

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2019 No. 50**

**The National Health Service (Optical Charges and Payments) (Scotland) Amendment Regulations 2019**

**Amendment of the National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998**

8. In regulation 18 (payments to supplier for replacement or repair)—
- (a) for paragraph (1) substitute—
    - “(1) Subject to paragraph (2B), the responsible authority must make a payment of a voucher’s redemption value to a supplier if—
      - (a) the supplier has used the voucher in accordance with regulation 17; and
      - (b) the conditions specified in paragraph (2) are fulfilled.”;
  - (b) in paragraph (2)—
    - (i) after “paragraph (1)” insert “(b)”;
    - (ii) for sub-paragraph (b)(i) substitute—
      - “(i) made and kept a written record of the replacement or repair, including—
        - (aa) a description of the loss or damage;
        - (bb) the nature of any repair including details of any parts replaced;
        - (cc) the date on which the patient signed the declarations and undertaking referred to in regulation 16(4); and
        - (dd) the date of the replacement or repair;”;
    - (iii) after sub-paragraph (b)(i) insert—
      - “(iii) issued to the patient a receipt for any money received from them;”;
    - (iv) in sub-paragraph (b)(iii) for “either by means of electronic communication in accordance with paragraph (2A) or on a duly completed voucher” substitute “by means of electronic communication in accordance with paragraph (2A)”;
  - (c) in paragraph (2A), for “made by means of electronic communication shall”, substitute “as mentioned in paragraph (2)(b)(iii) must”; and
  - (d) after paragraph (2A) insert—
    - “(2B) Where a voucher has been issued by a Health Board, the responsible authority must make a payment of a voucher’s redemption value to a supplier if—
      - (a) the supplier has used the voucher in accordance with regulation 17; and
      - (b) the conditions specified in paragraph (2C) are fulfilled.
    - (2C) The conditions referred to in paragraph (2B)(b) are that—
      - (a) the patient has signed the declarations and undertaking referred to in regulation 16(4) and acknowledged on the voucher that the optical appliance has been replaced or repaired; and

- (b) the supplier has—
  - (i) made and kept a written record of the replacement or repair, including—
    - (aa) a description of the loss or damage;
    - (bb) the nature of any repair including details of any parts replaced;
    - (cc) the date on which the patient signed the declarations and undertaking referred to in regulation 16(4); and
    - (dd) the date of the replacement or repair;
  - (ii) issued to the patient a receipt for any money received from them;
  - (iii) obtained any prior approval required by regulation 16(6);
  - (iv) made a claim for payment either by means of electronic communication in accordance with paragraph (2D) or on a duly completed voucher to the responsible authority within the period of three months beginning with the date of the replacement or repair of the optical appliance; and
  - (v) where the person has shown a notice of entitlement to the supplier, informed the responsible authority of the amount of the patient's contribution, if any.

(2D) A claim as mentioned in paragraph (2C)(b)(iv) which is made by means of electronic communication must—

- (a) be submitted using such computer programme as the responsible authority has approved as suitable for that purpose;
- (b) confirm the amount of contribution referred to in paragraph (2C)(b)(v), if any; and
- (c) contain the personal identification number that has been allocated to the supplier by the responsible authority.”.