
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006 (“the 2006 Regulations”). The 2006 Regulations provide for arrangements under which general ophthalmic services are provided by Health Boards in Scotland in terms of the National Health Service (Scotland) Act 1978.

In addition to minor amendments, these Regulations make the changes detailed below.

Regulation 6 inserts a new regulation 21B into Part V of the 2006 Regulations. From 1st October 2018, a duty is placed on ophthalmic medical practitioners and opticians included on the Ophthalmic List to take certain steps where a person presents in circumstances where that ophthalmic medical practitioner or optician considers it to be an emergency.

Regulation 7 amends regulation 22 of the 2006 Regulation to (i) make miscellaneous amendments, which come into force on 1st October 2018, and (ii) to make amendments, which come into force on 1st April 2019, to reflect the introduction, through amendments to paragraph 13 of schedule 1 of the 2006 Regulations, of a requirement for all claims to the Common Services Agency for fees in respect of the provision of general ophthalmic services to be made electronically.

Regulation 8 inserts new regulation 22A into the 2006 Regulations. Regulation 22A(1) provides that primary eye examinations are not to be carried out more frequently than permitted as a condition of remuneration by the Statement. Under paragraph (2), an eye examination carried out more frequently than this must be undertaken as a supplementary eye examination. Related to this, regulation (7)(1) (i) omits regulation 22(3A) to (3C) and regulation 13 omits schedule 3 of the 2006 Regulations.

Regulation 10 makes a number of amendments to schedule 1 of the 2006 Regulations. In addition to minor amendments, regulation 10 makes the following changes:

- regulation 10(2) makes amendments to paragraph 2 of schedule 1, which include inserting “Scottish Intercollegiate Guidance Network 144: Glaucoma Referral and Safe Discharge” into the list in paragraph 2 of the 2006 Regulations;
- regulation 10(3) changes the reference in paragraph 3 of schedule 1 to “applanation tonometry” to “contact applanation tonometry using a Goldmann type tonometer”. Regulations 11 and 12 make consequential amendments to schedule 2;
- regulation 10(4) inserts paragraph 3A into schedule 1. Paragraph 3A(1) of the 2006 Regulations imposes a requirement, from 1st October 2018, on ophthalmic medical practitioners and opticians on the Ophthalmic List (with the exception of bodies corporate) to satisfactorily complete mandatory training in each relevant period. Sub-paragraph (2) defines “relevant period”;
- regulation 10(5) makes amendments to paragraph 13 of schedule 1 to provide that from 1st April 2019 all claims by a contractor for fees in respect of the provision of general ophthalmic services are to be made electronically. Regulation 10(5)(c)(ii) and (d) puts in place a requirement for the claim for remuneration completed under paragraph 13(4) of schedule 1 to be submitted to the Agency by electronic communication;
- regulation 10(6) amends paragraph 14(1A) of schedule 1 by adding an additional ground under which an ophthalmic medical practitioner or optician may determine that an eye examination need not consist of every test or procedure appropriate to the presenting signs, symptoms and needs of the patient. The additional ground is that, in the judgement of the ophthalmic medical

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practitioner or optician, the test or procedure is clinically inappropriate, other than as provided for in paragraph 14(1A)(a) of schedule 1.