

Standard Alternative Provider Medical Services Contract Variation Notice

July 2022

Standard Alternative Provider Medical Services (APMS) Contract Variation Notice

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Prepared by Hill Dickinson on behalf of NHS England

The text of the Standard Alternative Provider Medical Services (APMS) Contract Variation Notice July 2022 has been prepared by Hill Dickinson on behalf of NHS England. It is prepared on the basis that the numbering adopted in the signed contract follows that used in the Standard Alternative Provider Medical Services Contract.

Equalities and health inequalities statement

"Promoting equality and addressing health inequalities are at the heart of NHS England's values. Throughout the development of the policies and processes cited in this document, we have:

- given due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic (as cited under the Equality Act 2010) and those who do not share it;
- given regard to the need to reduce inequalities between patients in access to, and outcomes from, healthcare services and in securing that services are provided in an integrated way where this might reduce health inequalities."

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Dear Sir/Madam

Notice of Variation to your Standard Alternative Provider Medical Services Contract dated []

We give you notice under clause 57.2 of your alternative provider medical services contract dated [] that the terms of your contract are varied as set out below with effect from *[insert here date on which variations will take effect. Where reasonably practicable this should not be less than 14 days after the date on which this notice is served. This is a regulatory requirement.]*.

These variations are made to comply with:

- The Alternative Provider Medical Services (Amendment) Directions 2022; and
- The National Health Service (General Medical Services Contracts and Personal Medical Services Agreements) (Amendment) (No. 2) Regulations 2022;

which came into force since the last update to the Standard Alternative Provider Medical Services Contract.

For the avoidance of doubt nothing in this notice shall affect accrued rights or liabilities up to the date of the variation.

We request you to acknowledge receipt of this notice by signing and returning the enclosed duplicate of it.

Dated:

Signed:

on behalf of [INSERT ICB NAME]

Print name:

Wording of Variations

Clause 35C

1. In clause 35C.3.2, before the words ““Relevant Financial Year”” **insert** the words “Subject to sub-clause 35C.3.2A,”
2. After clause 35C.3.2.2, **insert** the following:
“35C.3.2A the financial year ending on 31 March 2021 is not a Relevant Financial Year;”
3. **Replace** clause 35C.3.3.2 with the following:
“35C.3.3.2 Not Used;”
4. In clause 35C.4.2, **replace** the words “subsequent financial year” with the words “other Relevant Financial Year”
5. In clause 35C.5, **delete** the words “(this means, for example, that “the Next Financial Year”, in relation to the financial year ending 31 March 2021, is the financial year ending 31 March 2022)”

Clause 47A

6. In clause 47A.1, after the words “Exemption Confirmation Request” **insert** the words “if it is made at a relevant time”
7. After Clause 47A.2.2, **insert** the following:
“47A.2A A valid Exemption Confirmation Request is made at a relevant time if, at the time the request is made to the Contractor:

 47A.2A.1 legislation in force in England requires a person or class of person to be vaccinated against coronavirus unless they can show that, for clinical reasons, they are exempt from vaccination with an Authorised Vaccine; or

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47A.2A.2 guidance issued by, or on behalf of, the Secretary of State provides that a person or class of person should be vaccinated against coronavirus unless they can show that, for clinical reasons, they are exempt from vaccination with an Authorised Vaccine.”

8. In clause 47A.5, after the words “Exemption Confirmation Request” **insert** the words “made at a relevant time”

Clause 49

9. In clause 49.2.10, after the words “Scheduled Drug;” **delete** the word “and”

10. In clause 49.2.11, after the word “chemoprophylaxis” **delete** the full stop and **insert** “; or”

11. After clause 49.2.11, **insert** the following:

“49.2.12 for responding to an Exemption Confirmation Request as defined in sub-Clause 47A.2.1, if that request is not one which the Contractor is required to respond to in accordance with Clause 47A.”

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I/We [] acknowledge receipt of the notice of variation dated [] of which the above is a duplicate.
I/We acknowledge that this notice will take effect from [].

Signed:

[on behalf of]:

Print name:

Date: