

STATEMENT OF GENERAL OPHTHALMIC SERVICES REMUNERATION

The Welsh Ministers, in exercise of the powers conferred by sections 76 and 77 of the National Health Service (Wales) Act 2006⁽¹⁾ and regulation 10 of the National Health Service (General Ophthalmic Services) Regulations 1986⁽²⁾, after consultation with the organisation recognised by them as representing contractors providing general ophthalmic services, make the following determination.

Part 1

Title, Commencement and Interpretation

Title, commencement and interpretation

1.—(1) The title of this determination is the Statement of General Ophthalmic Services Remuneration.

(2) This determination comes into force on 1 September 2021 but takes effect from 1 April 2021.

(3) In this determination—

“contractor” (“contractwr”) means a person who has undertaken to provide General Ophthalmic Services and whose name is included in the ophthalmic list;

“corporate optician” (“optegydd corfforedig”) means a body corporate registered in the register of bodies corporate maintained under section 9 of the Opticians Act 1989⁽³⁾, which is carrying on business as an optometrist;

“General Ophthalmic Services” (“Gwasanaethau Offthalmig Cyffredinol”) means the services which a contractor must provide pursuant to the terms set out in paragraph 10 of Schedule 1 to the National Health Service (General Ophthalmic Services) Regulations 1986;

“GOS” means General Ophthalmic Services;

“Local Health Board” (“Bwrdd Iechyd Lleol”) means a Local Health Board established in accordance with section 11(2) of the National Health Service (Wales) Act 2006;

“ophthalmic list” (“rhestr offthalmig”) means the list prepared by a Local Health Board in accordance with regulation 6 of the National Health Service (General Ophthalmic Services) Regulations 1986;

“ophthalmic medical practitioner” (“ymarferydd meddygol offthalmig”) means a doctor whose qualifications have been approved as being prescribed qualifications in accordance with regulation 4 or regulation 5 of the National Health Service (General Ophthalmic Services) Regulations 1986; and

“optician” (“optegydd”) means a person registered in the register of optometrists maintained under section 7 (register of opticians) of the Opticians Act 1989 or in the register of visiting optometrists from relevant European States maintained under section 8B(1)(a) of that Act;

(1) 2006 c. 42.

(2) S.I. 1986/975. Regulation 10 was amended by S.I. 2007/1026 (W. 93) and S.I. 2008/577 (W. 56). There are other amendments but none are relevant.

(3) 1989 c. 44.

“patient” (“claf”) means a person to whom a contractor has agreed to provide general ophthalmic services.

Part 2

Sight Test Fees

Sight test fee

2. The fee payable to a contractor for carrying out an NHS sight test is £21.71.

Domiciliary visit fees

3. The fees payable to a contractor, in addition to the NHS sight test fee, for an NHS domiciliary visit carried out by the contractor are—

- (a) £38.27 for each of the first and second patients seen at one visit; and
- (b) £9.58 for each of the third and subsequent patients seen at one visit.

Conditions attached to payment of the sight test and domiciliary visit fees

4. A claim for sight test and domiciliary visit fees, or any part thereof, is only payable if the contractor satisfies the following conditions—

- (a) the contractor must make available to the Local Health Board any information which the Local Health Board does not have but needs, and the contractor either has or could reasonably be expected to obtain, in order to calculate the payment due to the contractor,
- (b) the contractor must maintain accurate records of all GOS activity undertaken, including emergency and urgent eye care, and
- (c) all information supplied by the contractor to the Local Health Board pursuant to or in accordance with this paragraph must be accurate to the contractor’s best knowledge and belief.

5. If the contractor breaches any of the conditions in paragraph 4, the Local Health Board may, in appropriate circumstances, withhold payment of, or any part of, a sight test fee that is otherwise payable.

Part 3

CET Allowance

6.—(1) In this paragraph—

“CET allowance” means the sum of £584.00; and

“relevant year” means the year beginning with 1 January 2020 and ending with 31 December 2020.

(2) Subject to sub-paragraph (5), the Local Health Board must pay a CET allowance to an optician, other than a corporate optician, if the optician—

- (a) was included in the ophthalmic list of the Local Health Board to which they make a claim for a CET allowance for a period of at least 6 months during the relevant year and maintained their professional registration for that period in the relevant year;

(b) has undertaken appropriate continuing education and training during the relevant year; and

(c) complies with sub-paragraphs (7) and (8).

(3) Subject to sub-paragraph (5), the Local Health Board must pay a CET allowance to an ophthalmic medical practitioner if—

(a) during the relevant year their only remunerated medical or optical activity was the conduct of NHS sight tests;

(b) they were included in the ophthalmic list of the Local Health Board to which they make a claim for a CET allowance for a period of at least 6 months during the relevant year and maintained their professional registration for that period in the relevant year;

(c) they have undertaken appropriate continuing education and training during the relevant year; and

(d) they comply with sub-paragraphs (7) and (8).

(4) Subject to sub-paragraphs (5) and (6), the Local Health Board must pay to a contractor a CET allowance in respect of each assistant employed by that contractor if the assistant—

(a) was either—

(i) an optician (other than a corporate optician), or

(ii) an ophthalmic medical practitioner whose only remunerated medical or optical activity during the relevant year was the conduct of NHS sight tests;

(b) was included in the ophthalmic supplementary list of the Local Health Board to which the contractor makes a claim for a CET allowance;

(c) has assisted in the provision of general ophthalmic services for a period of at least 6 months during the relevant year and maintained their professional registration for that period for the relevant year; and

(d) has undertaken appropriate continuing education and training during the relevant year,

and the contractor complies with sub-paragraphs (7) and (8).

(5) Only one CET allowance may be claimed in respect of any one person.

(6) Where an assistant is employed by two or more contractors, the CET allowance will be paid to the contractor which the assistant nominates for the purpose of payment of the CET allowance under this determination.

(7) A claim for a CET allowance must be made in writing on the form approved for this purpose by Welsh Ministers.

(8) A separate claim form must be completed for each CET allowance claimed.

PART 4

REVOCATIONS

7. The following determinations are revoked—

(a) the determination of the Minister for Health and Social Services which came into force on 27 August 2020; and

(b) the determination of the Minister for Health and Social Services which came into force on 25 February 2021.

A handwritten signature in black ink, appearing to read 'Frances Duffy', written in a cursive style.

Signed by Frances Duffy, Director, Primary Care and Health Science, under the authority of the Minister for Health and Social Services, one of the Welsh Ministers

Date: 31 August 2021