
DIRECTIONS

NATIONAL HEALTH SERVICE, ENGLAND

The General Ophthalmic Services Contracts (Payments) Directions 2015

The Secretary of State for Health gives the following Directions in exercise of the powers conferred by sections 120, 272(7) and (8) and 273(1) of the National Health Service Act 2006(a).

The Secretary of State for Health has consulted in accordance with section 120(4)(a) of that Act, with a body appearing to the Secretary of State to be representative of persons to whose remuneration these Directions relate.

Citation, commencement and application

1.—(1) These Directions may be cited as the General Ophthalmic Services Contracts (Payments) Directions 2015.

(2) They come into force immediately after they are signed and have effect from 1st April 2015.

(3) These Directions are given to the Board.

Interpretation

2. In these Directions—

“the Board” means the National Health Service Commissioning Board(b);

“GOS contract” means a general ophthalmic services contract within the meaning of section 117 of the National Health Service Act 2006(c) (general ophthalmic services contracts: introductory);

“GOS contractor” means a party to a GOS contract other than the Board; and

“the GOS Contracts Regulations” means the General Ophthalmic Services Contracts Regulations 2008(d).

Fees for sight tests provided under a GOS contract

3.—(1) Where, after these Directions have effect, a GOS contractor—

(a) provides a sight test to an eligible person under a GOS contract for mandatory services, and

(b) makes a claim for a fee for that sight test in accordance with regulation 16(5) to (7) of the GOS Contracts Regulations (fees, charges and financial interests of the contractor),

the fee payable by the Board to the contractor for such a sight test is £21.31.

(a) 2006 c.41. Section 120(3) was amended by section 55(1) of, and paragraph 58 of Schedule 4 to, the Health and Social Care Act 2012 (c.7) (“the 2012 Act”). By virtue of section 271(1) of the National Health Service Act 2006, the powers conferred by these sections are exercisable by the Secretary of State only in relation to England

(b) The National Health Service Commissioning Board was established by section 1H of the National Health Service Act 2006. Section 1H was inserted by section 9(1) of the 2012 Act.

(c) Section 117 was amended by section 55(1) of, and paragraph 55 of Schedule 4 to, the 2012 Act.

(d) S.I. 2008/1185; as amended by S.I. 2008/1700, 2009/309, 2010/22 and 634, 2013/365 and 2014/418.

(2) Where—

- (a) a GOS contractor has provided a sight test to an eligible person under a GOS contract for additional services,
- (b) the GOS contractor has made a claim for a fee for that sight test in accordance with regulation 16(5) to (7) of the GOS Contracts Regulations, and
- (c) that sight test was provided to an eligible person attending at a day centre,

the fee payable by the Board to the contractor for such a sight test is £21.31.

(3) Where—

- (a) a GOS contractor has provided a sight test to an eligible person under a GOS contract for additional services,
- (b) the GOS contractor has made a claim for a fee for that sight test in accordance with regulation 16(5) to (7) of the GOS Contracts Regulations, and
- (c) that sight test was provided to an eligible person—
 - (i) at and residing at a residential centre, or
 - (ii) at their home, where the patient was unable to leave it unaccompanied because of physical or mental illness or disability,

the fee payable by the Board to the contractor for such a sight test is £21.31 plus an additional fee as specified in paragraph (4).

(4) The additional fee referred to in paragraph (3) is—

- (a) £37.56 in respect of each of the first and second sight tests provided to eligible persons during the course of any one visit; and
- (b) £9.40 for the third and for each subsequent sight test provided to eligible persons during that visit.

Payments in respect of sight tests not completed

4. Where—

- (a) a GOS contractor—
 - (i) is unable to complete a sight test provided to a patient under a GOS contract which that contractor has undertaken to provide, and
 - (ii) has informed the Board in writing, and
- (b) the Board is satisfied that the inability to complete a sight test is due to a reasonable cause,

the Board must make a pro rata payment in accordance with these Directions to that contractor for such part of the sight test as the GOS contractor provided.

Revocation of the General Ophthalmic Services Contracts (Payments) Directions 2014

5.—(1) Subject to paragraph (2), the General Ophthalmic Services Contracts (Payments) Directions 2014(a) (“the 2014 Directions”) are revoked.

(2) The 2014 Directions continue to apply to the extent necessary to—

- (a) establish entitlement to payment,
- (b) make any payment due, or
- (c) recover a payment made,

under those Directions.

(a) Available to download at <http://www.gov.uk>.

Signed by authority of the Secretary of State

4th August 2015

Peter Howitt
A member of the Senior Civil Service
Department of Health