

**HEALTH AND SOCIAL SERVICES PORTFOLIO
SUBORDINATE LEGISLATION PROGRAMME 2003/04**

HSS(2)-04-03(P.4a)

HEALTH AND SOCIAL CARE

**HSS(2)-04-03(p.4a)
2003 Autumn Term**

	NAME/WORKING TITLE	PURPOSE	PROJECTED MONTH LEGISLATION TO BE MADE	STANDING ORDER
HSS 7(03)	NHS (Primary Care) Act 1987 (Commencement) (Wales) Order 2003	Commences paragraph 28 of Schedule 2 of the Act to enable Dental Practice Board to be directed to provide for the functions of Health Authorities in respect of the recovery of charges and issue and recovery of penalty charges under the NHS Act 1977	December 2003	SO 22
HSS 8(03)	Community Health Council (Wales) Regulations 2004	Strengthen CHCs in Wales and give them important new functions and set up a new All-Wales Statutory Body for CHC	December 2003	SO 22
HSS 9(03)	Carmarthenshire, Ceredigion and Mid Wales and North Glamorgan NHS Trusts Amendment Orders	To increase the number of Non-Executive Directors for these NHS Trusts by one additional member to bring the Establishment Orders into line with the number of Non-Executive Directors on the Trust Boards	December 2003	SO 22
HSS 11 (03)	Adult Placement Schemes (Wales) Regulations 2003	To introduce a regulatory regime for adult placements schemes. Adult placements offer people aged 18+ an alternative and highly flexible form of accommodation and support - an opportunity to live or stay in an ordinary domestic setting as part of an adult	December 2003	SO 22

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HSS 12 (03)	National Minimum Standards for Adult placements schemes 2003	<p>placement carers family.</p> <p>An adult placement scheme is a scheme which is responsible for recruiting, assessing, training and supporting, and arranging payments to adult placement carers; for taking referrals, matching and placing service users with adult placement carers, and for supporting and monitoring the placement. In Wales such schemes are operated by local authorities.</p> <p>Adult placement carers are regulated under the Care Homes (Wales) Regulations 2002. These regulations will introduce a regulatory framework for adult placement schemes using powers in the Care Standards Act 2002.</p> <p>Adult Placement Schemes are presently covered by National Assembly Section 7 Policy and Practice Guidance issued in August 2002.</p> <p>To introduce national minimum standards for adult placement schemes</p>	December 2003	SO 27

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HSS 13 (03)	Domiciliary Care Agencies (Wales) Regulation 2003	Regulatory framework for Domiciliary Care Agencies under the CSA 2000	February 2004	SO 22
	Domiciliary Care Agencies (Wales) National Minimum Standards	Lays down the national minimum standards for domiciliary care agencies	February 2004	SO27
HSS 15 (03)	The Childminding and Day Care (Amendment) (Wales) Regulations 2003	Use of Executive Procedure in respect of amendments to The Childminding and Day Care Regulations 1. Manager's suitability for childcare 2. No longer require employment history or financial references from volunteers 3. Financial viability of childcare providers will no longer be regulated Use of Executive Procedure in respect of new regulations to provide for the power of waiver for CSIW if applicants for registration as childminders or day care providers would otherwise be automatically disqualified. Use of Executive Procedure to amend the supporting National Minimum Standards, the deadline for obtaining Level 3 qualification to be put back to April 2008.	November 2003	SO 22
HSS 1(03)	NHS (England and Wales) (National Blood Authority) (Establishment and	Establishing the National Blood Authority	Not Known	SO 23

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	NAME/WORKING TITLE	PURPOSE	PROJECTED MONTH LEGISLATION TO BE MADE	STANDING ORDER
HSS 2(03)	Constitution) (Amendment) Order 2003 NHS (General Dental Services) (Amendment) (No.2) (Wales) Regulations 2003	The effect of this instrument will be to introduce 2 weeks paternity payments for General Dental Practitioners and an extension of the period of maternity payments for General Dental Practitioners who adopt a child. If these regulations do not come into force on 1 st August 2003 the Dental Practitioner in Wales will be denied the benefit available in all other countries in the United Kingdom.	July 2003	SO 22
HSS 3(03)	NHS (Pharmaceutical Services) amend (Wales) Regulations 2003	Pharmacist Reward Scheme - intended effect is to reduce prescription fraud by encouraging pharmacists to identify and report fraudulent prescription forms by simplifying the current reward scheme and an increase in their reward payment, introducing one combined retention and reporting reward payment	July 2003	SO 22
HSS 4(03)	Care Standards Act 2000 (Commencement No.12) (Wales) Order 2003	The Care Standards Act 2000 makes provision for the Welsh Assembly government to set regulations for safeguarding and promoting the welfare of vulnerable people in a wide range of settings. The Act provides the primary	Autumn	SO 22

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		legislative powers to enable the National Assembly to reform the current regulatory system and act as regulator for a comprehensive range of social care and independent healthcare settings in Wales. The Act gives the Assembly powers to make regulations governing the conduct of services regulated under the Act and to issue national minimum standards applicable to those services, to which the regulatory authorities and providers must have regard.		
HSS 5(03)	Care Standards Act 2003 (Nurses Agencies) (Wales) Regulations 2003	The Nurses Agencies (Wales) Regulations 2003 are made under the Care Standards Act 2000 and apply to nurses agencies in Wales only. These regulations will allow the Care Standards Inspectorate for Wales to register and inspect establishments and agencies, including nurse agencies and to govern the conduct of the establishments and agencies	July 2003	SO 22
HSS 17 (03)	The Childminding and Day Care (Suspension of Registration) (Wales) Regulations 2004	To enable the Inspectorate to suspend the registration of childcare setting pending an investigation, as an alternative to immediate cancellation	April 2004	SO 22

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HSS 22 (03)	The National Health Service (Amendments Concerning Supplementary and Independent Nurse Prescribing) (W) Regs 2003	The intended effect of this instrument is to enable the introduction of supplementary prescribing for nurses and pharmacists. Supplementary prescribing would involve partnerships allowing professionals to treat more complex conditions such as chronic disease and mental illness, after an initial assessment of the patient by a Doctor (or Dentist), and through an agreed written individual Clinical Management Plan for the patient's condition.	July 2003	SO 22
HSS 23 (03)	The National Assistance (Assessment of Resources) (Wales) Amendment No 2 Regulations 2003	To provide for a new disregard in the financial assessment for residential care charges in order to acknowledge the introduction of Pension Credit and Savings Credit	October 2003	SO22
HSS 24 (03)	The Children (Performances) (Amendments) (Wales) Regulations 2003	To remove current limits on the number of performances a child may undertake each year in film, TV or theatre; and to make some other aspects of regulation of such performances less restrictive. [Consultation is being undertaken on these possible changes – closing date 30/08/03]	December 2003	SO 22
HSS	Private and Voluntary Healthcare	Brings into force powers to lay down	Not known	SO 22

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25 (03)	(Amendment) (Wales) Regulations 2004	National Minimum Standards for Independent Medical Agencies		
HSS 26 (03)	Independent Medical Agencies National Minimum Standards	Lays down the National Minimum Standards for Independent Medical Agencies	Not known	SO 27
HSS 27 (03)	Small Care Homes for Older People National Minimum Standards	Lays down the National Minimum Standards for Small Care Homes for older people	March 2004	SO 27
HSS 28 (03)	Small Care Homes for Younger Adults National Minimum Standards	Lays down the National Minimum Standards for Small Care Homes for younger adults	March 2004	SO 27
HSS 30 (03)	Amendment o directions issued to health authorities and NHS trusts to fund implementation of national institute for clinical excellence (NICE) technology appraisal guidance	To reflect the organisational changes introduced into the NHS in Wales from April 03. To exempt the NICE guidance about patient education models for Diabetes from the direction	Sept/October 03	SO27
HSS 31 (03)	The Health Professions Wales (Establishment, Membership, Constitution and Functions) Order 2003	Providing for the Establishment of Health Professions Wales as an Assembly Sponsored Public Body and the transfer of staff, property, assets and liabilities. Transfer of staff and assets will require a separate order	November/December	

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2004 Term

	NAME/WORKING TITLE	PURPOSE	PROJECTED MONTH LEGISLATION TO BE MADE	STANDING ORDER
HSS 16 (03)	The Adoption and Children Act 2002 (Advocacy for Complaints) (Wales) Regulations 2004	The regulations amend the Children Act 1989 and require local authorities to introduce advocacy services for looked after children, care leavers and children in need making a complaint under sections under the Children Act.	March 2004	SO 22
HSS 19 (03)	The Protection of Children and Vulnerable Adults and Care Standards Tribunal (Amendment) (Wales) Regulations 2004		January 2004	SO 22
HSS 20 (03)	Childcare in Schools (Wales) Regulations 2004	To make provision for the registration and inspection of childcare provided by the governing bodies of schools	April 2004	SO 22
HSS 10 (03)	NHS (Local Pharmaceutical Schemes) (Wales) Regs 2003	To enable a Local Health Board to consider whether it is necessary or desirable to grant an application for the provision of local pharmaceutical services	April 04	SO 22
HSS 14 (03)	The Adoption and Children Act 2002 (Independent Review Officers) (Amendment) (Wales) Regulations 2003	The regulations will require all local authorities to appoint Independent Reviewing Officers in place to chair	March 2004	SO22
HSS 32 (03)	Health and Social Care Act 2001 (Commencement No 4) (Wales) Order 2003	This commencement order provides the legal basis for the Minister for Health and Social Services (or delegated official) to	Unknown	

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		order the transfer of employees, and the effect of such a transfer order upon the employee's contract of employment, to another partner organisation through a formal s31 (of the Health Act 1999) partnership arrangement.		
HSS 33 (03)	The National Assistance (Assessment of Resources) (Wales) Regulations 2004	To provide for an increase in the capital limits which form part of the assessment of an individual's ability to contribute to their care costs	February 2004	SO22
HSS 34 (03)	The National Assistance (Sums for Personal Requirements) (Wales) Regulations 2004	To revise the personal expenses allowance for everyone in residential care or nursing homes receiving help to meet costs from local authorities	February 2004	SO22
HSS 35 (03)	New Pharmacy Contract	Major change to the pharmacy contract, subject to agreement with the professionals	April 04	
HSS 36 (03)	Rurality changes to Pharmaceutical Services Regs	Changes regarding control of entry rules around controlled areas	April 04	
HSS 37 (03)	Tamiflu	Schedule 11 of the General Medical Services Regulations.	April 04	
HSS 38 (03)	Appliance Contractors (changes to the contract) Pharmaceutical Services Regulations	Amendments to the appliance contractors contract and reduce opportunities for fraud and abuse.	April 04	
HSS 39 (03)	Repeat Dispensing	To introduce a repeat dispensing option for GPs to use with minimum disruption to existing systems and without increasing	April 04	

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		the potential for fraud or misuse		
			SEE 33(03)	
			SEE 34(03)	
HSS 42 (03)	CSA 2000 – various commencement orders	To effect the roll out of registration of social care workers	March 2003	
HSS 43 (03)	CSA 2000 – regulations and commencement order	To effect the registration of student social workers	Feb 2004	
	Health Professions Order Consequential Amendments	Amendments required to NHS (Professions Supplementary to Medicine) Reg 1974 and NHS (Speech Therapists) Reg 1974. Contact Louise George/Bev Howell.	Not Known	
	The Adoption Support Services (Transitional Provisions) (Wales) Regulations 2003	To establish a framework of adoption support services under the Adoption and Children Act 2002	December 2003	
	Adoption Agencies (Independent Review of Determinations) (Wales) Regulations 2004	To establish a mechanism for the independent review of determinations by adoption panels on assessment of adopters.	January 2004	
	Health Professions Order Consequential Amendments	Amendments required to NHS (Professions Supplementary to Medicine) Reg 1974 and NHS (Speech Therapists) Reg 1974. Contact Louise George/Bev	Not Known	

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	Howell.		
The Wales Centre for Health (Constitution, Membership and Functions Procedures) Regulations 2003	To establish the Wales Centre for Health as an Assembly Sponsored Public Body	July 2004	
Healthy Start	Primary Legislation will enable Wales to prescribe food stuff for which the vouchers can be exchanged. Primary Legislation not yet made.	Autumn 2004	