STATUTORY INSTRUMENTS

2015 No. 988

NATIONAL HEALTH SERVICE, ENGLAND
PUBLIC HEALTH, ENGLAND

The False or Misleading Information (Specified Care Providers and Specified Information) Regulations 2015

Made - - - - 26th March 2015

Coming into force in accordance with regulation 1(1)

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 92(1) of the Care Act 2014(**1**).

A draft of these Regulations was laid before Parliament in accordance with section 125(4)(m) of the Care Act 2014, and was approved by a resolution of each House of Parliament.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the False or Misleading Information (Specified Care Providers and Specified Information) Regulations 2015 and come into force—

(a) except as provided by sub-paragraph (b), at the end of the period of 21 days beginning with the day on which these Regulations are made, and

(b) in the case of paragraph 1 of Part 2 of the Schedule and regulation 3 insofar as it applies to that paragraph, on 1st April 2017.

(2) In these Regulations—

"the Act" means the Care Act 2014;

"commissioning data set" or "CDS" means a collection of patient-level data on a particular activity;

"health service hospital" has the same meaning as in section 275(1) of the National Health Service Act 2006(**2**);

"the Information Centre" means the Health and Social Care Information Centre(**3**).

(**1**) 2014 c. 23. Section 92(6) of the Care Act 2014 provides that "specified" means specified in Regulations. Section 125(1) of that Act provides that the power to make regulations is exercisable by the Secretary of State.

(**2**) 2006 c. 41. The definition of "health service hospital" was amended by the Health and Social Care Act 2012 (c. 7), section 55(1) and paragraph 138(1) and (2)(b) of Schedule 4.

(**3**) The Health and Social Care Information Centre is a body corporate established by section 252 of the Health and Social Care Act 2012 (c. 7).

Specified care providers

2. The care providers specified for the purposes of section 92(1) of the Act (offence of supplying etc false or misleading information) are—

(a) an NHS trust established under section 25 of the National Health Service Act 2006,

(b) an NHS foundation trust, and

(c) a person who, pursuant to arrangements made with a public body, provides health services in England from a hospital (as defined in section 275(1) of the National Health Service Act 2006) that is not a health service hospital.

Specified information

3. The information specified for the purposes of section 92(1) of the Act is the information—

(a) referred to in the third column of the table in Part 1 of the Schedule, to the extent that it is supplied to the Information Centre, or to another person on the Centre's behalf, for collation for the purposes of the corresponding commissioning data sets listed by type and description in that table;

(b) listed in Part 2 of the Schedule.

Review

4.—(1) Before the end of each review period, the Secretary of State must—

(a) carry out a review of these Regulations,

(b) set out the conclusions of the review in a report, and

(c) publish the report.

(2) The report must in particular—

(a) set out the objectives intended to be achieved by regulations 2 and 3,

(b) assess the extent to which those objectives are achieved, and

(c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved in a way that imposes less regulation.

(3) In this regulation, "review period" means—

(a) the period of five years beginning from the end of the period referred to in regulation 1(1)(a), and

(b) subject to paragraph (4), each successive period of five years.

(4) If a report under this regulation is published before the last day of the review period to which it relates, the following review period is to begin with the day on which that report is published.

Signed by authority of the Secretary of State for Health.

George Freeman
Parliamentary Under-Secretary of State,
Department of Health

26th March 2015