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STATUTORY INSTRUMENTS

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**2013 No. 1617**

The National Health Service (Direct  
Payments) Regulations 2013

PART 2

Direct Payments

**Amount of direct payment**

**13.**—(1) A health body must ensure that the amount of the direct payments paid to or in respect of a patient is sufficient to provide for the full cost of each of the services specified in the care plan.

(2) Where a health body is notified, or becomes aware, that the state of health of the patient has changed significantly, but in the view of the health body a review mentioned in regulation 14 is not necessary, the health body must be satisfied that the amount of the direct payments continues to be sufficient in accordance with paragraph (1).

(3) A health body may at any time increase or reduce the amount of the direct payments if satisfied that the new amount is sufficient in accordance with paragraph (1).

(4) A health body may reduce the amount paid by way of direct payments by an amount not exceeding the amount due in respect of a period for which payment falls to be made where—

- (a) direct payments have been accumulated and remain unused; and
- (b) the health body considers that it is reasonable to offset the monies accumulated against the outstanding amount to be paid for that period.

(5) Where a health body decides to reduce the amount of the direct payments, the health body must provide reasonable notice in writing to the patient, representative or nominee stating the reasons for the decision.