

HEALTH ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

PART 4 CHAPTER 2

Ophthalmic Services

Section 38: General ophthalmic services contracts

General Ophthalmic Services contracts: payments

198. Provisions around General Ophthalmic Services contracts and payments are set out in section 28WD.
199. *Subsections (1) and (2)* allow the Secretary of State for Health to give directions as to the payments to be made under these contracts and to specify that general ophthalmic services contracts must require payments to be made in accordance with any such directions that are in force.
200. *Subsection (3)* provides that directions may provide for payments to be made by reference to standards, the achievement of levels of performance or to a specified scheme or scale. They provide for conditions to be imposed in respect of a payment or part of a payment; and allow provisions to be made which have effect before the date of the direction itself.
201. *Subsection (4)* requires the Secretary of State to consult representatives of those providing services or any other appropriate bodies before making a direction on payments under *subsection(1)*.
202. *Subsection (6)* defines payments in this section as including fees, allowances, reimbursements, loans and repayments.