
STATUTORY INSTRUMENTS

2014 No. 545

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Charges, Payments and Remission of Charges) (Uprating, Miscellaneous Amendments and Transitional Provision) Regulations 2014

<i>Made</i>	- - - -	<i>5th March 2014</i>
<i>Laid before Parliament</i>		<i>11th March 2014</i>
<i>Coming into force</i>	- -	<i>1st April 2014</i>

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred by sections 115(1) and (2), 116(2), 172(1), 176(1) and (2), 178(1), 179(3), 180(1) to (5), 182, 183 and 272(7) and (8) of the National Health Service Act 2006(1).

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 2014 and come into force on 1st April 2014.

(2) In these Regulations, “the 2000 Regulations” means the National Health Service (Charges for Drugs and Appliances) Regulations 2000(2).

Uprating of charges in the National Health Service (Charges for Drugs and Appliances) Regulations 2000

2.—(1) The 2000 Regulations are amended as follows.

(2) In each of the following provisions, for “£7.85” at each place where it occurs substitute “£8.05”—

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- (1) 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. Section 183 has been amended by S.I. 2010/915 and by the 2012 Act, Schedule 4, paragraph 98. 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* section 275(1) of the 2006 Act, which contains definitions of “prescribed” and “regulations” that are relevant to the powers being exercised.
- (2) S.I. 2000/620; amended by S.I. 2000/2393 and 3189, 2001/2287, 2002/548 and 2352, 2003/699 and 1084, 2004/663, 696 and 865, 2005/578, 2006/562, 675 and 913, 2007/1510 and 1975, 2008/571, 1697, 1700 and 2593, 2009/29, 411, 1166 and 2230, 2010/231 and 1727, 2011/518, 2012/470, 1909 and 1916 and 2013/475.

- (a) regulation 3(1)(a) and (b), (1A)(b)(i) and (ii) and (4) (charges for the supply of drugs and appliances by chemists);
 - (b) regulation 4(1)(a) and (b) and (4) (charges for the supply of drugs and appliances by doctors);
 - (c) regulation 4A(1)(a) and (b) (charges for the out of hours supply of drugs and appliances by providers of out of hours services);
 - (d) regulation 5(1)(a) and (d) and (5) (charges for the supply of drugs and appliances by NHS trusts and NHS foundation trusts);
 - (e) regulation 6(1)(a) and (b) and (4) (charges for the supply of drugs and appliances at Walk-in Centres);
 - (f) regulation 6A(1) (charges for the supply of drugs under Patient Group Directions); and
 - (g) regulation 6B(1)(a) and (d) and (9) (charges for the supply of drugs and appliances by other providers of NHS services).
- (3) In each of the following provisions, for “£15.70” at each place where it occurs substitute “£16.10”—
- (a) regulation 3(1)(a) and (1A)(b)(i) (charge for the supply of a pair of elastic hosiery by chemists);
 - (b) regulation 4(1)(a) (charge for the supply of a pair of elastic hosiery by doctors);
 - (c) regulation 4A(1)(a) (charge for the out of hours supply of a pair of elastic hosiery by providers of out of hours services);
 - (d) regulation 5(1)(a) and (c) (charge for the supply of a pair of elastic hosiery or tights by NHS trusts and NHS foundation trusts);
 - (e) regulation 6(1)(a) (charge for the supply of a pair of elastic hosiery at Walk-in Centres); and
 - (f) regulation 6B(1)(a) and (c) (charge for the supply of a pair of elastic hosiery or tights by other providers of NHS services).
- (4) In column (2) of Schedule 1 (charges for fabric supports and wigs), in column (2) of the table (specified charge)—
- (a) for “£26.35” substitute “£27.05”;
 - (b) for “£39.75” substitute “£40.85”;
 - (c) for “£64.95” substitute “£66.70”;
 - (d) for “£172.00” substitute “£176.65”; and
 - (e) for “£251.55” substitute “£258.35”.

Transitional provision relating to the uprating of charges in the National Health Service (Charges for Drugs and Appliances) Regulations 2000

3. Where, on or after 1st April 2014, an appliance specified in column (1) of the table in Schedule 1 to the 2000 Regulations (charges for fabric supports and wigs – specified appliance) is supplied pursuant to an order made before that date, the 2000 Regulations are to have effect in relation to the supply of that appliance as if regulation 2(4) had not come into force.

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

4. In regulation 5 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003(3) (entitlement to full remission and payment), in paragraph (1)(f), for “5th April 2014” substitute “31st October 2014”.

Up-rating of charges in the National Health Service (Dental Charges) Regulations 2005

5.—(1) The National Health Service (Dental Charges) Regulations 2005(4) are amended as follows.

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

- (a) in paragraph (1), for “£18.00” substitute “£18.50”;
- (b) in paragraph (2), for “£49.00” substitute “£50.50”;
- (c) in paragraph (3), for “£214.00” substitute “£219.00”;
- (d) in paragraph (4), for “£214.00” substitute “£219.00”; and
- (e) in paragraph (5), for “£18.00” substitute “£18.50”.

(3) In regulation 13A(2) (charges in respect of primary dental services provided under a Capitation and Quality Scheme 2 Agreement), for “£18.00” substitute “£18.50”.

Amendment of the Primary Ophthalmic Services Regulations 2008

6. In regulation 3 of the Primary Ophthalmic Services Regulations 2008(5) (sight tests – eligibility), in paragraph (2)(l), for “5th April 2014” substitute “31st October 2014”.

Amendment of the National Health Service (Optical Charges and Payments) Regulations 2013

7. In regulation 8 of the National Health Service (Optical Charges and Payments) Regulations 2013(6) (eligibility for a voucher – supply of optical appliances), in paragraph (3)(j), for “5th April 2014” substitute “31st October 2014”.

Signed by authority of the Secretary of State for Health.

5th March 2014

Earl Howe
Parliamentary Under-Secretary of State,
Department of Health

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

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

(5) S.I. 2008/1186; regulation 3 has been amended by S.I. 2008/2449, 2009/409 and 2013/365 and 2555.

(6) S.I. 2013/461; regulation 8 has been amended by S.I. 2013/2555.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Charges for Drugs and Appliances) Regulations 2000 (“the 2000 Regulations”), 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”).

The 2000 Regulations include the prescription and other charges for drugs, appliances and other items supplied as part of the National Health Service (NHS) in England. Regulation 2 amends the 2000 Regulations to increase the standard prescription charge for drugs and appliances from £7.85 to £8.05. The charge for the supply of elastic hosiery is increased from £15.70 to £16.10. There are also increases to the charges for fabric supports and wigs of around 2.7%, but regulation 3 sets out a transitional provision that relates to fabric supports and wigs ordered before 1st April 2014.

The 2003 Regulations make provision for England relating to people in receipt of state benefits or on low incomes being reimbursed for travel expenses incurred in obtaining certain NHS services and being exempt from paying certain NHS charges. Regulation 4 amends regulation 5 of the 2003 Regulations to extend the entitlement of recipients of universal credit, and certain members of their families, to full remission of certain NHS charges and payment of certain NHS travel expenses without making a claim so that their entitlement extends to the period which starts on 6th April 2014 and ends on 31st October 2014. The Regulations previously referred to the period starting on 29th April 2013 and ending on 5th April 2014.

The 2005 Regulations include the charges that are levied for NHS dental and orthodontic treatment in England. Regulation 5 amends the 2005 Regulations to increase the charges for Band 1 courses of treatment from £18.00 to £18.50, for Band 2 courses of treatment from £49.00 to £50.50 and for Band 3 courses of treatment from £214.00 to £219.00. 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 £18.00 to £18.50, in line with Band 1 charges.

The 2008 Regulations make provision for England in relation to entitlement to a free NHS sight test. 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 6 amends regulation 3 of the 2008 Regulations, and regulation 7 amends regulation 8 of the 2013 Regulations, to extend the entitlement of recipients of universal credit, and certain members of their families, to free NHS sight tests and vouchers for the supply of optical appliances so that their entitlement extends to the period which starts on 6th April 2014 and ends on 31st October 2014. Both the 2008 and the 2013 Regulations previously referred to the period starting on 29th April 2013 and ending on 5th April 2014.