
STATUTORY INSTRUMENTS

1997 No. 818

The National Health Service (Optical Charges and Payments) Regulations 1997

PART III

PAYMENTS TOWARDS COST OF SIGHT TESTS

Eligibility—sight tests

3.—(1) A payment shall be made as provided for by this Part of these Regulations to contribute to the cost of a testing of sight which the responsible authority accepts as having been incurred by an eligible person.

(2) An eligible person is a person whose income resources, as calculated in accordance with regulation 6 of, and Schedule 1 to, the Remission Regulations for the purposes of remission of charges under the Act, exceed his requirements as so calculated, but whose patient's contribution does not exceed the NHS sight test fee and whose capital resources as so calculated do not exceed the capital limit.

Completion and use of voucher—sight tests

4.—(1) A person who wishes a payment to be made by virtue of this regulation in his case shall—

- (a) apply to the Secretary of State for a notice of entitlement;
- (b) apply for his sight to be tested by an ophthalmic medical practitioner or optician whose name is included in an ophthalmic list;
- (c) indicate to that practitioner or optician that he is an eligible person at the time of the application;
- (d) show to him a current notice of entitlement and permit him to copy such details as may be required for the purposes of regulation 5(2)(b)(ii).

(2) The ophthalmic medical practitioner or optician may then duly complete the relevant parts of the voucher with the name and address of the patient, the patient's date of birth and the date of the testing of sight.

(3) The person whose sight is or is to be tested shall sign on the voucher a declaration in writing to the effect that he is an eligible person.

(4) The ophthalmic medical practitioner or optician may use the voucher as being in substitution for payment by the patient of an amount equal to its redemption value, being part of the cost incurred for the testing of sight.

Payments to sight testers

5.—(1) The responsible authority shall, if the conditions specified in paragraph (2) are fulfilled, make a payment of the voucher's redemption value to an ophthalmic medical practitioner or optician who has used a voucher in accordance with regulation 4(4).

- (2) The conditions specified in paragraph (1) are that—
- (a) the patient has signed the declaration referred to in regulation 4(3);
 - (b) the ophthalmic medical practitioner or optician has—
 - (i) made a claim for a payment on a duly completed voucher to the responsible authority within the period of three months beginning with the date of the testing of sight; and
 - (ii) informed the responsible authority of the amount of the patient's contribution.

Payments to patients in respect of sight tests

6.—(1) A payment may be made under this regulation by the responsible authority to an eligible person who incurs the cost of a testing of sight by an ophthalmic medical practitioner or optician whose name is included in an ophthalmic list, without a voucher being completed in accordance with regulation 4.

- (2) A patient who wishes to receive a payment under this regulation must—
- (a) make a claim to the Secretary of State for a payment within three months after the date of the sight test, or within such further period as the Secretary of State may for good cause allow, and that claim must be made on a form provided by or on behalf of the Secretary of State for that purpose; and
 - (b) produce such evidence as the Secretary of State may reasonably require in support of the claim including the receipt for any fee paid for the testing of sight.

(3) Where the Secretary of State is satisfied that the patient is entitled to a payment under paragraph (1) he shall authorise in writing the payment of the amount in question to the patient by the responsible authority.

(4) On receipt of an authorisation under paragraph (3), the responsible authority shall make a payment to the patient of an amount equal to the redemption value of the voucher which could have been completed under regulation 4 if the patient had satisfied the requirements of regulation 4(1).

Redemption value of voucher for sight test

7. — For the purposes of this Part of these Regulations the redemption value of a voucher is the amount, if any, by which the patient's contribution falls short of the lesser of—

- (a) the NHS sight test fee; or
- (b) the full cost which would have been incurred by the patient for the sight test but for these Regulations.