

SCHEDULES

SCHEDULE 8

Section 177

FURTHER PROVISION ABOUT THE EXPENDITURE OF LOCAL HEALTH BOARDS

General ophthalmic and pharmaceutical services expenditure

- 1 (1) In section 174 to 176 and this Schedule, “general ophthalmic and pharmaceutical services expenditure” means expenditure of a Local Health Board which—
- (a) is attributable to the payment of remuneration to persons providing services under Part 6 (ophthalmic services) or Chapter 1 of Part 7 (pharmaceutical services), and
 - (b) is not excluded by sub-paragraph (2).
- (2) Expenditure is excluded if it is attributable to—
- (a) the reimbursement of expenses of persons providing services as mentioned in sub-paragraph (1)(a) which are designated expenses incurred in connection with the provision of the services (or in giving instruction in matters relating to the services),
 - (b) remuneration referable to the cost of drugs, or
 - (c) remuneration paid to persons providing additional pharmaceutical services (in accordance with directions under section 81), in respect of such of those services as are designated.

Main expenditure

- 2 (1) In section 174 “main expenditure”, in relation to a Local Health Board and the year in question, means—
- (a) expenditure of the Local Health Board mentioned in sub-paragraph (2),
 - (b) any other expenditure of the Local Health Board attributable to the performance of its functions in that year (other than general ophthalmic and pharmaceutical services expenditure and remuneration referable to the cost of drugs), and
 - (c) expenditure attributable to remuneration referable to the cost of drugs for which the Local Health Board is accountable in that year (whether paid by it or by another Board).
- (2) The expenditure is expenditure attributable to—
- (a) the reimbursement in that year of expenses of persons providing services as mentioned in paragraph 1(1)(a) which are designated expenses incurred in connection with the provision of the services (or in giving instruction in matters relating to the services), or
 - (b) remuneration paid in that year to persons providing additional pharmaceutical services (in accordance with directions under section 81), in respect of such of those services as are designated.

Status: This is the original version (as it was originally enacted).

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- (1) For each financial year, the Welsh Ministers must apportion among all Local Health Boards, in such manner as they consider appropriate, the total of the remuneration referable to the cost of drugs which is paid by each Local Health Board in that year.
 - (2) A Local Health Board is accountable in any year for remuneration referable to the cost of drugs to the extent (and only to the extent) that such remuneration is apportioned to it under sub-paragraph (1).
 - (3) Where in any financial year any remuneration referable to the cost of drugs for which a Local Health Board is accountable is paid by another Local Health Board, the remuneration must be treated (for the purposes of sections 174 and 175) as having been paid by the first Local Health Board in the performance of its functions.
 - (4) The Welsh Ministers may, in particular, exercise their discretion under sub-paragraph (1)—
 - (a) so that any apportionment reflects, in the case of each Local Health Board, the financial consequences of orders for the provision of drugs, being orders which in the opinion of the Welsh Ministers are attributable to the Board in question,
 - (b) by reference to averaged or estimated amounts.
 - (5) The Welsh Ministers may make provision for any remuneration referable to the cost of drugs which is paid by a Local Health Board other than the Board which is accountable for the payment to be reimbursed in such manner as the Welsh Ministers may determine.

Interpretation

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- (1) In this Schedule—
 - “designated” means designated in writing by the Welsh Ministers (and different designations may be made for different purposes),
 - “drugs” includes medicines and listed appliances (within the meaning given by section 80),
 - “pharmaceutical services” does not include additional pharmaceutical services,
 - “remuneration referable to the cost of drugs” includes (except in paragraph 1(2)(b) and subject to sub-paragraph (2)) remuneration payable to persons providing local pharmaceutical services.
 - (2) The Welsh Ministers must determine what remuneration paid by Local Health Boards to persons providing pharmaceutical services or local pharmaceutical services must be treated for the purposes of this Schedule as remuneration referable to the cost of drugs.
 - (3) The Welsh Ministers may treat all remuneration paid by Local Health Boards to such persons, so far as it is met by an NHS trust under section 180(4), as remuneration referable to the cost of drugs for those purposes.