
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 219

**The National Health Service (Optical Charges
and Payments and General Ophthalmic Services)
(Scotland) Amendment Regulations 2015**

**Amendment of the National Health Service (General Ophthalmic Services) (Scotland)
Regulations 2006**

3.—(1) The National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006⁽¹⁾ are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “EEA State”⁽²⁾ insert—

““electronic communication” has the meaning given by section 15(1) of the Electronic Communications Act 2000;”;

(b) after the definition of “patient” insert—

““patient practice record form” means a form supplied by a Health Board which contains a declaration for the purposes of payment in respect of an eye examination by, or on behalf of, a person who applies to have such an examination;”;

(c) in the definition of “writing”, for “mail” substitute “communication”.

(3) In regulation 22 (application for an eye examination)—

(a) in paragraph (2), after the second “shall” insert “, other than where paragraph (2A) applies;”;

(b) after paragraph (2) insert—

“(2A) This paragraph applies where an eye examination form is submitted by means of electronic communication.

(2B) A person who submits an eye examination form by means of electronic communication shall complete a patient practice record form.”.

(4) In regulation 23 (application on behalf of children or incapable persons), after paragraph (2) insert—

“(3) Paragraphs (1) and (2) apply to the completion of a patient practice record form as they apply to the making of an application for an eye examination and the giving of a signature.”

(5) In paragraph 13 (payments) of Schedule 1 (terms of service)—

(a) after sub-paragraph (1), insert—

“(1A) Any such claim shall be submitted in accordance with either sub-paragraphs (2) and (3), or sub-paragraphs (3A) and (3B)”;

(1) [S.S.I. 2006/135](#); relevant amending instruments are [S.S.I. 2007/193](#), [S.S.I. 2010/86](#), [S.S.I. 2013/177](#) and [S.S.I. 2013/355](#).

(2) The definition of “EEA state” was inserted by [S.S.I. 2013/177](#).

- (b) in sub-paragraph (2), for “Any such claim” substitute “The claim shall be submitted by post or by hand and”; and
- (c) after sub-paragraph (3) insert—
 - “(3A) The claim shall be submitted by electronic communication and—
 - (a) if the service was provided on behalf of a contractor by a deputy or employee who is also a contractor, the claim shall contain the PIN allocated to that deputy or employee;
 - (b) if the service was provided on behalf of a contractor by a person whose name is included in the second part of the Ophthalmic List, the claim shall contain the PIN allocated to that person; and
 - (c) in all other cases, the claim shall contain the PIN allocated to the contractor providing the service.
 - (3B) When submitting a claim by means of electronic communication under sub-paragraph (3A) a person shall make use only of such computer programme as the Agency has approved as suitable for that purpose.
 - (3C) In this paragraph, “PIN” means the personal identification number allocated by the Agency.”.