
STATUTORY INSTRUMENTS

2015 No. 570

**The National Health Service (Charges for
Drugs and Appliances) Regulations 2015**

Supply of drugs and appliances by other providers of NHS services

9.—(1) A provider of NHS services who, otherwise than as mentioned in regulations 3 to 8, supplies drugs or appliances to a patient for the purpose of treatment must, subject to paragraphs (3) to (8), make and recover from the patient for the supply of—

- (a) an item of elastic hosiery, a charge of £8.20 or £16.40 per pair;
- (b) tights, a charge of £16.40;
- (c) an item specified in column (1) of Schedule 1, the charge specified in relation to it in column (2) of that Schedule;
- (d) each other appliance, a charge of £8.20;
- (e) each quantity of a drug, a charge of £8.20.

(2) Any person paying a charge under paragraph (1) must on doing so sign a declaration in writing that the relevant charge has been paid.

(3) No charge is to be made and recovered under this regulation from a patient who is exempt—

- (a) by virtue of section 173(1)(a), (c) or (d) of the 2006 Act⁽¹⁾ (exemptions from general charging) or regulation 10(2), 11(1), 12 or 13;
- (b) by virtue of regulation 10(3); or
- (c) by reason of being entitled to remission of the charge by virtue of regulation 5 of the Travel Expenses and Remission of Charges Regulations⁽²⁾ (entitlement to full remission and payment),

and who, in the cases described in section 173(1)(c) of the 2006 Act and in the cases described in subparagraphs (b) and (c), completes a declaration of entitlement to such exemption or remission and provides any other evidence of entitlement as the provider of NHS services may reasonably require.

(4) No charge is to be made and recovered under this regulation from a patient where the drugs supplied to the patient are administered, or the appliances supplied to the patient are fitted or put into service, at the hospital or other establishment or facility from which the provider of NHS services provides such services.

(5) No charge is to be made and recovered under this regulation where the drug or appliance supplied is administered or applied to the patient personally by a person employed by, or contracted to provide services for, a provider of NHS services.

(6) No charge is to be made and recovered under this regulation from a patient who is accepted by the person supplying the drug as—

- (a) suffering from tuberculosis, in respect of any drug supplied to that patient for the treatment of tuberculosis; or

⁽¹⁾ Subsection (1) was amended by the Health Act 2009 (c. 21), Schedule 1, paragraphs 6 and 7(c).

⁽²⁾ Relevant amendments were made to regulation 5 by S.I. 2004/663 and 936, 2006/562, 2008/1697, 2009/411, 2013/475 and 2014/2667.

(b) being subject to a community treatment order, in respect of any drug supplied to that patient for the treatment of a mental disorder.

(7) A partially remitted charge must be made and recovered under this regulation from a patient who is entitled to partial remission by virtue of regulation 10(6) if a declaration in writing is provided that the relevant part of the charge has been paid and a declaration of entitlement, and any other evidence of entitlement to partial remission, as may be required, is provided.

(8) For the purpose of this regulation, where a drug ordered on a single written direction is supplied by instalments, the charge of £8.20 is payable for that drug on the supply of the first instalment.

(9) Where a patient requests a receipt for a charge made and recovered under paragraph (1), the provider of NHS services must give the patient a receipt for the amount received on the relevant approved form.