

Explanatory Memorandum to the National Health Service (Optical Charges and Payments) (Amendment) (Wales) Regulations 2016

This Explanatory Memorandum has been prepared by Department for Health and Social Services and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the National Health Service (Optical Charges and Payments) (Amendment) (Wales) Regulations 2016.

Mark Drakeford

Minister for Health and Social Services

7 March 2016

1. Description

These Regulations amend the National Health Service (Optical Charges and Payments) Regulations 1997. These Regulations provide for an increase in the payments to be made by means of a voucher system in respect of costs incurred by certain categories of persons in connection with the supply, replacement and repair of optical appliances.

2. Matters of special interest to the Constitutional and Legislative Affairs Committee

None

3. Legislative background

The Regulations will be made pursuant to powers under sections 128, 129, 130 and 203(9) and (10) of the National Health Service (Wales) Act 2006.

The instrument will follow the negative resolution procedure.

4. Purpose & intended effect of the legislation

It is recognised that certain groups of the general public should be entitled to help towards the cost of glasses and contact lenses.

Help towards the cost of glasses and contact lenses are via an NHS optical voucher, the values of which are reviewed annually. The voucher scheme is intended to provide children and people on benefits or low incomes, with a voucher that they may use either to buy from a basic range of spectacles or put towards a more expensive pair of their choice or alternatively put towards the cost of contact lenses. The value of the voucher is determined by the power of the prescription required by the patient. The voucher bands currently range from £38.70 to £213.40.

The legislation increases the optical voucher values by 1% from 1 April 2016.

5. Consultation

No public consultation has been undertaken as this legislation simply uplifts the value of the vouchers to assist eligible patients towards the purchase, replacement and repair of optical appliances and associated fees for General Ophthalmic Services.

Optometry Wales, the representatives of the profession in Wales, will be informed of the increase to the voucher values in due course. NHS England undertakes negotiations annually with the Optometric Fees Review Committee regarding the setting of General Ophthalmic Services Fees and Allowances and makes a recommendation to the Department of Health. The Optometric Fees Review Committee comprises of the Association of Optometrists, the Federation of Ophthalmic and Dispensing Opticians, the

Association of British Dispensing Opticians and the British Medical Association.

Optometry Wales, the representatives of the profession in Wales expect the uplift of the voucher values, as in previous years, to mirror those in England. The Primary Care Services Department at the NHS Wales Shared Services Partnership will also be informed of the increases as they make the payments on behalf of the Health Boards to the profession.

6. Regulatory Impact Assessment (RIA)

A Regulatory Impact Assessment has not been prepared for this instrument as it simply uplifts the optical voucher values.

This legislation has no impact on the statutory duties (sections 77-79 of the Government of Wales Act 2006) or statutory partners (sections 72-75 of that Act).