EXECUTIVE NOTE

THE NATIONAL HEALTH SERVICE (TRAVELLING EXPENSES AND REMISSION OF CHARGES) (SCOTLAND) AMENDMENT REGULATIONS 2010/94)

1. The above Regulations are being made in exercise of the powers conferred on Scottish Ministers by sections 75A, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978. The instrument is subject to negative resolution procedure.

Policy Objectives

2. The purpose of these Regulations is to amend the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 ("the principal Regulations") to ensure that parity of treatment is maintained for people who claim help with health costs under the terms of the NHS Low Income Scheme (LIS).

3. The amendments are being made as a result of amendments to corresponding legislation by the Department of Health. The amendments will ensure parity of treatment for Scottish residents applying for help with health costs through the LIS.

4. These amendments will make provisions for:-

    - an increase in the LIS capital limits, from £14,000 to £14,250 and £23,000 to £23,250, above which help with health costs is not available for certain people permanently residing in care homes;

Financial Effects

5. The financial effects of these amendments are expected to be minimal. LIS claimants who benefit from the adjustment of capital limits will receive more help with health charges and the effect will be a reduction in charge income, spread across Health Boards. The number of people who will benefit from these changes is very difficult to predict, as it depends on the financial circumstances declared by individual claimants. The loss of income to Health Boards will depend on the extent to which their LIS certificates are used by these claimants.

Consultation

6. There has been no consultation by the Scottish Government in respect of these Regulations. This is normal practice when regulations are introduced to take account of corresponding changes to ensure equity of treatment. Information relating to the NHS Low Income Scheme can be found in leaflet HCS2 – A Quick Guide to Help with Health Costs. Further information can be found at www.scotland.gov.uk/healthcosts

Scottish Government Health Directorate
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