
STATUTORY INSTRUMENTS

2012 No. 2996

The National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012

PART 7

Standing rules: decisions about drugs and other treatments

[^{F1}Transitional provisions

37.—(1) Where—

- (a) before 1st July 2022, a person has made a request for a written statement of the reasons for a clinical commissioning group's general policy on whether a particular health care intervention is to be made available pursuant to regulation 35(1)(b), and
- (b) a written statement of reasons has not been provided before 1st July 2022 by the clinical commissioning group to whom that request was made,

the relevant body with responsibility for that person must provide a written statement of reasons for that general policy as soon as reasonably practicable.

(2) Where a clinical commissioning group—

- (a) before 1st July 2022, has made a decision to refuse a request for the funding of a health care intervention in respect of a person where the clinical commissioning group's general policy is not to fund that intervention, but
- (b) has not provided that person with a written statement of reasons for that decision pursuant to regulation 35(2),

the relevant body with responsibility for that person must provide a written statement of reasons to that person as soon as reasonably practicable.

(3) Where a clinical commissioning group—

- (a) before 1st July 2022, has made a decision to fund a health care intervention for a person where the clinical commissioning group's general policy is not to fund that intervention, but
- (b) has not notified that person of that decision,

the relevant body with responsibility for that person must notify that person as soon as reasonably practicable of that decision, and fund that intervention.

(4) Where, before 1st July 2022, a clinical commissioning group has received a request for the funding of a health care intervention but has not determined it, the relevant body with responsibility for the person who made the request must—

- (a) decide whether or not to fund that intervention, and

Status: Point in time view as at 01/07/2022.

Changes to legislation: There are currently no known outstanding effects for the The National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012, Section 37. (See end of Document for details)

- (b) if the decision is to refuse to fund that intervention, provide a written statement of reasons to that person as soon as reasonably practicable.]

.....

Textual Amendments

- F1** Reg. 37 substituted (1.7.2022) by [The Health and Care Act 2022 \(Consequential and Related Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/634\)](#), regs. 1(2), **209(7)**

Status:

Point in time view as at 01/07/2022.

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012, Section 37.