
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the National Health Service (General Dental Services Contracts) Regulations 2005 (“the GDS Regulations”), the National Health Service (Personal Dental Services Agreements) Regulations 2005 (“the PDS Regulations”), the General Ophthalmic Services Contracts Regulations 2008 (“the GOS Contract Regulations”), the Primary Ophthalmic Services Regulations 2008 (“the POS Regulations”), the National Health Service (Optical Charges and Payments) Regulations 2013 (“the Charges Regulations”) and the Primary Ophthalmic Services Regulations 2008 (“the POS Regulations”).

These Regulations come into force on 1st December 2017 but the amendments made by regulations 2(3) and 4(3) to the GDS Regulations and the PDS Regulations do not take effect until 1st May 2019. This is in order to allow dental performers adequate time to obtain any necessary computer equipment or software in order to be able to comply with the requirements imposed by these amendments.

The GDS Regulations set out a framework for England for general dental services contracts.

Regulation 2(2) amends regulation 24C of the GDS Regulations to extend the date of termination of the prototype agreement to 31st March 2020 to allow a longer period to fully evaluate the effectiveness of the prototype agreement in testing the preventative approach to dental care.

Regulation 2(3) amends paragraph 38 of Schedule 3 to the GDS Regulations to require the electronic submission of certain dental forms and to give the National Health Service Commissioning Board (commonly known as NHS England) a discretionary power to accept submission of paper forms in exceptional circumstances.

Regulation 3 provides for a transitional period to allow for paper submission of certain forms up to 30th June 2019 notwithstanding the amendments made by regulation 2, for courses of dental treatment that end before 30th April 2019.

The PDS Regulations set out a framework for England for personal dental services agreements.

Regulation 4(2) amends regulation 20C of the PDS Regulations to extend the date of termination of the prototype agreement to 31st March 2020 to allow a longer period to fully evaluate the effectiveness of the prototype agreement in testing the preventative approach to dental care.

Regulation 4(3) amends paragraph 39 of Schedule 3 to the PDS Regulations to require the electronic submission of certain dental forms and to provide for a discretionary power to accept submission of paper forms in exceptional circumstances.

Regulation 5 makes transitional provision to allow for paper submission of certain dental forms up to 30th June 2019 notwithstanding the amendments made by regulation 4, for courses of dental treatment that end before 30th April 2019.

The GOS Contract Regulations set out a framework for general ophthalmic services contracts.

Regulation 6(2) amends regulation 2 of the GOS Contract Regulations to clarify the definition of the Charges Regulations.

Regulation 6(3) amends regulation 16 of the GOS Contract Regulations to make the wording consistent with that of other regulations.

The POS Regulations make provision for who is entitled to a primary ophthalmic services sight test under the National Health Service Act 2006.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulation 7(2) makes amendments to regulation 2 the POS Regulations to clarify the definition of the “Charges Regulations” and “notice of entitlement”.

Regulation 7(3) amends regulation 3 of the POS Regulations to clarify the meaning of notice of entitlement.

Regulation 7(4) amends regulation 5 of the POS Regulations to rectify a typographical error.

Regulation 7(5) amends regulation 6 of the POS Regulations to mandate the use of digital signatures and the use of digital ink where electronic forms are submitted, and to require that such signatures are in the signatories own handwriting.

The Charges Regulations make provision for people who are in receipt of certain state benefits or who are on a low income to be reimbursed for travel expenses incurred in obtaining certain NHS services.

Regulation 8(2) amends regulations 1 of the Charges Regulations to replace the definition of “vouchers”.

Regulation 8(3) to (5) amends regulations 5, 14 and 19 of the Charges Regulations to allow for electronic submission of voucher forms.

Regulation 8(7) amends regulation 26 of the Charges Regulations to mandate the use of digital signatures and the use of digital ink where electronic forms are submitted, and to require that such signatures are in the signatories own handwriting.