

**DENTISTS/DENTAL BODIES CORPORATE  
NATIONAL HEALTH SERVICE  
GENERAL DENTAL SERVICES**

**1. AMENDMENT NO 137 TO THE STATEMENT OF DENTAL REMUNERATION  
2. DENTAL WORKING PATTERNS SURVEY**

1. This Memorandum advises of the publication of an amendment to the Statement of Dental Remuneration (SDR), Amendment No 137, effective 1 January 2018. It also advises of a survey of dental working patterns being undertaken on behalf of the BDA and Scottish Government.

**AMENDMENT NO 137 TO THE STATEMENT OF DENTAL REMUNERATION**

**Determination I (Scale of Fees) - Section XV (Conditions of Payment of Remuneration and Submission of Dental Payment Claim Forms)**

2. The Memorandum to NHS: PCA(D)(2017)6 advised of amendments to the NHS (General Dental Services) (Scotland) Regulations 2010 to require all payment claim forms, with the exception of claims for orthodontic treatment, to be submitted electronically effective from 1 January 2018. Section XV of Determination I sets out the conditions of payment of remuneration and submission of dental payment claim forms and is being amended as a consequence of electronic submission of non-orthodontic payment claims. This section will require to be further amended when the changes to require electronic submission of orthodontic claims comes into effect on 1 January 2019.

3. The main changes to Section XV are as follows:

- a new definition of “electronic communication has been inserted at paragraph 1(1) (interpretation);
- references to “claim form” have been replaced with references to “claim” and references to “make” or “send” in relation to a claim have been replaced with references to “submit”;
- references to “form GP17” and “form to like effect” have been removed;
- paragraph 3 (completion of appropriate dental payment claim) has been amended to include new sub-paragraphs (1) and (2) which cover the submission of electronic claims. New sub-paragraph (3) covers the submission of paper orthodontic claims.

4. The changes to Section XV have been side-lined in Amendment No 137.

**Determination XIII (Recruitment and Retention Allowances)**

5. Effective from 1 January 2018 the non-designated areas where recruitment and retention allowances are available to those joining sub-part A of the first part of a dental list i) within 3 months of completion of training; ii) for the first time; or iii) after a break of 5 years are being re-defined as follows:

- a non-designated area means “within the area of Dumfries and Galloway Health Board, Annan, Castle Douglas, Dalbeattie, Dumfries and Stranraer, and within the

area of Highland Health Board, Invergordon, Islay & Jura, Lochgilphead, Mull & Iona, Nairn, Oban, Portree, Thurso and Wick”.

## **Dental Working Patterns Survey 2016/17 and 2017/18**

6. NHS Digital’s survey of dental working patterns, motivation and morale will open at the start of February. Its findings are of relevance to dentists because they are considered by the Review Body on Doctors’ and Dentists’ Remuneration (DDRB) in its deliberations on pay and expenses.

7. The survey is conducted on-line and invitations will be sent out at the start of February to all self-employed primary care dentists who performed some NHS dentistry in 2016/17 and/or 2017/18. It takes only a few minutes to complete and will be open until early March. The British Dental Association (BDA) and the Scottish Government fully endorse the survey and encourage dentists to participate.

8. This survey is open to principal and associate dentists on sub-part A of the first part of the dental list, i.e. dentist contractors.

## **Enquiries**

9. Any enquiries arising from this Memorandum should be taken up with your NHS Board.

Scottish Government Population Health Directorate  
22 January 2018

## STATEMENT OF DENTAL REMUNERATION

**Pursuant to Regulation 22(3) of the National Health Service (General Dental Services) (Scotland) Regulations 2010, as amended, Scottish Ministers have amended on 1 January 2018 the Statement of Dental Remuneration**

Amendment No 137

1. This amendment shall take effect from the date set out below:
  - (i) The amendment to Section XV of Determination I and Determination XIII shall take effect from 1 January 2018.
2. This amendment shall not affect any rights or liabilities acquired or incurred under or by virtue of any provision of the Statement of Dental Remuneration amended or replaced by this amendment.
3. For Section XV (Conditions of Payment of Remuneration and Submission of Dental Payment Claim Forms) of Determination I (Scale of Fees) there shall be substituted the attached replacement Section XV.
4. In Determination VIII (Recruitment and Retention Allowances) for the definition of “non-designated area” there shall be substituted the following definition:

“non-designated area” in relation to Part II means within the area of Dumfries and Galloway Health Board, Annan, Castle Douglas, Dalbeattie, Dumfries, Lockerbie and Stranraer, and within the area of Highland Health Board, Invergordon, Islay & Jura, Lochgilphead, Mull & Iona, Nairn, Oban, Portree, Thurso and Wick;

## **Section XV—Conditions of Payment of Remuneration and Submission of Dental Payment Claim**

### **Interpretation**

1.—(1) In this Section, unless the context otherwise requires:—

"the Board" means the Scottish Dental Practice Board;

"the CSA" means the Common Services Agency for the Scottish Health Service constituted under Section 10 of the NHS (Scotland) Act 1978;

"contractor" means a person who has undertaken to provide general dental services and whose name is included in sub-part A of the first part of a Health Board's dental list;

"dental list" means a dental list prepared by a Health Board in accordance with Regulation 4(1) of the Regulations;

"dental payment claim" means—

- (a) in respect of the provision of general dental services other than orthodontic care and treatment information submitted for the purposes of payment for such services;
- (b) in respect of the provision of orthodontic care and treatment, the form GP17(O), supplied by the Health Board for the purposes of payment for such care and treatment;

and "appropriate dental payment claim" shall be construed accordingly;

"dentist" means a registered dental practitioner whose name is included on either the first or second part of the dental list of a Health Board otherwise than as a salaried dentist;

"electronic communication" has the meaning given by section 15(1) of the Electronic Communications Act 2000;

"emergency dental services" shall have the same meaning as in the Regulations;

"practice record form" means a form supplied by the Health Board or in electronic form and completed for the purpose of obtaining general dental services in circumstances where the dentist intends to submit a claim for remuneration by electronic communication;

"Regulations" means the National Health Service (General Dental Services) (Scotland) Regulations 2010;

"salaried dentist" means a dentist, employed by a Health Board to provide general dental services;

(2) In this Section, a reference to a numbered paragraph is to the paragraph bearing that number and a reference in a paragraph to a numbered sub-paragraph is to the sub-paragraph bearing that number in that paragraph.

### **Conditions of Payment**

2.—(1) It shall be a condition of the payment of remuneration for the provision of general dental services that a dentist satisfies the conditions specified in sub-paragraph (2) and sub-paragraphs (3) and/or (4) where appropriate.

- (2) The conditions referred to in sub-paragraph (1) are that the dentist shall—
- (a) submit a claim for remuneration to the Board in accordance with paragraph 3 (completion of forms);
  - (b) comply with paragraph 4 (time limits); and
  - (c) comply with paragraph 6 (conditions as to materials).

(3) It is a condition of payment of remuneration that the prior approval of the Board is obtained for any course of care and treatment under a continuing care arrangement or a capitation arrangement, including any treatment on referral, or any occasional treatment or orthodontic treatment, the cost of which exceeds or is likely to exceed £390. Such prior approval is required under paragraph 28 of Schedule 1 of the Regulations. The costs which are excluded from the prior approval calculation are set down in Schedule 4 of the Regulations.

(4) It shall be a condition of payment of remuneration for the provision of orthodontic treatment as specified in Section VIII of this Determination that a dentist when undertaking orthodontic treatment shall have regard to guidance on the Index of Orthodontic Treatment Need and on orthodontic treatment issued by the Scottish Government.

### **Completion of Appropriate Dental Payment Claim**

3.—(1) A dentist, including a salaried dentist, who submits a claim by an electronic communication shall—

- (a) at the appropriate time, secure the completion, so far as applicable, by the patient or any person acting on behalf of the patient, of the practice record form either on a form supplied by the Health Board or in electronic form;
- (b) use only such computer program as the Board has approved as suitable for the purpose;
- (c) include with the claim—
  - (i) the number by which his arrangement with the Health Board is identified, the patient's name and address, sex and date of birth and details of the care and treatment provided; and
  - (ii) the personal identification number allocated to him by the Board for the purpose; and
- (d) shall ensure so far as is reasonably possible, that the data is transmitted to the Board in the format required by the Board.

(2) A dentist, including a salaried dentist, who submits a claim by electronic communication, is deemed to have accepted responsibility for any claim which is made using the personal identification number allocated to him by the Board for that purpose.

(3) A dentist, including a salaried dentist who submits a claim by post or by hand for the provision of orthodontic treatment, shall, at the appropriate time—

- (a) complete each relevant part of the dental payment claim; and
- (b) secure the completion of that claim as far as applicable, by the patient or any person acting on behalf of the patient.

(4) Any claim submitted to the Board under sub-paragraph (1) or (3) shall be completed in accordance with instructions given by the Scottish Government, or the CSA on behalf of the Scottish Government.

### **Time Limits**

4.—(1) A dentist, including a salaried dentist, shall:—

- (a) where care and treatment for a patient is provided under a continuing care or a capitation arrangement, submit the appropriate dental payment claim to the Board within three months of the completion of such care and treatment;
- (b) in the case of treatment on referral, submit the appropriate dental payment claim to the Board within three months of the completion of such treatment on referral; or
- (c) in the case of occasional treatment, send the appropriate dental payment claim to the Board within three months of the completion of such occasional treatment.

(2) A contractor shall:—

- (a) submit the appropriate dental payment claim, referred to in paragraph 3(2), to the Board within three months of the patient being accepted into a continuing care arrangement;
- (b) submit the appropriate dental payment claim to the Board within three months of the patient being accepted into a capitation arrangement;

(3) In very exceptional circumstances where an adequate reason is provided the Board may have discretion to pay claims received outwith the time limit. Each claim will be considered by the Board on its merits under this discretionary power. Batches of claims will not be considered under this discretionary power.

### **Conditions as to Materials**

5.—(1) A dentist, including a salaried dentist, shall not, without the prior approval of the Board, use materials other than dental amalgam, silicate, silico-phosphate or glass ionomer cements or composites or other self-polymerising synthetic resin filling materials for the filling of permanent teeth.

(2) A dentist, including a salaried dentist:—

- (a) shall only use in metal denture bases—
  - (i) an alloy containing not less than 33<sup>1</sup>/<sub>3</sub>% fine gold, platinum or palladium and not more than 20% base metal; or
  - (ii) stainless steel; or
  - (iii) cobalt chromium casting alloy;

- (b) shall only use in bands and clasps—
  - (i) an alloy containing not less than 40% precious metal of fine gold, platinum or palladium, and including not less than 15% fine gold, and not more than 20% base metal; or
  - (ii) stainless steel; or
  - (iii) cobalt chromium casting alloy;
- (c) shall only use in cusps, backing posts and tags—
  - (i) an alloy containing not less than 33<sup>1/3</sup>% fine gold, platinum or palladium and not more than 20% base metal; or
  - (ii) stainless steel; or
  - (iii) cobalt chromium casting alloy; or
  - (iv) nickel chromium casting alloy;

provided that he shall only use metal cusps in cases of close bite where porcelain or synthetic resin teeth cannot be used:

- (d) shall only use lingual or palatal bar castings which contain not less than 75% gold;
- (e) shall only use in crowns—
  - (i) an alloy containing not less than 33<sup>1/3</sup>% fine gold, platinum or palladium and not more than 20% base metal; or
  - (ii) stainless steel; or
  - (iii) cobalt chromium casting alloy; or
  - (iv) nickel chromium casting alloy;
- (f) shall only use in inlays and bridges—
  - (i) an alloy containing not less than 33<sup>1/3</sup>% of fine gold, platinum or palladium and not more than 20% base metal; or
  - (ii) cobalt chromium casting alloy; or
  - (iii) nickel chromium casting alloy; and
- (g) shall only use in inlay or three-quarter crown construction, synthetic resin for the provision of any facing or core.

### **Claims for Repairs and Replacements**

6.—(1) Where a dentist:—

- (a) in the course of a continuing care arrangement, repairs or replaces in accordance with paragraph 7 of Schedule 1 to the Regulations, a restoration which he or another dentist on his behalf has provided;

- (b) in the course of a capitation arrangement, repairs or replaces any restoration specified in sub-paragraph (3), which he or another dentist on his behalf has provided and for which remuneration apart from the capitation fee may be payable; or
- (c) in the course of providing treatment on referral, repairs or replaces in accordance with paragraph 14 of Schedule 1 to the Regulations, a restoration which he has provided;

he may not make a claim to the Board for payment of the fee, unless that repair or replacement is required as a result of trauma.

(2) Where a dentist makes a claim under sub-paragraph (1) due to the repair or replacement being required as a result of trauma, the Board shall authorise in accordance with the Scale of Fees the remuneration to be paid by the CSA to, or in respect of, the dentist in respect of that repair or replacement.

(3) The restorations referred to in sub-paragraph (1)(b) are any filling, root filling, inlay, pinlay or crown which, within 12 months of the date on which it was provided, has to be repaired or replaced to secure oral health.

(4) Where a dentist, in the course of a continuing care arrangement or capitation arrangement transferred to him, repairs or replaces in accordance with paragraph 7 of Schedule 1 to the Regulations, a restoration which was provided by or on behalf of the dentist from whom the arrangement was transferred, he may make a claim to the Board for payment of the fee in full for that repair or replacement.

(5) Where a dentist makes a claim under sub-paragraph (4), the Board shall authorise in accordance with the Scale of Fees the remuneration to be paid by the CSA to, or in respect of, the dentist in respect of that repair or replacement.

### **Claims for Repairs and Replacements – Occasional Treatment**

7.—(1) Where a dentist in the course of occasional treatment repairs or replaces in accordance with paragraph 18 of Schedule 1 to the Regulations, a restoration which he or another dentist on his behalf has provided he may not make a claim to the Board for payment of the fee, unless the repair or replacement is required as a result of trauma.

(2) Where a dentist makes a claim under sub-paragraph (1) due to the repair or replacement being required as a result of trauma, the Board shall authorise in accordance with the Scale of Fees the remuneration to be paid by the CSA to, or in respect of, the dentist in respect of that repair or replacement.

(3) The restorations referred to in sub-paragraph (1), are any filling or root filling which, within 12 months of the date it was provided, has to be repaired or replaced to secure oral health.

### **Emergency Dental Services**

8. Where a dentist provides, pursuant to arrangements made under regulation 19 of the Regulations, emergency dental services to a patient who has a continuing care or capitation arrangement with him, he shall not be entitled to claim item of service fees in respect of any treatment provided to that patient as part of emergency dental services.