STATUTORY INSTRUMENTS

2017 No. 219

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Direct Payments) (Amendment) Regulations 2017

Made - - - -	*28th February 2017*
Laid before Parliament	*3rd March 2017*
Coming into force - -	*1st April 2017*

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred by section 12B of the National Health Service Act 2006 (**1**).

Citation and commencement

1. These Regulations may be cited as the National Health Service (Direct Payments) (Amendment) Regulations 2017 and come into force on 1st April 2017.

Amendment of the National Health Service (Direct Payments) Regulations 2013

2.—(1) The National Health Service (Direct Payments) Regulations 2013(**2**) are amended as follows.

(2) In regulation 8 (care plan and care co-ordinator)—

(a) in paragraph (5A) for the words from "person who" to "nominee," substitute "connected person";

(b) after paragraph (5A) insert—

"(5B) In paragraph (5A), "connected person" in relation to a patient means any of the following who lives in the same household as the patient whether or not the person is a nominee—

(a) a family member mentioned in regulation 7(8); or

(b) a friend of the patient.".

(3) In regulation 10 (conditions applying to the making of direct payments by a health body)—

(**1**) 2006 c.41. Section 12B is inserted by section 11 of the Health Act 2009 (c.21) and amended by section 55(1) of, and paragraphs 10 and 11 of Schedule 4 to, the Health and Social Care Act 2012 (c.7). Powers exercised in making these Regulations are exercisable by the Secretary of State in relation to England only (see section 271(1)). See section 275(1) for the definition of "regulations".

(**2**) S.I.2013/1617. Regulation 8(5A) is inserted by S.I.2013/2354.