

EXECUTIVE NOTE TO

**THE NATIONAL HEALTH SERVICE (TRAVELLING EXPENSES AND
REMISSION OF CHARGES) (SCOTLAND) AMENDMENT (NO. 2) REGULATIONS
2007 S.S.I. 2007/259**

The above instrument was made in exercise of the powers conferred on Scottish Ministers by sections 75A, 105(7) and 108(1) of the National Health Service Act 1978. The instrument is subject to negative resolution procedure.

Policy Objectives

The purpose of this instrument is to amend the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No 2) Regulations 2003 (SI 2003 No. 460) (“the TERC Regulations”) to refer to the NHS (Charges for Drugs and Appliances) (Scotland) Regulations 2007 (“the 2007 Charges Regulations”) which will come into force on 1 April 2007, replacing the NHS (Charges for Drugs and Appliances) (Scotland) Regulations 2001 (“the 2001 Charges Regulations”).

Effects of the Amendments

Certain provisions in the TERC Regulations refer to the 2001 Charges Regulations in the context of help with health charges under the NHS Low Income Scheme. The first reference appears in regulation 4(2)(c) in connection with the assessment of eligibility for full help, including free prescriptions. Claimants with assessed income which exceeds income support by up to 50% of the current NHS prescription charge receive full help under the Scheme. The TERC Regulations must refer to the 2007 Charges Regulations from 1 April 2007 so that the correct prescription charge is used in the calculations.

The second reference to the 2001 regulations which has to be amended is in regulation 11(6)(a)(i), which provides for reimbursement of prescription charges paid by people who have since been assessed as eligible for full help under the Low Income Scheme.

Consultation

There has been no formal, public consultation during the preparation of this instrument.

Financial Effects

This instrument will have no financial implications for the Scottish Executive or NHSScotland. The overall cost of payments to patients and NHS Low Income Scheme help with health charges is not expected to increase.