

**The Health Service (Payment of Authorised
Appliance Suppliers) (Amendment) Regulations, 2013**

<i>Made</i>	<i>8th January, 2013</i>
<i>Coming into operation</i>	<i>1st January, 2013</i>
<i>Laid before the States</i>	<i>, 2013</i>

THE SOCIAL SECURITY DEPARTMENT, in exercise of the powers conferred upon it by sections 19 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990, as amended^a, and of all other powers enabling it in that behalf, hereby orders:-

Amendment.

1. The three Schedules to the Health Service (Payment of Authorised Appliance Suppliers) Regulations, 2003^b are revoked and replaced by the three Schedules set out in the Schedule to these Regulations.

Interpretation.

2. (1) Except where the context otherwise requires, any reference in these regulations to any enactment or regulations shall be construed as including a reference to that enactment or those regulations, as the case may be, as amended,

^a Ordres en Conseil Vol. XXXII, p. 192; Vol. XLIII(1), p. 246; Order in Council No. IX of 2003 and No. II of 2011; Recueil d'Ordonnances Tome XXV, p. 310; Tome XXVI, pp. 177, 483, and 495; Tome XXIX, pp. 182, 373, 406 and 580 and modified by Tome XXVI, pp. 484 and 491 and 495; Tome XXVII, p. 200; Tome XXVIII, p. 1; Tome XXIX, pp. 182, 196, 200 and 210; Tome XXXI, p. 628 and Tome XXXII, p. 628. Extended to Alderney with modification by Recueil d'Ordonnances Tome XXV, p. 204.

^b G.S.I. No. 52 of 2003 as amended by No. 46 of 2007; No's. 5 and 69 of 2008; No.4 of 2011 and No.6 of 2012.

repealed, replaced, revoked, extended or applied, by or under any other enactment or by any other regulations.

(2) The Interpretation Guernsey Law, 1948^c shall apply to the interpretation of these Regulations as it applies to the interpretation of a Guernsey enactment.

Revocation.

3. The Health Service (Payment of Authorised Appliance Suppliers) (Amendment) Regulations, 2012^d are revoked.

Citation, commencement and extent.

4. (1) These Regulations may be cited as the Health Service (Payment of Authorised Appliance Suppliers) (Amendment) Regulations, 2013 and shall be deemed to have come into force on the 1st day of January 2013.

(2) These Regulations shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

Dated this 8th day of January 2013.



Allister H Langlois

Minister of the Social Security Department

for and on behalf of the Department

^c Ordres en Conseil Vol. XIII, p.355.

^d G.S.I. No. 6 of 2012.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations revoke and replace the Schedules to the Health Service (Payment of Authorised Appliance Suppliers) Regulations, 2003. The Schedules set out the payments which may be made out of the Health Service Benefit Fund for the supply of medical appliances.

These Regulations came into operation on 1st January 2013.

SCHEDULE

Regulation 1

"FIRST SCHEDULE

Regulations 2(1)(b)

Dispensing Fees for Part I and Part II appliances.

(1)	(2)
Classes of authorised appliance supplier	Dispensing Fee per appliance
<p>A medical practitioner; or a pharmacist employed by a medical practice;</p> <p style="padding-left: 40px;">where the number of relevant items does not exceed 3,000</p> <p style="padding-left: 40px;">where the number of relevant items exceeds 3,000 but does not exceed 6,000</p> <p style="padding-left: 40px;">where the number of relevant items exceeds 6,000</p>	<p>85p per appliance</p> <p>85p per appliance for 3,000 relevant items and 79p for each additional appliance</p> <p>85p per appliance for 3,000 relevant items. 79p per appliance for 3,000 relevant items and 73p for each additional appliance.</p>
<p>A pharmacist employed by the Board of Health</p>	<p>0p per appliance.</p>
<p>A pharmacist not employed by a medical practice or the Board of Health ;</p> <p style="padding-left: 40px;">where the number of relevant items does not exceed 1,500</p> <p style="padding-left: 40px;">where the number of relevant items exceeds 1,500</p>	<p>£2.71 per appliance</p> <p>£2.71 per appliance for 1,500 relevant items and £1.34 for each additional appliance</p>

SECOND SCHEDULE**Regulation 6****PART I**

Specified percentage payable in respect of Part III appliances.

(1)	(2)
Classes of authorised appliance supplier	Specified percentage
A medical practitioner	0 per centum
A pharmacist:	
(a) employed by a medical practice	0 per centum
(b) employed by the Board of Health	0 per centum
(c) not employed by a medical practice or the Board of Health.	20.8 per centum
Any other class of authorised appliance supplier	20.8 per centum

PART II

Dispensing fees for Part III appliances.

(1)	(2)
Classes of authorised appliance supplier	Dispensing fee per appliance
A medical practitioner	37p
A pharmacist:	
(d) employed by a medical practice	37p
(e) employed by the Board of Health	0p
(f) not employed by a medical practice or the Board of Health.	57p
Any other class of authorised appliance supplier	57p

THIRD SCHEDULE

Regulation 3

Additional dispensing fees payable in respect of Part I or Part II appliances supplied on an appliance prescription claim form endorsed "URGENT" or "DISPENSED URGENTLY" in accordance with Regulation 3 of these Regulations; or Part III and Part IV appliances supplied on an appliance claim form endorsed "DISPENSED URGENTLY"

(1)	(2)
Time of Supply	Dispensing fee
On any day, other than a non-business day, between the time the premises of the authorised appliance supplier are closed for the supply of medical appliances and 11pm.	£22.21
On a non-business day, between 9am and 11pm, except whilst the premises are open for the purposes of any scheme prepared by the Authority under Part II of the Schedule to the Health Service (Authorised Appliance Suppliers) Regulations, 1990.	£28.09
On any day between 11pm and 9am of the next day or such earlier time at which the premises are opened for the supply of medical appliances (on any day except a non-business day).	£72.92