

**2023 No. 288**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The National Health Service Commissioning Board and Clinical  
Commissioning Groups (Responsibilities and Standing Rules)  
(Amendment) Regulations 2023**

<i>Made</i> - - - -	<i>8th March 2023</i>
<i>Laid before Parliament</i>	<i>9th March 2023</i>
<i>Coming into force</i> - -	<i>1st April 2023</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 6E(1) and (2) and section 272(7) and (8) of the National Health Service Act 2006(a).

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) (Amendment) Regulations 2023.

(2) These Regulations come into force on 1st April 2023.

(3) These Regulations extend to England and Wales.

**Amendment of the National Health Service Commissioning Board and Clinical  
Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012**

2.—(1) The National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012(b) are amended as follows.

(2) In regulation 20 (interpretation)—

(a) in the definition of “flat rate payment”, for “£209.19” substitute “£219.71”; and

(b) in the definition of “high band payment”, for “£287.78” substitute “£302.25”.

- 
- (a) 2006 c. 41. Section 6E was inserted by section 20(1) of the Health and Social Care Act 2012 (c. 7). Sections 6E(1) and (2) were amended by the Health and Care Act 2022 (c. 31), section 1(2) and Schedule 1, paragraph 1(1), and section 32 and Schedule 4, paragraph 89(3).
- (b) S.I. 2012/2996 (“the Standing Rules”); relevant amending instruments are S.I. 2014/1611, 2022/532 and 2022/634. Under section 1 of the Health and Care Act 2022, the NHS Commissioning Board was renamed NHS England. On 1 July 2022, in accordance with Chapter A3 of Part 2 of the National Health Service Act 2006 (as inserted by section 19 of the Health and Care Act 2022) and S.I. 2022/632, NHS England established integrated care boards to take on the commissioning functions of clinical commissioning groups. As a consequence of those changes, paragraph 1(1) of the Schedule to S.I. 2022/634 substitutes references to “clinical commissioning group” with “integrated care board” in the Standing Rules. In addition, in accordance with paragraph 1(3) of Schedule 1 to the Health and Care Act 2022, the references to the “NHS Commissioning Board” in the Standing Rules are to be read, in relation to any time on or after 1 July 2022, as a reference to “NHS England”.

Signed by authority of the Secretary of State for Health and Social Care

8th March 2023

*Helen Whately*  
Minister of State,  
Department of Health and Social Care

### **EXPLANATORY NOTE**

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

The National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012 (S.I. 2012/2996) (“the Standing Rules”) make provision for, amongst other things, NHS funded nursing care.

These Regulations amend Part 6 of the Standing Rules. The amendments made by regulation 2(2) increase the rates for NHS funded nursing care payable by NHS England or an integrated care board.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

---

© Crown copyright 2023

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty’s Stationery Office and King’s Printer of Acts of Parliament.

£4.90

<http://www.legislation.gov.uk/id/uksi/2023/288>

ISBN 978-0-34-824585-1



9 780348 245851