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## STATUTORY INSTRUMENTS

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### 2013 No. 461

## The National Health Service (Optical Charges and Payments) Regulations 2013

### PART 3

#### PAYMENTS TOWARDS COST OF SIGHT TESTS

##### **Eligibility for a voucher — sight tests**

**3.—(1)** A payment must be made as provided for by this Part to contribute towards the cost of a sight test which the Board accepts as having been incurred by an eligible person.

(2) An eligible person is a person whose income resources, as calculated in accordance with Part 4 of, and Schedule 1 to, the Remission Regulations, exceed their requirements as so calculated, but whose patient contribution does not exceed the NHS sight test fee and whose capital resources as so calculated do not exceed the capital limit.

##### **Completion and use of voucher—sight tests**

**4.—(1)** A person who wishes to receive a voucher for a sight test must—

- (a) apply to the Secretary of State for a notice of entitlement;
- (b) apply for their sight to be tested by an ophthalmic practitioner;
- (c) indicate to that ophthalmic practitioner that they are an eligible person at the time of the application for their sight to be tested; and
- (d) show the ophthalmic practitioner a current notice of entitlement and permit them to copy such details as may be required for the purposes of regulation 5(2)(b)(ii).

(2) The ophthalmic practitioner may complete the relevant parts of the voucher with the name and address of the person, the person's date of birth and the date the person's sight was tested.

(3) The person must sign on the voucher a declaration to the effect that they are an eligible person.

(4) The ophthalmic practitioner may accept the voucher as being in substitution for payment by the person of an amount equal to its redemption value, being part of the cost incurred for the sight test.

##### **Payments to ophthalmic practitioners**

**5.—(1)** The Board must, if the conditions specified in paragraph (2) are met, make a payment of the voucher's redemption value to an ophthalmic practitioner who has accepted a voucher in accordance with regulation 4(4).

(2) The conditions referred to in paragraph (1) are that—

- (a) the eligible person has signed the declaration in accordance with regulation 4(3); and
- (b) the ophthalmic practitioner has—

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- (i) made a claim for a payment on a completed voucher <sup>F1</sup>(which may be submitted in either electronic or paper form)] to the Board within three months of the date of the sight test; and
- (ii) informed the Board of the amount of the patient contribution.

#### Textual Amendments

**F1** Words in reg. 5(2)(b)(i) inserted (1.12.2017) by [The National Health Service \(Primary Dental Services and General Ophthalmic Services\) \(Amendment\) Regulations 2017 \(S.I. 2017/1056\)](#), regs. 1(2), **8(3)**

#### Payments to persons in respect of sight tests

**6.—(1)** A payment may be made by the Board to an eligible person who incurs the cost of a sight test by an ophthalmic practitioner without a voucher being completed in accordance with regulation 4.

(2) A person who wishes to receive a payment under this regulation must—

- (a) make a claim to the Board for a payment within three months of the date of the sight test, or within such further period as the Board may allow, and that claim must be made on a form provided by or on behalf of the Board for that purpose; and
- (b) produce such evidence as the Board may reasonably require in support of the claim, which may include the receipt for any fee paid for the sight test.

(3) Where the Board is satisfied that the person is entitled to a payment under paragraph (1) the Board must make a payment to the person of an amount equal to the redemption value of the voucher which could have been completed under regulation 4 if the person had satisfied the requirements of regulation 4(1).

#### Redemption value of voucher for sight test

**7.** For the purposes of this Part the redemption value of a voucher is the lesser of—

- (a) the NHS sight test fee; or
- (b) the full cost which would have been incurred by the eligible person for the sight test but for these regulations, less the amount of the patient contribution (if any).

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 5(2)(b)(iii) and word inserted by [S.I. 2023/848 reg. 4\(3\)\(b\)](#)
- reg. 5(3) inserted by [S.I. 2023/848 reg. 4\(4\)](#)
- reg. 9(1A) inserted by [S.I. 2023/848 reg. 4\(5\)\(b\)](#)
- reg. 14(3) inserted by [S.I. 2023/848 reg. 4\(7\)\(c\)](#)
- reg. 19(3) inserted by [S.I. 2023/848 reg. 4\(9\)\(b\)](#)
- reg. 26(3) inserted by [S.I. 2023/848 reg. 4\(10\)\(b\)](#)