10s. od.
Each additional film ...	7s. 6d., *up to a maximum of £3 os. od.
(*b*) Extra-oral films :—	
Each film	£1 1s. od., *up to a maximum of £5 5s. od.
17. *Obturators—	
Fee per case in addition to appropriate denture fee.	Such fee as the Board may approve within a range of £3 7s. 6d. to £5 15s. od. or such additional fee as they may, in special circumstances, approve.
18. *Orthodontic Treatment ...	Such fee as the Board may approve.
19. *Treatment involving a special appliance, radium applicators, splints.	Such fee as the Board may approve.
20. *Removal of Cysts, Buried Roots, Impacted Teeth.	Such fee as the Board may approve up to a maximum of £7 15s. od., together with a special anaesthetic fee, where necessary, up to £2 os. od., or such higher anaesthetic fee as they may, in special circumstances, approve.
21. *Backing and Tagging—	
Fee per tooth in addition to appropriate fee for non-metallic base denture—	
(*a*) Gold	£1 4s. od.
(*b*) White Gold	16s. od.
(*c*) Stainless Steel ...	12s. od.
22. Fee per case for the treatment of sensitive cementum, the taking of material for pathological or bacteriological examination, etc.	10s. od.
23. Fee per case for arrest for bleeding.	£1 os. od.
24. *Fee for any other treatment not included in this scale.	Such fee as the Board may approve.
	PART II
25. *Metal dentures—Fee per denture :	Such fee as the Board may approve within the range of :—
(*a*) Gold	£8 17s. 6d. to £18 5s. od.
(*b*) White gold	£8 12s. 6d. to £14 5s. od.
(*c*) Stainless Steel	£7 10s. od. to £10 15s. od.
26. *Repairs of Metal Dentures ...	The appropriate fee for a normal repair together with such additional or special charge as the Board may approve.
27. *Gold filling—per filling ...	Such fee as the Board may approve within a range of £2 os. od. to £5 10s. od.
28. *Inlays :—	Such fee as the Board may approve within a range of :—
(*a*) Involving one surface ...	£4 2s. 6d. to £5 os. od.
(*b*) Involving two surfaces...	£5 7s. od. to £6 10s. od.
(*c*) Involving three surfaces	£5 17s. 6d. to £7 2s. 6d.

29. *Crowning :—

(*a*) Shell Crown—excluding any necessary root treatment.	£4 6s. 7d.
(*b*) Post Crown—including root treatment.	£5 15s. 0d.
(*c*) Jacket Crown	Such fee as the Board may approve within a range of £7 10s. 0d. to £9 7s. 6d. or such higher fee as the Board may, in special circumstances approve.

* Treatment for which the prior approval of the Board is required, except that—

(*a*) extractions not necessitating the supply of dentures,

(*b*) treatment for relief of pain or other urgent symptoms,

(*c*) radiological examination up to a fee of £2 2s. 0d.; and

(*d*) repairs to metal dentures up to a fee of £2 0s. 0d.,

may be carried out without prior approval.

Part III

CONDITIONS

I.—Conditions with respect to items of the Scale of Fees

Item 2.—*Normal Scaling and Gum Treatment*

The fee is to cover the removal of calculus and other deposits from the teeth, and the provision of necessary treatment for all ordinary or simple disorders of the gums.

Item 3.—*Fillings*

Fillings to which this fee applies are to be permanent in character.

Item 4.—*Conservation of Deciduous Teeth*

Treatment to which this fee applies is to include silver nitrate applications as well as fillings appropriate to deciduous teeth.

Item 5.—*Root Treatment*

Root treatment includes the filling of each root of the tooth, but does not include the insertion of any filling in the tooth itself.

Items 8, 9 *and* 25.—*Dentures*

An estimate for the provision of a metal denture is to specify the materials to be used.

All necessary adjustments of dentures within a reasonable time after completion are to be made without additional charge.

All necessary bands, wires and fastenings are to be supplied without extra charge.

Items 28 *and* 29.—*Crowning and Inlays*

The nature of the material to be used to be indicated on the estimate.

II.—Conditions with respect to Materials

(1) All filling materials shall be of first-grade quality and suitable for each individual cavity. Except in special circumstances (which must be stated to the Board) cements, guttapercha and copper amalgam are not to be regarded as permanent filling materials, though they may be used without reference to the Board for the conservation of deciduous teeth. Translucent silicate cements may

be used in anterior teeth but are not to be used for fillings in teeth posterior to the canines except in buccal cavities. For the purposes of this paragraph cements are to be taken to include all filling materials which consist of powders in combination with liquids other than mercury.

(2) Where pin teeth are used for vulcanite or other plastic base dentures, all pins shall be of platinum, or nickel cased with gold or other precious metal, or nickel alloy cased with gold or other precious metal. Pins sheathed with gold or platinum anchored within the porcelain are within this specification. The teeth whether porcelain or acrylic shall be of first-grade quality.

(3) Diatoric teeth may be used for the anterior teeth in vulcanite base dentures only when artificial gum is necessary.

(4) Metal strengtheners shall be compatible with vulcanite or other base material used and not liable to corrode in the mouth.

(5) All materials used in dentures shall be of first-grade quality. A plastic base material other than vulcanite shall be used only if it is an approved acrylic resin (that is, a brand of acrylic resin approved for the time being by the Secretary of State for use in the making of dentures).

(6) Bands and clasps shall be of either—

(*a*) alloys containing not less than 40 per cent. of gold, platinum or palladium (including not less than 15 per cent. of gold, and not more than 20 per cent. of base metal), or

(*b*) stainless steel, or

(*c*) such other material as may be approved by the Secretary of State.

Bands shall be not less than No. 7 gauge in thickness.

(7) In cases of close bite where porcelain teeth cannot be used, cusps of—

(*a*) alloys containing not less than 33⅓ per cent. of gold, platinum or palladium and not more than 20 per cent. of base metal or

(*b*) stainless steel, or

(*c*) such other material as may be approved by the Secretary of State,

may be used.

(8) Metal used, after approval by the Board of an estimate for denture plates, lingual or palatal bars, backings and tags, spiral springs, bolts and swivels, shall be—

(*a*) alloys containing not less than 33⅓ per cent. of gold, platinum or palladium and not more than 20 per cent. of base metal, or

(*b*) stainless steel, or

(*c*) such other materials as may be approved by the Secretary of State,

and shall be of adequate strength.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

The regulations provide for the fees and other remuneration to be paid to dentists providing general dental services at their own surgeries; amplify the conditions to be observed by such dentists, in particular by inserting a fair wages clause relating to dental technicians employed by them; and enable the Secretary of State by regulations or otherwise to determine the remuneration of dentists at health centres. The regulations also prescribe the charges payable by persons in respect of special dental treatment, including the supply, replacement or repair of dental appliances of a more expensive type than the standard type.