STATUTORY INSTRUMENTS

2015 No. 417

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Charges, Payments and Remission of Charges) (Uprating, Miscellaneous Amendments and Transitional Provision) Regulations 2015

Made - - - -	*27th February 2015*
Laid before Parliament	*5th March 2015*
Coming into force - -	*1st April 2015*

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred by sections 115(1) and (2), 116(2), 176(1) and (2), 179(1) and (3), 180(1) to (5), 182, 184(2) and 272(7) and (8) of the National Health Service Act 2006(**a**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Charges, Payments and Remission of Charges) (Uprating, Miscellaneous Amendments and Transitional Provision) Regulations 2015 and come into force on 1st April 2015.

(2) In these Regulations, the "2013 Regulations" mean the National Health Service (Optical Charges and Payments) Regulations 2013(**b**).

Amendment of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003

2. In regulation 5 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003(**c**) (entitlement to full remission and payment), in paragraph (1)(f), for "1st April 2015", at both places, substitute "31st October 2015".

Uprating of charges in the National Health Service (Dental Charges) Regulations 2005

3.—(1) The National Health Service (Dental Charges) Regulations 2005(**d**) are amended as follows.

(**a**) 2006 c. 41. Section 115 has been amended by the Health and Social Care Act 2012 (c. 7) ("the 2012 Act"), Schedule 4, paragraph 54. Section 176 has been amended by the 2012 Act, Schedule 4, paragraph 94. Section 180 has been amended by the Health Act 2009 (c. 21), Schedule 6, and the 2012 Act, section 205, and Schedule 4, paragraph 96. By virtue of section 271(1) of the National Health Service Act 2006 ("the 2006 Act"), the functions of the Secretary of State being exercised in the making of these Regulations are exercisable only in relation to England. *See also s*ection 275(1) of the 2006 Act, which contains definitions of "prescribed" and "regulations" that are relevant to the powers being exercised.

(**b**) S.I. 2013/461; amended by S.I. 2014/418 and 2667.

(**c**) S.I. 2003/2382; regulation 5 has been amended by S.I. 2004/663 and 936, 2006/562, 2008/1697, 2009/411, 2013/475 and 1600 and 2014/418 and 2667.

(**d**) S.I. 2005/3477; amended by S.I. 2006/1837, 2007/544, 2008/547, 2009/407, 2011/519, 2012/502, 2013/364, 475 and 711, and 2014/545.

(2) In regulation 4 (calculation of charges)—

(a) in paragraph (1), for "£18.50" substitute "£18.80";

(b) in paragraph (2), for "£50.50" substitute "£51.30";

(c) in paragraph (3), for "£219.00" substitute "£222.50";

(d) in paragraph (4), for "£219.00" substitute "£222.50"; and

(e) in paragraph (5), for "£18.50" substitute "£18.80".

(3) In regulation 13A(2) (charges in respect of primary dental services provided under a Capitation and Quality Scheme 2 Agreement), for "£18.50" substitute "£18.80".

Amendment of the Primary Ophthalmic Services Regulations 2008

4. In regulation 3 of the Primary Ophthalmic Services Regulations 2008(**a**) (sight tests – eligibility), in paragraph (2)(l), for "1st April 2015", at both places, substitute "31st October 2015".

Uprating of amounts in the 2013 Regulations

5.—(1) The 2013 Regulations are amended as follows.

(2) In regulation 20(**b**) (redemption value of voucher for replacement or repair)—

(a) in paragraph (1)(b), for "£55.80" substitute "£56.40"; and

(b) in paragraph (3), for "£14.40" substitute "£14.60".

(3) In Schedule 1(**c**) (voucher letter codes and face values – supply and replacement), in column (3) of the table (face value of voucher), for each amount specified in column (1) of the table below substitute the amount specified in relation to it in column (2) of the table below—

(1) *Old amount*	*(2)* *New amount*
£38.30	£38.70
£58.10	£58.70
£85.10	£86.00
£192.20	£194.10
£66.10	£66.80
£84.00	£84.80
£109.00	£110.10
£211.30	£213.40
£196.80	£198.80
£55.80	£56.40

(4) In Schedule 2(**d**) (prisms, tints, photochromic lenses, small and special glasses and complex appliances)—

(a) in paragraph 1(1)(a), for "£12.40" substitute "£12.50";

(b) in paragraph 1(1)(b), for "£15.00" substitute "£15.20";

(c) in paragraph 1(1)(c), for "£4.20" substitute "£4.30";

(d) in paragraph 1(1)(d), for "£4.70" substitute "£4.80";

(**a**) S.I. 2008/1186; regulation 3 has been amended by S.I. 2008/2449, 2009/409, 2013/365 and 2555, and 2014/418 and 2667.
(**b**) Regulation 20 has been amended by S.I. 2014/418.
(**c**) Schedule 1 has been amended by S.I. 2014/418.
(**d**) Schedule 2 has been amended by S.I. 2014/418.

(e) in paragraph 1(1)(e), for "£63.00", "£55.80" and "£30.20" substitute "£63.60", "£56.40" and "£30.50" respectively;

(f) in paragraph 1(1)(f)—

(i) in sub-paragraph (i), for "£63.00" substitute "£63.60",

(ii) in sub-paragraph (ii), for £55.80" substitute "£56.40", and

(iii) in sub-paragraph (iii), for "£30.20" substitute "£30.50";

(g) in paragraph 2(a), for "£14.40" substitute "£14.50"; and

(h) in paragraph 2(b), for "£36.60" substitute "£37.00".

(5) In Schedule 3(**a**) (voucher values repair), for the table substitute the following table—

(1) *Nature of repair*	*(2)* *Letter of codes – values*								
	A	B	C	D	E	F	G	H	I
	£	£	£	£	£	£	£	£	£
Repair or replacement of one lens	12.05	22.05	35.70	89.75	26.10	35.10	47.75	99.40	92.10
Repair or replacement of two lenses	24.10	44.10	71.40	179.50	52.20	70.20	95.50	198.80	184.20
Repair or replacement of:									
the front of a frame	12.35	12.35	12.35	12.35	12.35	12.35	12.35	12.35	12.35
a side of a frame	7.30	7.30	7.30	7.30	7.30	7.30	7.30	7.30	7.30
the whole frame	14.60	14.60	14.60	14.60	14.60	14.60	14.60	14.60	14.60

Transitional provision relating to the uprating of the value of the vouchers provided under the 2013 Regulations

6. Where a voucher is accepted, presented or used pursuant to regulation 12 (use of vouchers for supply of optical appliances) or regulation 18 (use of vouchers for replacement or repair) of the 2013 Regulations before 1st April 2015, Schedules 1, 2 and 3 of the 2013 Regulations have effect in relation to that acceptance, presentation or use as if regulation 5 had not come into force.

Additional amendment of the 2013 Regulations

7. In regulation 8 of the 2013 Regulations(**b**) (eligibility for a voucher – supply of optical appliances), in paragraph (3)(j), for "1st April 2015", at both places, substitute "31st October 2015".

Signed by authority of the Secretary of State for Health.

Earl Howe
Parliamentary Under-Secretary of State,

(**a**) Schedule 3 has been amended by S.I. 2014/418.
(**b**) Regulation 8 has been amended by S.I. 2014/2667.

27th February 2015 Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 ("the 2003 Regulations"), the National Health Service (Dental Charges) Regulations 2005 ("the 2005 Regulations"), the Primary Ophthalmic Services Regulations 2008 ("the 2008 Regulations") and the National Health Service (Optical Charges and Payments) Regulations 2013 ("the 2013 Regulations").

Regulation 5 of the 2003 Regulations makes provision for England to enable people in receipt of certain state benefits, or on low incomes, to be reimbursed for travel expenses incurred in obtaining certain NHS services and to be exempt from paying certain NHS charges, without needing to make a claim. This includes, for a time limited period, persons who are in receipt of universal credit and certain dependent children and young persons. Regulation 2 of these Regulations amends regulation 5(1)(f) of the 2003 Regulations to extend the end date of that time limited period from 31st March 2015 to 31st October 2015.

The 2005 Regulations include the charges that are levied for NHS dental and orthodontic treatment in England. Regulation 3 amends the 2005 Regulations to increase the charges for Band 1 courses of treatment from £18.50 to £18.80, for Band 2 courses of treatment from £50.50 to £51.30 and for Band 3 courses of treatment from £219.00 to £222.50. Band 1A charges in respect of interim care courses of treatment provided by contractors participating in the Capitation and Quality Scheme 2 pilot schemes are also increased from £18.50 to £18.80, in line with Band 1 charges.

Regulation 3 of the 2008 Regulations makes provision in England about who is entitled to primary ophthalmic services sight tests under the National Health Service Act 2006. This includes, for a time limited period, persons who are in receipt of universal credit and certain dependent children and young persons. Regulation 4 of these Regulations amends regulation 3(2)(l) of the 2008 Regulations to extend the end date of that time limited period from 31st March 2015 to 31st October 2015.

The 2013 Regulations provide for a scheme for England for payments to be made, by means of a voucher system, in respect of costs incurred by certain categories of persons in connection with sight tests and the supply, replacement and repair of optical appliances. Regulation 5 amends the 2013 Regulations to increase the value of the vouchers which certain categories of persons may use in connection with receiving eye tests and the supply, replacement and repair of optical appliances by an average overall of 1%. Regulation 6 provides for transitional provision in relation to vouchers accepted, presented or used prior to these Regulations coming into force.

The persons who benefit under 2013 Regulations – from the scheme for payments to be made, by means of a voucher system, in respect of costs incurred in connection with sight tests and the supply, replacement and repair of optical appliances – include, for a time limited period, persons who are in receipt of universal credit and certain dependent children and young persons. Regulation 7 of these Regulations amends regulation 8(3)(j) of the 2013 Regulations to extend the end date of that time limited period from 31st March 2015 to 31st October 2015.

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