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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service (Charges for Drugs and Appliances) Regulations 2000 (“the Charges Regulations”) and the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (“the Travel Expenses and Remission of Charges Regulations”).

Regulation 2 increases prescription and other charges payable under the Charges Regulations.

Regulation 3 inserts new definitions into the Charges Regulations.

Regulations 4 to 6 provide that no charge shall be payable under the Charges Regulations by a person who is supplied with drugs or appliances by a chemist, or a doctor providing pharmaceutical or dispensing services, pursuant to a non-electronic prescription form issued to that person when he was detained in prison, but who is no longer detained, and where that prescription form is printed in a particular format.

Regulation 7 provides that persons detained in immigration removal centres where healthcare is commissioned by Primary Care Trusts will not be liable to pay any charge under the Charges Regulations. Such detainees will only obtain free drugs and appliances while in one of these centres and therefore will not be required to prove entitlement to exemption from paying charges.

Regulation 8 makes transitional provision in relation to the supply of appliances and the grant of, or refunds in relation to, pre-payment certificates under the Charges Regulations.

Regulation 10 amends the definition of NHS travel expenses in the Travel Expenses and Remission of Charges Regulations. A person who is eligible under the Regulations for the full or partial payment of such expenses will be able to claim payment for expenses necessarily incurred in attending any place in the UK for the provision of services under the National Health Service Act 2006, except primary medical services or primary dental services, subject to two conditions. The conditions are that the services must be provided pursuant to a referral by a doctor or a dentist, and that the services must not be provided on the same visit and on the same premises at which the primary medical services or primary dental services are provided which lead the doctor or dentist to make the referral. Regulation 10 also provides that road and toll charges may be taken into account when calculating the amount of a person’s NHS travel expenses by private car.

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