

EXPLANATORY MEMORANDUM TO
THE NATIONAL HEALTH SERVICE (OPTICAL CHARGES AND PAYMENTS)
(AMENDMENT) REGULATIONS 2022

2022 No. 221

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department of Health and Social Care (“DHSC”) and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 This instrument amends the National Health Service (Optical Charges and Payments) Regulations 2013 (SI 2013/461) (“the 2013 regulations”) which provides for payments to be made by way of optical vouchers and certain additional supplements to be issued to eligible members of the public, to help with the cost of glasses or contact lenses and sets the value of the NHS optical vouchers and supplements.

2.2 This instrument amends the 2013 Regulations, to provide for an uprating to the value of NHS optical vouchers and associated supplements from 1st April 2022.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Extent and Territorial Application

4.1 The territorial extent of this instrument is England and Wales.

4.2 The territorial application of this instrument is England.

5. European Convention on Human Rights

5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

6. Legislative Context

6.1 General ophthalmic services contractors hold general ophthalmic services contracts to provide NHS sight tests to eligible individuals. The 2013 Regulations provide for optical vouchers and certain supplements to be issued to eligible members of the public, following an NHS sight test. The 2013 Regulations also set out the criteria for eligibility for optical vouchers. The optical vouchers and supplements can be redeemed against costs incurred for the supply, replacement or repair of optical appliances (glasses and contact lenses). This instrument amends the 2013 regulations, which set the value of optical vouchers and supplements, to provide for an uprating to the value of NHS optical vouchers and associated supplements from 1st April 2022.

7. Policy background

What is being done and why?

- 7.1 The optical voucher values contained in the 2013 Regulations are reviewed annually. Following careful consideration of the needs of patients and balancing that with the impact of a rise in voucher values on NHS costs and wider service affordability, value of optical vouchers are being increased by 2%.

8. European Union Withdrawal and Future Relationship

- 8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

9. Consolidation

- 9.1 The 2013 Regulations provided a consolidation of the National Health Service (Optical Charges and Payments) Regulations 1997.

10. Consultation outcome

- 10.1 The Department of Health and Social Care is not required to consult on changes to the value of optical vouchers.

11. Guidance

- 11.1 The profession will be advised of the increased optical voucher values through a letter published on the gov.uk website. Members of the public will be informed of the new optical vouchers values by way of patient information leaflets and the nhs.uk website.

12. Impact

- 12.1 There is no impact on business, charities or voluntary bodies.
- 12.2 There is no impact on the public sector.
- 12.3 A full Impact Assessment has not been prepared for this instrument because NHS optical vouchers were first introduced in 1989 and the optical voucher increases made by this instrument places no new requirements on business and add no costs to their current activities.

13. Regulating small business

- 13.1 The legislation does not apply to activities that are undertaken by small businesses.

14. Monitoring & review

- 14.1 The value of NHS optical vouchers are reviewed on an annual basis and the regulations updated accordingly.

15. Contact

- 15.1 Claire Osborne at the Department of Health and Social Care Telephone 0207 210 5273 or email: claire.osborne@dhsc.gov.uk can be contacted with any queries regarding the instrument.

- 15.2 Alette Addison, Deputy Director for Pharmacy, Dental & Eye Care, at the Department of Health and Social Care can confirm that this Explanatory Memorandum meets the required standard.
- 15.3 Maria Caulfield, Parliamentary Under-Secretary of State for Primary Care and Patient Safety at the Department of Health and Social Care can confirm that this Explanatory Memorandum meets the required standard.