



# Kent LMC update

## Automated Patient Access to Prospective GP Records

virtual drop-in meeting

Dr Jack Jacobs, Medical Director

3<sup>rd</sup> November 2022 – 1130-1230

# Where have we got to ?

- Initial deadline 1<sup>st</sup> November
- NHS 2019/20 contract
- Many delays
- BMA view
- NHSE view
- Tension between GDPR and NHS contract



# Can general practice delay making this offer?

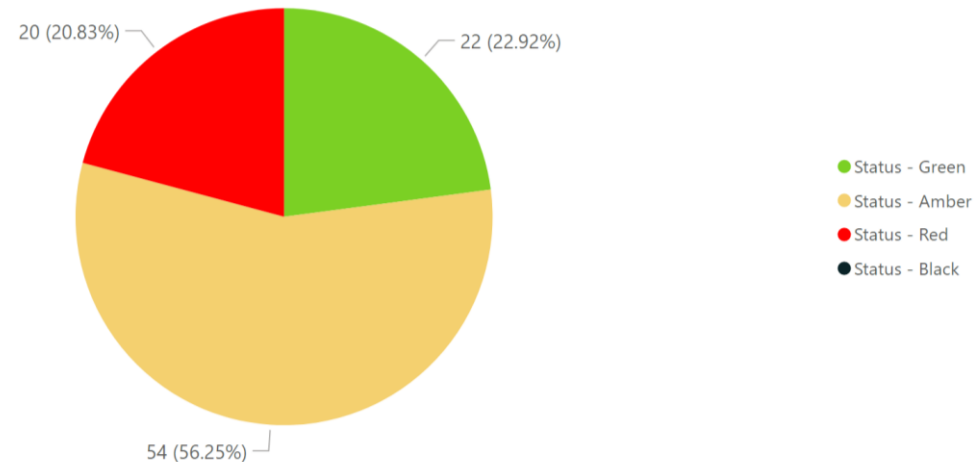
## Citizen access to patient records - legal basis for technical changes

This page provides further information following the latest [update issued by NHS England on Accelerating Citizen Access to GP Data](#) (1 November 2022).

- Z1ZA (4) states:
  - (4) But the contractor may—
  - (a) delay providing the facility to P, if the contractor considers that providing P with it is likely to have an adverse impact on its provision of essential services;
  - (b) delay giving P online access to any information added to P's prospective medical record after the facility is provided to P, if the contractor considers that providing P with access to that information is likely to have an adverse impact on its provision of essential services.

# GPAS Kent & Medway 24<sup>th</sup> October 2022

- General practice is under pressure. The overall [GPAS rating](#) for Kent and Medway is AMBER.
- 77% of responding practices are unable to fully meet patient demand, and are working beyond [recommended safe working limits](#).
- 21% of practices have declared they may only be able to maintain safe services for a brief period of time without support and intervention.
- 80% of practices have signed up to GPAS
- Overall Response Rate of 62% based on practices who have signed up to GPAS (half term week)



# What should a practice do now ?

If **both** of the following apply to you, then **no action** is required

1. You have risk assessed your entire patient list and applied SNOMED code "104" to any at risk patients
2. You are content that the automatic unilateral granting of access to all such patients on your list poses no medicolegal or GDPR risk to your practice

# What should a practice do now ?

- If you do **NOT** meet the criteria then the LMC advises the following options are available to practices:
- **Write to the Data Processor** ; EMIS instructing them to not turn on prospective online access. This must be done before 5pm, Friday 4th November. Delays until 30<sup>th</sup> November.
- **Bulk “104”**: The option remains for practices to apply the SNOMED code “104” (1364731000000104) **to every patient on their list** prevents the automated script set to run by system providers having any effect on any patient’s record.
  - “accepting” the offer and choosing to opt-in, need only be provided the service *“as soon as possible”* in a safe way with informed consent. No deadline can be imposed under the current contract by which practices would need to “undo” this