

EXPLANATORY MEMORANDUM TO
GENERAL OPHTHALMIC SERVICES (AMENDMENT) REGULATIONS
(NORTHERN IRELAND) 2014

S.R. 2014 No. 2

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Health, Social Services and Public Safety to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 62, 95 and 106 of the Health and Personal Social Services (Northern Ireland) (Order) 1972 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. These Regulations amend the current Health and Personal Social Services (General Ophthalmic Services) Regulations (Northern Ireland) 2007 (“the principal Regulations”) which make provision for the arrangements under which General Ophthalmic Services are provided.

3. Background

- 3.1. The purpose of the amending regulation is to: update provision in relation to mobile services; clarify to whom mobile services may be provided and the information that contractors must provide to the Health and Social Care Board (HSCB) prior to providing mobile services; introduce a new provision which forbids the offer of any inducements by contractors in order to secure the provision of mobile services; and, omit paragraph 14(3) of Schedule 1 to “the principal Regulations” so that where a contractor tests the sight of a patient with diabetes or glaucoma there is no longer a requirement to notify the patient’s doctor of the test results.

4. Consultation

- 4.1. In accordance with Article 62(3) of the Health and Personal Social Services (Northern Ireland) Order 1972 the Department has consulted with such organisations to be representative of medical practitioners practising as ophthalmic medical practitioners and ophthalmic opticians.

5. Equality Impact

- 5.1. This Rule has been considered under Section 75 of the Northern Ireland Act 1998 and complies fully with this legislation with no adverse impact on any of the section 75 groups.

6. Regulatory Impact

- 6.1. As these regulations will not have any impact on business, charities, social economy enterprises or voluntary bodies it is considered that a regulatory impact assessment is not considered necessary.

7. Financial Implications

- 7.1. The Health and Social Care Board will be able to effectively manage the provision of mobile services ensuring that resources are being used appropriately which should result in a reduction to the pressures on the optometry budget. The Department of Finance and Personnel have agreed to join the Department in the signing of these Regulations.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. Consideration has been given to the human rights implications of these regulations. They are considered compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

- 9.1. Not applicable

10. Parity or Replicatory Measure

- 10.1. These Regulations will be made separately from England, Scotland and Wales as they have no equivalent regulations.

11. Additional Information

- 11.1. Not applicable