



30th September 2009

Professor Brendan Drumm
Chief Executive Officer
Health Service Executive
Dr. Steeven's Hospital
Dublin 8

RE: Changes to the entry provisions to the General Medical Services (GMS) Scheme and to the retirement provisions for GPs under the GMS Scheme and/or the Maternity and Infant Care Scheme and/or the Primary Childhood Immunisation Programme.

Dear Professor Drumm

I am directed by Mary Harney T.D., Minister for Health and Children to advise that she has approved certain changes to:

1. The entry provisions for General Practitioners (GPs) to the General Medical Services (GMS) Scheme; and
2. The retirement provisions for GPs who hold a contract or contracts under the GMS Scheme and/or the Maternity and Infant Care Scheme and/or the Primary Childhood Immunisation Programme.

As you are aware, the Minister has for some time expressed her desire to see open access to GMS Contracts for all suitably qualified and approved vocationally trained GPs. Following consultation between the Department of Health & Children, the Health Service Executive (HSE) and the Irish Medical Organisation (IMO), the Minister has agreed as an interim measure to extend the entry provisions to the GMS Scheme as follows:

Any fully qualified and approved vocationally trained General Practitioner (meeting the general conditions relating to eligibility for appointment to the GMS Scheme) who was in general practice on the 1st September 2009 and was in full time general practice for a period of one whole year prior to that date (or having, on or before that date, entered into a partnership, or signed a legally binding contract to enter into a partnership, with a General Practitioner who holds a GMS contract) shall be entitled to apply for a GMS contract under the terms of this letter.

For the purpose of these provisions, “full time practice” means the provision of GP services to patients continuously at one location in the Republic of Ireland during the period 1st September 2008 to 31st August 2009.

GPs who obtain contracts under these provisions will be entitled to accept:

- (i) Patients who, on or after the 1st October 2009, become eligible for a medical card under the provisions of the Health Act, 2008;
- (ii) Patients who, on or after the 1st October 2009, become eligible for a GP Visit Card under the provisions of the Health (Amendment) Act, 2005;
- (iii) Any of their patients who become eligible for a Medical Card / GP Visit Card / Health (Amendment) Act card under the relevant provisions of the Health Acts on or after the 1st October 2009.

These arrangements shall apply for a transition period ending on 31st August 2013. After that date, the doctor concerned will be free to accept any Medical Card / GP Visit Card / Health (Amendment) Act patient nominating him or her as their doctor of choice, in accordance with the existing rules relating to GMS panel size, etc.

In the case of a GP who qualifies for a GMS contract under the terms of this letter relating to partnership and who continues in such partnership, the transition period will end on 31st August 2010, after which he/she will be free to accept any Medical Card / GP Visit Card / Health (Amendment) Act patient nominating him or her as their doctor of choice, in accordance with the existing rules relating to GMS panel size, etc.

During the transition period(s), relevant GPs may only register patients in the immediate area in which he/she was in general practice during the period 1st September 2008 to 31st August 2009. Any exemptions to this requirement will require the prior approval of the HSE, following consultation with the IMO.

These entry provisions are subject to the normal rules of good character and suitable premises and do not restrict or affect other existing rules on entry. Furthermore, persons obtaining contracts under these provisions will enjoy appropriate benefits determined on a pro rata basis, in accordance with existing arrangements.

A doctor gaining access to the GMS under these entry provisions shall for the transition period hold no more than one medical card contract and one GP visit card contract simultaneously. The normal GMS rules on centres of practice apply in accordance with the GMS Contract.

GPs wishing to avail of these provisions must submit their application to the HSE not later than 31st January 2010.

Any question of interpretation which arises under these provisions shall be determined by the Minister, following consultation with the HSE and the IMO.

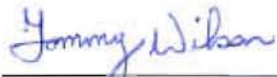
Retirement Provision

GPs, who hold a contract or contracts under the GMS Scheme and/or the Maternity and Infant Care Scheme and/or the Primary Childhood Immunisation Programme and who are currently compulsorily required to retire at 65 years of age, may from 1st October 2009 continue to hold their contract(s) until their 70th birthday. Similar arrangements will also apply to new contract holders.

The implementation of the provisions outlined in this letter will be formally reviewed no later than 28th February 2010 and thereafter as required.

The contents of this letter shall be considered as forming part of the agreement with registered medical practitioners for the provision of services under the General Medical Services Scheme.

Yours sincerely



Tommy Wilson
Assistant Principal
Primary Care Division

cc Mr. Pat O'Dowd, HSE.
Mr. Brian Murphy, HSE.
Dr. Joe Clarke, HSE.