
STATUTORY INSTRUMENTS

2023 No. 848

The National Health Service (Ophthalmic Services and Optical Charges and Payments) (Amendment) Regulations 2023

Amendment of the Optical Charges and Payments Regulations 2013

- 4.—(1) The Optical Charges and Payments Regulations 2013⁽¹⁾ are amended as follows.
- (2) In regulation 4(3) (completion and use of voucher-sight tests), omit “on the voucher”.
- (3) In regulation 5(2)(b) (payments to ophthalmic practitioners)—
- (a) in paragraph (i)—
 - (i) omit “(which may be submitted in either electronic or paper form)”,
 - (ii) for “the sight test” substitute “completion of the sight test”; and
 - (b) at the end of paragraph (ii), after “patient contribution” insert—
 - “; and
 - (iii) submitted the claim in electronic form, subject to paragraph (3).”.
- (4) After regulation 5(2), insert—
“(3) NHS England may accept submission of a claim referred to in paragraph (2)(b)(i) in paper form in such exceptional circumstances as NHS England may reasonably determine.”.
- (5) In regulation 9 (issue of vouchers by ophthalmic practitioners)—
- (a) in paragraph (1)—
 - (i) omit from “, on the same occasion” to the end, and
 - (b) after paragraph (1), insert—
 - “(1A) Where an ophthalmic practitioner is required to issue a voucher under paragraph (1), the practitioner must—
 - (a) issue the voucher with the prescription; or
 - (b) where for technical reasons the voucher cannot be issued on that occasion, issue the voucher as soon as reasonably practicable after issuing the prescription.”
- (6) In regulation 12(4) (use of vouchers for supply of optical appliance), omit “on the voucher”.
- (7) In regulation 14 (payments to suppliers)—
- (a) in paragraph (2)(a), omit “on the voucher”;
 - (b) in paragraph (2), for sub-paragraph (c) substitute—
 - “(c) the supplier has—
 - (i) made and kept a written record of the supply and issued to the person a receipt for any money received from that person;

⁽¹⁾ S.I. 2013/461; amending instruments are S.I. 2013/1856, 2015/570 and 1776, 2016/211,325 and 1045 and 2017/10562020/885. There are other amendments, but none are relevant.

- (ii) made a claim for a payment to NHS England on a completed voucher within three months of the date of the supply of the optical appliance;
 - (iii) where the person has shown a notice of entitlement to the supplier, informed NHS England of the amount of the patient contribution, if any;
 - (iv) where the claim relates to a voucher the value of which is increased in accordance with paragraph 1(1)(e) of Schedule 2, certified that the glasses supplied were small glasses; and
 - (v) submitted the claim in electronic form, subject to paragraph (3).”; and
- (c) after paragraph (2), insert—
 - “(3) NHS England may accept submission of a claim referred to in paragraph (2)(c) (ii) in paper form in such exceptional circumstances as NHS England may reasonably determine.”.
- (8) In regulation 17(4) (completion of vouchers), omit “on the voucher”.
- (9) In regulation 19 (payments to suppliers for the replacement or repair)—
 - (a) in paragraph (2)—
 - (i) in sub-paragraph (a), omit “on the voucher”; and
 - (ii) for sub-paragraph (b), substitute—
 - “(b) the supplier has—
 - (i) made and kept a written record of the replacement or repair and issued to the person a receipt for any money received from the person;
 - (ii) obtained any prior approval required by regulation 17(6);
 - (iii) made a claim for a payment to NHS England on a completed voucher within the period of three months beginning with the date of the replacement or repair of the optical appliance;
 - (iv) where the person has shown a notice of entitlement to the supplier, informed NHS England of the amount of the patient contribution, if any; and
 - (v) submitted the claim in electronic form, subject to paragraph (3).”; and
 - (b) after paragraph (2), insert—
 - “(3) NHS England may accept submission of a claim in paper form in such exceptional circumstances as NHS England may reasonably determine.”.
- (10) In regulation 26 (signatures and claims for payments)—
 - (a) in paragraph (2), for sub-paragraph (i) substitute—
 - “subject to paragraph (3) where an electronic form is used, be provided electronically, or”; and
 - (b) after paragraph (2), insert—
 - “(3) A signature in ink may be provided on a paper form separate from the document to which it relates in such exceptional circumstances as NHS England may reasonably determine.”.