

WG20-24

**THE NATIONAL HEALTH
SERVICE (WALES) ACT 2006**

The National Health Service (Wales
Eye Care Services payments during
the COVID-19 Pandemic) (Wales)
Directions 2020

Made 22 May 2020

Coming into force 23 May 2020

The Welsh Ministers in exercise of the powers conferred on them by sections 13(2)(c) and 4(c), 203(9) and (10), and 204(1) of the National Health Service (Wales) Act 2006(1) give the following Directions.

Title, application and commencement

1.—(1) The title of these Directions is the National Health Service (Wales Eye Care Services payments during the COVID-19 Pandemic) (Wales) Directions 2020.

(2) These Directions are given to Local Health Boards.

(3) These Directions are made on 22 May 2020 and come into force on 23 May 2020.

Interpretation

2. In these Directions—

“accredited practitioner” (“*ymarferydd achrededig*”) means a practitioner who satisfies all of the accreditation requirements set out—

(a) for the purposes of Eye Health Examination Wales, in paragraph 9 of the Specification in the Schedule to the Eye Health Examination

Service Committee (Wales) Directions 2016(1), and

- (b) for the purposes of the Low Vision Service Wales, in paragraph 11 of the Specification in the Schedule to the Low Vision Service Committee (Wales) Directions 2016(2);

“EHEW” (“*AILIC*”) means Eye Health Examination Wales;

“Eye Health Examination Wales” (“*Archwiliadau Iechyd Llygaid Cymru*”) means the Eye Health Examination Wales Service which consists of arranging the provision of eye health examinations for clients who require such examination, the provision of advice for such clients and the onward referral to, and signposting of, further services to such clients as provided for by the Eye Health Examination Service Committee (Wales) Directions 2016;

“financial year” (“*blwyddyn ariannol*”) means the period of one year beginning on 1 April and ending on 31 March;

“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;

“Low Vision Service Wales” (“*Gwasanaeth Golwg Gwan Cymru*”) means the national Low Vision Service Wales which consists of arranging the provision of low vision assessments and rehabilitation support for clients and securing the provision of low vision aids to clients as provided for by the Low Vision Service Committee (Wales) Directions 2016;

“LVSW” (“*GGGC*”) means Low Vision Service Wales;

“relevant host Local Health Board” (“*Bwrdd Iechyd Lleol cynhaliol perthnasol*”) means—

- (a) for the purposes of Eye Health Examination Wales, Aneurin Bevan University Health Board, and
- (b) for the purposes of Low Vision Service Wales, Hywel Dda University Health Board;

“Wales Eye Care Services” (“*Gwasanaethau Gofal Llygaid Cymru*”) means Eye Health Examination Wales and Low Vision Service Wales and includes any urgent or emergency eye care provided as part of those services; and

“WECSAMP” (“*TMCGLIC*”) means the Wales Eye Care Services Average Monthly Payment payable to an accredited practitioner for the

(1) 2016 No. 10.

(2) 2016 No. 11.

provision of Wales Eye Care Services in accordance with these Directions.

Wales Eye Care Services Average Monthly Payments during the COVID-19 Pandemic

3.—(1) A Wales Eye Care Services Average Monthly Payment, calculated in accordance with paragraph 4 or 5, is payable to an accredited practitioner for the provision of Wales Eye Care Services from 17 March 2020.

(2) An accredited practitioner that provides any emergency or urgent eye care after 17 March 2020 will receive a payment of 25% of that accredited practitioner's calculated WECSAMP value, in addition to their WECSAMP.

(3) Payment of an accredited practitioner's WECSAMP will be made in monthly instalments, in arrears, on the fourteenth day of each calendar month.

Calculation of WECSAMP value for accredited practitioners with at least 3 years NHS claim history

4.—(1) An accredited practitioner who has made NHS claims for either LVSW or EHEW payments for a period of at least 3 years prior to the date of these Directions coming into force will have their WECSAMP value calculated using the NHS claims for LVSW and EHEW the accredited practitioner made for each month during the 3 financial years prior to these Directions coming into force, as follows—

- (a) the sum of the accredited practitioner's claims for both LVSW and EHEW made for each calendar month during the financial years 2017-2018 (*FYC17*), 2018-2019 (*FYC18*) and 2019-2020 (*FYC19*) divided by 36, and
- (b) the WECSAMP value calculation for the purposes of this paragraph can be expressed as—

$$\text{WECSAMP value} = (\text{FYC17} + \text{FYC18} + \text{FYC19}) \div 36.$$

Calculation of WECSAMP value for accredited practitioners with less than 3 years NHS claim history

5.—(1) An accredited practitioner who has made NHS claims for LSVW or EHEW for a period of less than 3 years prior to the date of these Directions coming into force will have their WECSAMP value calculated using the NHS claims for LVSW and EHEW in accordance with sub-paragraphs (2) to (5) as applicable.

(2) An accredited practitioner who has made NHS claims for a period in total of at least 12 months but not more than 36 months prior to these Directions coming into force, will have their WECSAMP value calculated using the NHS claims for LVSW and EHEW the accredited practitioner made for each month during the financial year 2019-2020 as follows—

- (a) the sum of the accredited practitioner's claims for LVSW and EHEW per month for the 12 months of April 2019 to March 2020 inclusive (*SMC*) divided by 12, and
- (b) the WECSAMP value calculation for the purposes of this sub-paragraph can be expressed as—

$$\text{WECSAMP value} = \text{SMC} \div 12.$$

(3) An accredited practitioner who has made NHS claims for a period in total of at least 6 months but not more than 12 months prior to these Directions coming into force, will have their WECSAMP value calculated using the NHS claims for LVSW and EHEW the accredited practitioner made for the final 6 months of the financial year 2019-2020 as follows—

- (a) the sum of the accredited practitioner's claims for LVSW and EHEW per month for the 6 months of October 2019 to March 2020 inclusive (*SMC*) divided by 6, and
- (b) the WECSAMP value calculation for the purposes of this sub-paragraph can be expressed as—

$$\text{WECSAMP value} = \text{SMC} \div 6.$$

(4) An accredited practitioner who has made NHS claims for a period in total of at least 3 but not more than 6 months prior to these Directions coming into force, will have their WECSAMP value calculated using the NHS claims for LVSW and EHEW the accredited practitioner made for the final 3 months of the financial year 2019-2020 as follows—

- (a) the sum of the accredited practitioner's claims for LSVW and EHEW per month for the 3 months of January, February and March 2020 (*SMC*) divided by 3, and
- (b) the WECSAMP value calculation for the purposes of this sub-paragraph can be expressed as—

$$\text{WECSAMP value} = \text{SMC} \div 3.$$

(5) An accredited practitioner who has made NHS claims for a period in total of less than 3 months prior to these Directions coming into force, will have their WECSAMP value calculated using the NHS claims for LVSW and EHEW the accredited practitioner made for each month during the financial year 2019-2020 as follows—

- (a) the sum of the accredited practitioner's claims for LVSW and EHEW per month (*SMC*) divided by the number of months claims for which were submitted (*NMC*), and
- (b) the WECSAMP value calculation for the purposes of this sub-paragraph can be expressed as—

$$\text{WECSAMP value} = \text{SMC} \div \text{NMC}.$$

Conditions attached to Wales Eye Care Services Average Monthly Payments

6. The WECSAMP, or any part thereof, is only payable if the accredited practitioner satisfies the following conditions—

- (a) the accredited practitioner must make available to the relevant host Local Health Board any information which the relevant host Local Health Board does not have but needs, and the accredited practitioner either has or could reasonably be expected to obtain, in order to calculate the accredited practitioner's WECSAMP,
- (b) the accredited practitioner must maintain accurate records of all Wales Eye Care Services activity undertaken, including emergency and urgent eye care, and
- (c) all information supplied by the accredited practitioner to the relevant host Local Health Board pursuant to or in accordance with this paragraph must be accurate to the accredited practitioner's best knowledge and belief.

7. If the accredited practitioner breaches any of the conditions in paragraph 6, the relevant host Local Health Board may in appropriate circumstances, withhold payment of, or any part of, a WECSAMP that is otherwise payable.

Amendment to the Eye Health Examination Service Committee (Wales) Directions 2016

8. In paragraph 5 of Schedule 1 to the Eye Health Examination Service Committee (Wales) Directions 2016—

- (a) for paragraph 5.1 substitute—

“5.1 Having carried out an eye health examination of a client, an accredited practitioner must send the record of examination (Wales Eye Care Service Form (WECS1)) to the SSP within a period of 4 weeks, beginning with the date on which the examination was completed.”, and

- (b) after paragraph 5.1 insert—

“5.1A Accredited practitioners will be reimbursed for their provision of EHEW in accordance with the National Health Service (Wales Eye Care Services payments during the COVID-19 Pandemic) (Wales) Directions 2020.”.

Amendment to the Low Vision Service Wales Committee (Wales) Directions 2016

9. In paragraph 7 of Schedule 1 to the Low Vision Service Committee (Wales) Directions 2016—

(a) for paragraph 7.1 substitute—

“7.1 Having carried out a low vision assessment of a client, an accredited practitioner must send the record of assessment to the host LHB within a period of 4 weeks, beginning with the date on which the assessment was completed.”, and

(b) after paragraph 7.1 insert—

“7.1A Accredited practitioners will be reimbursed for their provision of LVSW in accordance with the National Health Service (Wales Eye Care Services payments during the COVID-19 Pandemic) (Wales) Directions 2020.”.



Signed by Alex Slade, Deputy Director, Primary Care Division, under the authority of the Minister for Health and Social Services, one of the Welsh Ministers

Dated: 22 May 2020