

HEALTH ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

PART 4 CHAPTER 2

Ophthalmic Services

Section 42 Payments in respect of optical appliances

218. **Section 42** amends Schedule 12 to the 1977 Act by inserting a new paragraph 2B. Paragraph 2B allows for regulations to be made providing for the Secretary of State to give a notice to a provider of optical appliances to the effect that no further payments will be made to that person in respect of optical appliances supplied in a specified area (or for their replacement or repair) (“a local disqualification”). Regulations may also make provision for appeal rights for the person to whom the notice was given. Further, the Secretary of State may, following a local disqualification, apply to the FHSAA for a notice to be given in respect of the whole of England. This provides machinery for preventing any suppliers abusing the system from continuing to receive monies in respect of it.