

2019 No. 1432

NATIONAL HEALTH SERVICE, ENGLAND

**The National Health Service Commissioning Board and Clinical
Commissioning Groups (Responsibilities and Standing Rules)
(Amendment) (No. 2) Regulations 2019**

Made - - - - 30th October 2019
Laid before Parliament 31st October 2019
Coming into force - - 2nd December 2019

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 6E(1) and (2) and 272(7) and (8) of the National Health Service Act 2006(a).

Citation and commencement

1. These Regulations may be cited as the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) (Amendment) (No. 2) Regulations 2019.
2. These Regulations come into force on 2nd December 2019.

Amendment of the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012

3. The National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012(b) are amended as follows.

(1) In regulation 32A (interpretation)—

- (a) in the definition of “relevant health service”, after “(a) Continuing Care for Children” delete “or”,
- (b) in the definition of “relevant health service”, after “(b) NHS Continuing Healthcare” remove the full stop and insert “;”,
- (c) in the definition of “relevant health service”, after “(b) NHS Continuing Healthcare;” insert—
 - “(c) Section 117 Aftercare; or
 - (d) Wheelchair Services.”,
- (d) after the definition of “relevant health service”, insert---

(a) 2006 c. 41 (“the 2006 Act”). Section 6E was inserted by section 20(1) of the Health and Social Care Act 2012 (c. 7). Powers exercised in making these Regulations are exercisable by the Secretary of State in relation to England only (see section 271(1) of the 2006 Act).

(b) S.I. 2012/2996; relevant amending instruments are S.I. 2013/2891 and 2014/1611.

““Section 117 After-care” means that part of a package of care which is arranged and funded by a relevant body for a person to whom section 117(1) of the 1983 Act(a) applies; and

“Wheelchair Services” means services which are arranged and funded by a relevant body for a person with a medically recognised long term disability who for their health and wellbeing requires a wheelchair or specialist buggy to carry out normal day-to-day activities.”.

Signed by authority of the Secretary of State for Health and Social Care.

Caroline Dinanage
Minister of State,

Department of Health and Social Care

30th October 2019

EXPLANATORY NOTE

(This note is not part of the Regulations)

The National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012 (S.I. 2012/2996) (“Standing Rules”) make provision for, amongst other things, the right to request a personal health budget.

These Regulations amend regulation 32A of the Standing Rules. Regulation 3 extends the relevant health services for which there is a right to request a personal health budget.

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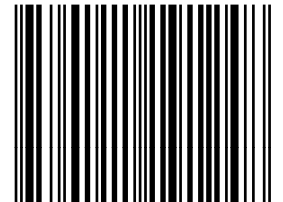
(a) 1983 c. 20. Section 117(1) of the 1983 Act was amended by paragraph 15(2) of Schedule 1 to the Mental Health (Patients in the Community) Act 1995 (c. 52) and paragraph 12(17) of Schedule 4 to the Crime (Sentences) Act 1997 (c. 43).

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