

## **EXECUTIVE NOTE**

### **The National Health Service (Optical Charges and Payments) (Scotland) Amendment Regulations 2006 S.S.I. 2006/138**

The above instrument is made in exercise of the powers conferred by sections 26, 70(1), 73(a), 74(a), 105(7) and 108(1) of, and by paragraphs 2 and 2A of Schedule 11 to, the National Health Service (Scotland) Act 1978. The instrument is subject to negative procedure.

#### **Policy Objective**

The purpose of this instrument is to amend the National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998 (“the 1998 Regulations”) (SI 1998/642) to:

- make amendments consequential to the introduction of free NHS eye examinations for all from 1 April 2006; and
- increase optical voucher values and supplements.

The 1998 Regulations currently provide for help towards the cost of a private sight test for those people in receipt of HC3 certificates for partial help with health costs under the NHS Low Income Scheme. With the introduction of free NHS eye examinations, including where clinically necessary a sight test, for all from 1 April 2006 there will no longer be a need to provide vouchers towards the cost of private sight tests. Regulation 2(3) removes Part III of the 1998 Regulations so that vouchers will no longer be available for help with private sight tests. Regulation 2(2) amends a number of definitions as a consequence of the removal of Part III.

Regulation 2(1)(e), (4)(a) and (b) updates references to the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Regulations.

Voucher values are increased on 1 April each year. Regulation 2(6) of the instrument amends regulation 19 (redemption value of voucher for replacement and repair) of the 1998 Regulations to increase a) the redemption value of a voucher for the replacement of a contact lens; b) the maximum value of a voucher for the repair of a frame; and c) the maximum supplement for small glasses and special frames. Regulation 2(7) of the instrument amends Schedule 1 (voucher letter codes and face values – supply and replacement) of the 1998 Regulations to increase the value of vouchers issued towards the supply and replacement of glasses and contact lenses. Regulation 2(8) of the instrument substitutes a new Schedule 2 (voucher values – repair) of the 1998 Regulations to increase the value of vouchers issued towards the repair of an optical appliance. Regulation 2(9) of the instrument amends Schedule 3 (prism, tints, photochromic lenses, small glasses and special frames and complex appliances) to increase the supplement values, which, with the exception of complex appliances, can be paid in addition to the voucher value. The voucher values and supplements are increased by 2.5%.

**Consultation**

No consultation has taken place on the preparation of this instrument. The Department of Health, on behalf of the other Health Departments, has consulted on the voucher increases with the representatives of the optical profession.

**Financial Effect**

Provision has been made within the General Ophthalmic Services budget for these increases.

**Consolidation**

The Executive is aware of the desirability of consolidating regulations when an instrument has been amended on a number of occasions. However, the time and resources required to consolidate an instrument has to be balanced against the other demands being made on the Department. Bearing those demands in mind, it has been decided not to consolidate these particular regulations nor are there any immediate plans to do so.

SCOTTISH EXECUTIVE HEALTH DEPARTMENT  
March 2006