STATUTORY INSTRUMENTS

2009 No. 112

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2009

Made - - - -	*26th January 2009*
Laid before Parliament	*2nd February 2009*
Coming into force - -	*1st April 2009*

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred by sections 7(1), 8, 272(7) and 273(1) and (4) of the National Health Service Act 2006(**a**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2009 and shall come into force on 1st April 2009.

(2) In these Regulations, "the principal Regulations" means the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Regulations 2002(**b**).

Substitution of Schedule 5 to the principal Regulations

2. For Schedule 5 to the principal Regulations (Secretary of State's functions under section 3(1) of the National Health Service Act 2006 exercisable by Strategic Health Authorities for the purpose of securing the provision of services: specified services)(**c**) substitute the following Schedule—

"SCHEDULE 5 Regulation 3(2A)

SECRETARY OF STATE'S FUNCTIONS UNDER SECTION 3(1) OF THE NATIONAL HEALTH SERVICE ACT 2006 EXERCISABLE BY SRATEGIC HEALTH AUTHORITIES FOR

(**a**) 2006 c.41. By virtue of section 271 of the Act the powers of the Secretary of State conferred by these provisions are exercisable only in relation to England.
(**b**) S.I. 2002/2375; relevant amending instruments are S.I. 2007/559 and 2008/224.
(**c**) Schedule 5 was added to the principal Regulations by S.I. 2007/559, regulation 6, and was amended by S.I. 2008/224. See also regulation 3(2A) of the principal Regulations, which refers to Schedule 5 and was added by S.I. 2007/559, regulation 3(3).

THE PURPOSE OF SECURING THE PROVISION OF SERVICES: SPECIFIED SERVICES

1 Alstrom syndrome service
2 Ataxia telangiectasia service for children
3 Autoimmune paediatric gut syndromes service
4 Bladder exstrophy service
5 Choriocarcinoma service
6 Chronic pulmonary aspergillosis service
7 Complex Ehlers Danlos syndrome service
8 Complex Neurofibromatosis type 1 service
9 Complex tracheal disease service
10 Craniofacial surgery service
11 Deaf child and adolescent mental health outreach service (expansion to the existing nationally-commissioned outpatient service)
12 Diagnostic service for amyloidosis
13 Diagnostic service for primary ciliary dyskinesia
14 Diagnostic service for rare neuromuscular disorders service
15 Encapsulating sclerosing peritonitis surgical service
16 Epidermolysis bullosa service
17 Extra corporeal membrane oxygenation service for adults
18 Extra corporeal membrane oxygenation service for children
19 Extra corporeal membrane oxygenation and ventricular assist devices as bridge to heart transplant service for children
20 Gender identity development service for children and adolescents
21 Heart and lung transplantation service
22 Islet transplantation service
23 Liver transplantation service
24 Lysosomal storage disorder service
25 Mental health service for deaf children:inpatient service
26 Ocular oncology service
27 Opthalmic pathology service
28 Osteo odonto keratoprosthesis service for corneal blindness
29 Pancreas transplantation service
30 Paroxysmal nocturnal haemoglobinuria
31 Persistent hyperinsulinaemic hypoglycaemia of infancy service
32 Primary malignant bone tumours service
33 Proton beam therapy service
34 Pseudomyoxa peritonei service
35 Pulmonary hypertension service for children
36 Pulmonary thromboendarterectomy service
37 Rare mitochondrial disorders service
38 Reconstructive surgery in adolescents for congenital malformation of the female genital tract service
39 Retinoblastoma service
40 Secure forensic mental health service for young people
41 Secure forensic mental health and learning disability service for young people
42 Severe combined immunodeficiency and related disorders service
43 Severe intestinal failure service
44 Severe obsessive compulsive disorder and body dysmorphic disorder service
45 Small bowel transplantation service for adults
46 Small bowel transplantation service for children
47 Specialist liver disease service for children

48	Stem cell transplantation service for juvenile idiopathic arthritis and related connective tissue disorders
49	Vein of Galen malformation service
50	Ventricular assist devices as bridge to heart transplant service”

Signed by authority of the Secretary of State for Health.

Ann Keen
Parliamentary Under-Secretary of State,
Department of Health

26th January 2009

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to England, further amend the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Regulations 2002 ("the principal Regulations").

Regulation 2 substitutes a new Schedule 5 to the principal Regulations. This adds to the services that Strategic Health Authorities may commission, modifies existing services and make consequential amendments.

The new services are—

Ataxia telangiectasia service for children (item 2)

Autoimmune paediatric gut syndromes service (item 3)

Chronic pulmonary aspergillosis service (item 6)

Complex Ehlers Danlos syndrome service (item 7)

Complex Neurofibromatosis type 1 service (item 8)

Encapsulating sclerosing peritonitis surgical device (item 15)

Gender identity development service for children and adolescents (item 20)

Paroxysmal nocturnal haemoglobinuria (item 30).

The services modified by regulation 2 are—

Deaf child and adolescent mental health outreach service (item 11) (replaces Mental health service for deaf children consisting of therapy and professional support provided by video-link)

Ventricular assist devices as bridge to heart transplant service (item 50) is no longer restricted to adults

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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