1971. No. 93 **[C]**

HEALTH SERVICES CHARGES

REGULATIONS, DATED 30TH MARCH 1971, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE HEALTH SERVICES ACT (NORTHERN IRELAND) 1971.

The Ministry of Health and Social Services in exercise of the powers conferred on it by Section 83, Schedule 10 and Section 87 of the Health Services Act (Northern Ireland) 1971(**a**) (hereinafter referred to as "the Act") and of all other powers enabling it in that behalf and with the approval of the Ministry of Finance hereby makes the following regulations—

Citation and commencement

1. These regulations may be cited as the Health Services (Charges) Regulations (Northern Ireland) 1971, and shall come into operation on 1st April 1971.

Amendments

Dental treatment and supply of dental appliances

2. The Health Services (General Dental Services) Regulations (Northern Ireland) 1964(**b**) shall be amended as follows—

(1) In regulation 14(2) for the amount of "£6 5 0" there shall be substituted the amount of "£10.00".

(2) In regulation 14(3) for the expression "paragraph (1)(*a*)" there shall be substituted "paragraph (1)".

(3) For regulation 14(4) there shall be substituted the following—

"(4) Subject to paragraph (3)(*a*) no charge (other than that in respect of the relining of dentures or the addition of teeth bands or wires to dentures) shall be made under paragraph (1)(*b*) where the person is on the date of the contract or arrangement for the provision of the services under 21 years of age if the appropriate declaration to that effect is made by or on behalf of that person in Part 1 of the dental estimate form or in the modified estimate form."

(4) After regulation 14(5) there shall be inserted the following—

"(5A) Where the current authorised fee payable in respect of the provision of general dental services is such amount as the Dental Estimates Committee may in its discretion approve, whether or not subject to a maximum, the current authorised fee shall be—

(*a*) if the Committee has approved a fee for the services to be provided, the amount of that fee so approved, notwithstanding any subsequent increase of the amount of that fee on appeal; or

(*b*) if the Committee has not approved a fee for the services to be provided, the amount of the fee authorised on appeal for the provision of those services."

(5) For Schedule 7 there shall be substituted the following—

(**a**) 1971. c. 1 (N.I.). (**b**) S.R. & O. (N.I.) 1964, No. 60.

"SCHEDULE 7

CHARGES PAYABLE FOR DENTAL APPLIANCES AND DENTAL TREATMENT

(1) The charge for dentures shall be one half of the current authorised fee or £10.00 whichever is the less.

(2) The amount of the charge for any dental treatment not being

(*a*) the supply, replacement or repair of dentures or dental bridges;

(*b*) the repair of orthodontic appliances, obturators, splints, radium applicators or other special dental appliances;

(*c*) the arrest of bleeding; or

(*d*) the clinical examination of a patient or any report thereon;

shall be one half of the current authorised fee for all such services or £10.00 whichever is the less.

(3) The charge shall in no case exceed £10.00."

3. The Health Services (Charges for Appliances) (Hospitals) Regulations (Northern Ireland) 1961(**c**) shall be amended as follows—

(1) After regulation 4 there shall be inserted regulation 5 as follows:

"**5.** Where a denture is supplied under Part III of the Act as part of hospital and specialist services then—

(*a*) if the current authorised fee payable is such amount as the Dental Estimates Committee may in its discretion approve, the management committee shall refer the matter to the Dental Estimates Committee and, in such a case, the current authorised fee shall be such amount as the Dental Estimates Committee may approve;

(*b*) if the denture is so supplied as part of a course of treatment begun under general dental services and a person has already become liable to pay a charge to the dentist who began that course of treatment, the maximum amount chargeable by the management committee under this regulation shall be less than £10.00 by the amount payable to the dentist who began the course of treatment; and, if a dentist, after beginning as part of general dental services a course of treatment for a person refers that person to the hospital and specialist services, he shall give to the management committee, to whom he has referred that patient, a statement of the amount paid to him by that person under these regulations."

(2) For Part I of the Schedule referred to in regulation 3(1) there shall be substituted the following—

"SCHEDULE

PART I

CHARGES PAYABLE FOR DENTURES

One half of the current authorised fee or £10.00 whichever is the less. The charge shall in no case exceed £10.00"

Supply of drugs and certain appliances

4. The Health Services (Charges for Drugs and Appliances) Regulations (Northern Ireland) 1968(**d**) shall be amended as follows—

(**c**) S.R. & O. (N.I.) 1961, No. 120.
(**d**) S.R. & O. (N.I.) 1968, No. 138 as amended by S.R. & O. (N.I.) 1968, No. 243.

(1) In regulation 2A(3) the word "appliances" shall include appliances specified in Schedule 1 to these regulations but shall not include appliances specified in Schedule 2 to these regulations;

(2) In regulation 2A(4) for the expression "£1 10s 0d" there shall be substituted the expression "£2.00" and for the expression "£2 15s 0d" there shall be substituted the expression "£3.50";

(3) In regulations 3(1) and 5(1) any liability to pay for the supply of each quantity of a drug or each appliance shall be a liability to pay—

(i) in respect of an appliance specified in column 1 of Schedule 1 to these regulations the sum specified in column 2 thereof in respect of that appliance; and

(ii) in any other case in respect of each quantity of a drug and each appliance not specified in Schedule 1 hereto the sum of £0.20;

(4) In regulations 3(1), 3(3), 5(1), 6(1), 6(2) and 6(3) for the expression "2s 6d" there shall, subject to paragraphs (3) and (6) of this regulation be substituted the expression "£0.20";

(5) Regulation 6(1) shall have effect as if the liability to pay in respect of each quantity of a drug supplied at the hospital included a liability to pay to the management committee in respect of an appliance specified in column 1 of Schedule 1 to these regulations, the sum prescribed in column 2 thereof in respect of that appliance;

(6) Where an appliance to which regulation 6(2) applies is an appliance specified in column 1 of Schedule 1 to these regulations the sum to be paid for that appliance shall be the sum specified in column 2 of that Schedule in respect of that appliance;

(7) Regulation 7 shall be amended as follows—

(*a*) In regulation 7(l)(*f*)(ii)(B)(I) there shall be added immediately after the words "charges under these regulations" the words "plus the sum of £0.30".

(*b*) Immediately after regulation 7(l)(*f*)(ii) there shall be inserted the following—

"(iii) on the ground that he is receiving a family income supplement under the Family Income Supplements Act (Northern Ireland) 1971(**e**);"

(8) At the end of regulation 8(1) there shall be added the following—

"or

(*f*) a person in receipt of a family income supplement under the Family Income Supplements Act (Northern Ireland) 1971 or a dependant of such a person

and this regulation shall apply to a person who has been supplied with elastic hosiery at a hospital."

Supply of wigs and fabric supports by hospitals

5.—(1) Subject to regulation 7 of the Health Services (Charges for Drugs and Appliances) Regulations (Northern Ireland) 1968 and to these regulations, any out-patient of a hospital providing hospital and specialist services who for the purposes of his treatment is supplied at the hospital with an appliance of a description specified in Column 1 of Schedule 2 to these regulations shall be liable to pay to the management committee the sum specified in Column 2 of that Schedule.

(e) 1971. c. 8 (N.I.).

(2) No charge shall be payable under this regulation by—

(*a*) a person to whom the Secretary of State for Social Services has issued an exemption certificate in respect of treatment for accepted war disablement or, as the case may be, for accepted service disablement and who requires an appliance under this regulation for the purpose of treatment of that disablement; or

(*b*) a person who is receiving a supplementary pension or supplementary allowance under the Supplementary Benefits &c., Act (Northern Ireland 1966(**f**) or a dependant of such a person; or

(*c*) a person who is receiving a family income supplement under the Family Income Supplements Act (Northern Ireland) 1971 or a dependant of such a person.

(3) A management committee which receives any charge payable under these regulations shall if asked to do so supply a receipt for any charge so received.

(4) Any person to whom paragraph (2) above applies may claim a refund of any charge he has paid by presenting the receipt for such charge obtained from the hospital and the provisions of regulation 8(3) of the Health Services (Charges for Drugs and Appliances) Regulations (Northern Ireland) 1968 shall apply to any payment made under this paragraph.

Charges for lenses

6. The Health Services (Supplementary Eye Services) (Charges) Regulations (Northern Ireland) 1961(**g**) shall be amended as follows—

(1) For regulation 3 there shall be substituted the following—

"**3.** Subject to the provisions of these regulations the optician shall be entitled to make and recover from the patient a charge in accordance with the scales of charges set out in the Schedule in respect of the supply of glasses:

Provided that where more than one pair of glasses is supplied following a new prescription or a change of prescription the charge for each lens supplied after the first two shall be reduced by £0.40."

(2) For the First and Second Schedules there shall be substituted Schedule 3 to these regulations.

7. The Health Services (Charges for Appliances) (Hospitals) Regulations (Northern Ireland) 1961(**h**) shall be amended as follows—

(1) At the end of regulation 3(1) there shall be added the following—

"Provided that where more than one pair of glasses is supplied following a new prescription or a change of prescription the charge for each lens supplied after the first two shall be reduced by £0.40."

(2) For Part II of the Schedule there shall be substituted Schedule 3 to these regulations.

Transitional provisions

8. These regulations shall apply—

(**f**) 1966. c. 28 (N.I.).
(**g**) S.R. & O. (N.I.) 1961, No. 118 as amended by S.R. & O. (N.I.) 1969, No. 198.
(**h**) S.R. & O. (N.I.) 1961, No. 120.