1993 No. 140

HEALTH AND PERSONAL SOCIAL SERVICES

Charges for Drugs and Appliances (Amendment) Regulations (Northern Ireland) 1993

Made	*25th March 1993*
Coming into operation . .	*1st April 1993*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 98 and 106 of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(**a**) and of all other powers enabling it in that behalf, with the approval of the Department of Finance and Personnel(**b**), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Charges for Drugs and Appliances (Amendment) Regulations (Northern Ireland) 1993 and shall come into operation on 1st April 1993.

(2) In these regulations, "the principal regulations" means the Health and Personal Social Services (Charges for Drugs and Appliances) Regulations (Northern Ireland) 1973(**c**).

Amendment of regulation 2 of the principal regulations

2. In regulation 2(1) of the principal regulations (interpretation) in the definition of "standard" after "Board" there shall be inserted "or HSS trust".

Amendment of regulation 3 of the principal regulations

3. In regulation 3 of the principal regulations (supply of drugs and appliances by chemists) in paragraphs (1)(*b*) and (3) for "£3·75" there shall be substituted "£4·25".

Amendment of regulation 5 of the principal regulations

4. In regulation 5(1)(*b*) of the principal regulations (supply of drugs and appliances by doctors) for "£3·75" there shall be substituted "£4·25".

(a) S.I. 1972/1265 (N.I. 14); the relevant amending instrument is S.I. 1991/194 (N.I. 1) Article 34 and Part II of Schedule 5.

(b) Formerly Department of Finance: *see* S.I. 1982/338 (N.I. 6) Art. 3

(c) S.R. & O. (N.I.) 1973 No. 419; relevant amending regulations are S.R. 1974 No. 83, S.R. 1980 No. 76, S.R. 1981 No. 63, S.R. 1984 No. 66, S.R. 1988 No. 396, S.R. 1989 No. 99, S.R. 1990 No. 100, S.R. 1991 No. 114 and S.R. 1992 No. 154

Amendment of regulation 6 of the principal regulations

5. In regulation 6(4) of the principal regulations (prepayment certificates) for ''£19·40'' there shall be substituted ''£22·00'', and for ''£53·50'' there shall be substituted ''£60·60''.

Amendment of regulation 7 of the principal regulations

6. In regulation 7 of the principal regulations (supply of drugs and certain appliances to out-patients by hospitals)—

(*a*) in paragraph (1) the words ''vested in the Ministry'' shall be omitted and after ''Board'' there shall be inserted ''or HSS trust'';

(*b*) in paragraph (1)(*b*) for ''£3·75'' there shall be substituted ''£4·25'';

(*c*) in paragraph (2) the words ''vested in the Ministry'' shall be omitted;

(*d*) in paragraphs (2)(*b*) and (3) for ''£3·75'' there shall be substituted ''£4·25'';

(*e*) in paragraph (4) after ''Board'' in both places where it occurs there shall be inserted ''or HSS trust'';

(*f*) in paragraph (5) after ''Board'' there shall be inserted ''or HSS trust''.

Amendment of regulation 8 of the principal regulations

7. In regulation 8 of the principal regulations (supply of appliances by hospitals to persons under 16 years) the words ''vested in the Department'' shall be omitted.

Amendment of regulation 10 of the principal regulations

8. In regulation 10 of the principal regulations (supply of wigs and fabric supports to out-patients by hospitals)—

(*a*) in paragraph (1) the words ''vested in the Ministry'' shall be omitted and after ''Board'' there shall be inserted ''or HSS trust'';

(*b*) in paragraph (3) after ''Board'' there shall be inserted ''or an HSS trust'';

(*c*) in paragraph (4) after ''Board'' there shall be inserted ''or the HSS trust''.

Amendment of regulation 11 of the principal regulations

9. In regulation 11 of the principal regulations (supply, replacement and repair of artificial limbs, invalid chairs or tricycles to out-patients by hospitals)—

(*a*) in paragraph (1) after ''Board'' in both places where it occurs there shall be inserted ''or the HSS trust'';

(*b*) in paragraph (3) after ''Board'' in both places where it occurs there shall be inserted ''or the HSS trust'';

(*c*) in paragraph (5) after ''Board'' in each place where it occurs there shall be inserted ''or the HSS trust'';

(*d*) in paragraph (6) after ''Board'' there shall be inserted ''or the HSS trust''.

Amendment of regulation 12 of the principal regulations

10. In regulation 12 of the principal regulations (supply of appliances (other than artificial limbs, invalid chairs or tricycles) to out-patients by hospitals)—

(*a*) in paragraph (1)—

(i) the words ''vested in the Ministry'' shall be omitted, and

(ii) after ''Board'' there shall be inserted ''or the HSS trust'';

(*b*) in paragraph (3) after ''Board'' there shall be inserted ''or the HSS trust'';

(*c*) in paragraph (4) after ''Board'' there shall be inserted ''or the HSS trust''.

Amendment of regulation 15 of the principal regulations

11. In regulation 15 of the principal regulations (exemptions) in paragraph (8) for the words ''or Board'' there shall be substituted '', Board or HSS trust''.

Amendment of regulation 16 of the principal regulations

12. In regulation 16 of the principal regulations (refunds) in paragraph (3) for the words from ''such period'' to the end of the paragraph there shall be substituted ''3 months from the date the drug or appliance was supplied to the applicant or within such further period as the Department may, for good cause, allow''.

Amendment of Schedules to the principal regulations

13.—(1) In Schedule 1 for ''£3·75'' there shall be substituted ''£4·25'' and for ''£7·50'' there shall be substituted ''£8·50''.

(2) In Schedule 1A for ''£7·50'' there shall be substituted ''£8·50''.

(3) For Schedule 2 there shall be substituted the following Schedule—

''SCHEDULE 2 Regulation 10

Charges for Wigs and Fabric Supports

(1) Description	(2) Charges
Surgical Brassiere	£ 18·00
Abdominal or Spinal Support	£ 24·00
Stock Modacrylic Wig	£ 36·00
Partial Human Hair Wig	£ 93·00
Full Bespoke Human Hair Wig	£135·00''.

Revocation of regulation 13 of the principal regulations

14. Regulation 13 of the principal regulations (supply of appliances (other than artificial limbs, invalid chairs or tricycles) to out-patients of hospitals (other than hospitals vested in the Ministry)) is hereby revoked.

Application

15. These regulations shall apply—

(*a*) insofar as they amend regulation 6(4) of the principal regulations, where the application referred to in paragraph (1) of the said regulation 6 is received on or after 1st April 1993;

(*b*) insofar as they amend Schedule 2 to the principal regulations, where the examination or first examination leading to the supply of an appliance takes place after 31st March 1993;

(*c*) in any other case, where drugs and appliances are supplied on or after 1st April 1993.

Sealed with the Official Seal of the Department of Health and Social Services on 25th March 1993.

(L.S.) *J. Scott*

Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 25th March 1993.

(L.S.) *R. Miller*

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Health and Personal Social Services (Charges for Drugs and Appliances) Regulations (Northern Ireland) 1973 (''the principal regulations'') which provide for the making and recovery of charges for drugs and appliances supplied by doctors and chemists providing pharmaceutical services, and by hospitals to out-patients.

The regulations also amend the principal regulations to provide for the making and recovery of charges for drugs and appliances supplied by HSS trusts and extend the provisions relating to exemption from, and the repayment of, such charges to cases where drugs and appliances have been supplied by an HSS trust (regulations 6, 7, 8, 9, 10 and 11).

The charge for each item on prescription is increased from £3·75 to £4·25. The sums prescribed for the grant of prepayment certificates of exemption from prescription charges are increased from £19·40 to £22·00 for a 4-month certificate and from £53·50 to £60·60 for a 12-month certificate.

The charge for elastic hosiery is increased from £3·75 to £4·25 for each item (from £7·50 to £8·50 per pair) and for tights from £7·50 to £8·50.

The charge for a partial human hair wig is increased from £82·00 to £93·00, and for a stock modacrylic wig from £32·00 to £36·00. The charge for a full bespoke human hair wig is increased from £119·00 to £135·00. The charge for a surgical brassiere is increased from £16·00 to £18·00 and for an abdominal or spinal support from £21·00 to £24·00.

Regulation 16 of the principal regulations is amended to specify a time limit of 3 months within which applications for repayment of charges are to be made (regulation 12).

Regulation 14 revokes regulation 13 of the principal regulations.