

2009 No. 112

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2009

<i>Made</i>	- - - -	<i>26th January 2009</i>
<i>Laid before Parliament</i>		<i>2nd February 2009</i>
<i>Coming into force</i>	- -	<i>1st April 2009</i>

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred by sections 7(1), 8, 272(7) and 273(1) and (4) of the National Health Service Act 2006(a).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2009 and shall come into force on 1st April 2009.

(2) In these Regulations, “the principal Regulations” means the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Regulations 2002(b).

Substitution of Schedule 5 to the principal Regulations

2. For Schedule 5 to the principal Regulations (Secretary of State’s functions under section 3(1) of the National Health Service Act 2006 exercisable by Strategic Health Authorities for the purpose of securing the provision of services: specified services)(c) substitute the following Schedule—

“**SCHEDULE 5** Regulation 3(2A)

**SECRETARY OF STATE’S FUNCTIONS UNDER SECTION 3(1)
OF THE NATIONAL HEALTH SERVICE ACT 2006
EXERCISABLE BY STRATEGIC HEALTH AUTHORITIES FOR**

(a) 2006 c.41. By virtue of section 271 of the Act the powers of the Secretary of State conferred by these provisions are exercisable only in relation to England.
(b) S.I. 2002/2375; relevant amending instruments are S.I. 2007/559 and 2008/224.
(c) Schedule 5 was added to the principal Regulations by S.I. 2007/559, regulation 6, and was amended by S.I. 2008/224. See also regulation 3(2A) of the principal Regulations, which refers to Schedule 5 and was added by S.I. 2007/559, regulation 3(3).

THE PURPOSE OF SECURING THE PROVISION OF SERVICES: SPECIFIED SERVICES

- 1 Alstrom syndrome service
- 2 Ataxia telangiectasia service for children
- 3 Autoimmune paediatric gut syndromes service
- 4 Bladder exstrophy service
- 5 Choriocarcinoma service
- 6 Chronic pulmonary aspergillosis service
- 7 Complex Ehlers Danlos syndrome service
- 8 Complex Neurofibromatosis type 1 service
- 9 Complex tracheal disease service
- 10 Craniofacial surgery service
- 11 Deaf child and adolescent mental health outreach service (expansion to the existing nationally-commissioned outpatient service)
- 12 Diagnostic service for amyloidosis
- 13 Diagnostic service for primary ciliary dyskinesia
- 14 Diagnostic service for rare neuromuscular disorders service
- 15 Encapsulating sclerosing peritonitis surgical service
- 16 Epidermolysis bullosa service
- 17 Extra corporeal membrane oxygenation service for adults
- 18 Extra corporeal membrane oxygenation service for children
- 19 Extra corporeal membrane oxygenation and ventricular assist devices as bridge to heart transplant service for children
- 20 Gender identity development service for children and adolescents
- 21 Heart and lung transplantation service
- 22 Islet transplantation service
- 23 Liver transplantation service
- 24 Lysosomal storage disorder service
- 25 Mental health service for deaf children:inpatient service
- 26 Ocular oncology service
- 27 Ophthalmic pathology service
- 28 Osteo odonto keratoprosthesis service for corneal blindness
- 29 Pancreas transplantation service
- 30 Paroxysmal nocturnal haemoglobinuria
- 31 Persistent hyperinsulinaemic hypoglycaemia of infancy service
- 32 Primary malignant bone tumours service
- 33 Proton beam therapy service
- 34 Pseudomyoxa peritonei service
- 35 Pulmonary hypertension service for children
- 36 Pulmonary thromboendarterectomy service
- 37 Rare mitochondrial disorders service
- 38 Reconstructive surgery in adolescents for congenital malformation of the female genital tract service
- 39 Retinoblastoma service
- 40 Secure forensic mental health service for young people
- 41 Secure forensic mental health and learning disability service for young people
- 42 Severe combined immunodeficiency and related disorders service
- 43 Severe intestinal failure service
- 44 Severe obsessive compulsive disorder and body dysmorphic disorder service
- 45 Small bowel transplantation service for adults
- 46 Small bowel transplantation service for children
- 47 Specialist liver disease service for children

- 48 Stem cell transplantation service for juvenile idiopathic arthritis and related connective tissue disorders
 - 49 Vein of Galen malformation service
 - 50 Ventricular assist devices as bridge to heart transplant service”
-

Signed by authority of the Secretary of State for Health.

26th January 2009

Ann Keen
Parliamentary Under-Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to England, further amend the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Regulations 2002 (“the principal Regulations”).

Regulation 2 substitutes a new Schedule 5 to the principal Regulations. This adds to the services that Strategic Health Authorities may commission, modifies existing services and make consequential amendments.

The new services are—

Ataxia telangiectasia service for children (item 2)

Autoimmune paediatric gut syndromes service (item 3)

Chronic pulmonary aspergillosis service (item 6)

Complex Ehlers Danlos syndrome service (item 7)

Complex Neurofibromatosis type 1 service (item 8)

Encapsulating sclerosing peritonitis surgical device (item 15)

Gender identity development service for children and adolescents (item 20)

Paroxysmal nocturnal haemoglobinuria (item 30).

The services modified by regulation 2 are—

Deaf child and adolescent mental health outreach service (item 11) (replaces Mental health service for deaf children consisting of therapy and professional support provided by video-link)

Ventricular assist devices as bridge to heart transplant service (item 50) is no longer restricted to adults

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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