

EXPLANATORY MEMORANDUM TO
THE NATIONAL HEALTH SERVICE (OPTICAL CHARGES AND PAYMENTS)
(AMENDMENT) REGULATIONS 2023

2023 No. 244

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 His 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 eligible individuals to meet or contribute towards the cost of the supply, replacement or repair of optical appliances (glasses or contact lenses). The 2013 regulations also set the value of NHS optical vouchers and supplements and who is eligible to receive them.

2.2 This instrument amends the 2013 regulations, to provide for an uprating to the value of NHS optical vouchers and associated supplements from 1 April 2023.

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 extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales.

4.2 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England.

5. European Convention on Human Rights

5.1 As the instrument is subject to negative resolution procedure and is not subject to parliamentary procedure, no statement is required.

6. Legislative Context

6.1 The 2013 regulations provide for optical vouchers and certain supplements to be issued to eligible individuals to meet or contribute to the supply, replacement or repair of optical appliances (glasses and contact lenses). The 2013 regulations set the value of optical vouchers and supplements and who is eligible to receive them. This instrument amends the 2013 regulations to provide for an uprating to the value of NHS optical vouchers and supplements from 1 April 2023.

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, the value of optical vouchers and supplements is being increased by 4.5% overall from 1 April 2023.
- 7.2 This instrument also provides that the old values will continue to apply in relation to vouchers accepted or presented before 1 April 2023.

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 2018.

9. Consolidation

- 9.1 These regulations do not consolidate any existing legislation. 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 Members of the public will be informed of the new optical voucher values by way of patient information leaflets provided by General Ophthalmic Services contractors and through the nhs.uk website. The profession will be advised of the increased optical voucher values through a letter published on the gov.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 place 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 and supplements is reviewed on an annual basis and the regulations updated accordingly.

14.2 The instrument does not include a statutory review. No review clause is required since the instrument does not make or amend regulatory provisions that relate to business activity.

15. Contact

15.1 Claire Osborne at the Department of Health and Social Care Telephone 020 7210 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 & Eye Care, at the Department of Health and Social Care can confirm that this Explanatory Memorandum meets the required standard.

15.3 Neil O'Brien, Parliamentary Under Secretary of State for Primary Care and Public Health at the Department of Health and Social Care can confirm that this Explanatory Memorandum meets the required standard.