1952 No. 1023

The National Health Service (Hospital Charges for Drugs and Appliances) Regulations, 1952

Made - - - -	23*rd May*, 1952
Laid before Parliament	23*rd May*, 1952
Coming into Operation	1*st June*, 1952

The Minister of Health, in exercise of his powers under section 1 of the National Health Service Act, 1952(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1. These regulations may be cited as the National Health Service (Hospital Charges for Drugs and Appliances) Regulations, 1952, and shall come into operation on the 1st day of June, 1952.

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

"drugs" includes medicines;

"hospital authority" means the Hospital Management Committee of a hospital or, as the case may be, the Board of Governors of a teaching hospital, or, in the case of a hospital not vested in the Minister of Health which provides hospital and specialist services by arrangement with a Regional Hospital Board, that Board;

"outpatient" means a patient who for the time being is not resident in a hospital;

"scheduled appliance" means an appliance specified in the schedule to these regulations;

"treatment" includes examination and diagnosis.

(2) Any reference in these regulations to the supply of an appliance shall, in its application to surgical boots and shoes, be deemed to include the repair thereof.

(3) The Interpretation Act, 1889(**b**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3.—(1) Subject to the provisions of subsection (2) of section 1 of the National Health Service Act, 1952, (which makes certain exemptions from the charges which may be imposed under that section) and to these regulations, any outpatient of a hospital providing hospital and specialist services who for the purposes of his treatment is supplied at the hospital with drugs (otherwise than for administration in the hospital) or scheduled appliances shall be liable to pay to the hospital authority the following charges:—

(*a*) the sum of one shilling in respect of the drugs supplied on any one occasion;

(*b*) such sum as is specified in the schedule hereto as being payable by the patient in respect of any scheduled appliance so supplied.

(**a**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 25. (**b**) 52 & 53 Vict. c. 63.

(2) For the purpose of this regulation drugs shall be deemed to be supplied on one occasion, notwithstanding that they are supplied at different times, if they are supplied at or following an attendance at the hospital and before a succeeding attendance for treatment is made.

4. Subject as aforesaid, any outpatient of a hospital providing hospital and specialist services who for the purpose of his treatment is provided by the hospital authority with a prescription or other form of order for the purpose of enabling him to obtain drugs or appliances from a chemist or other person supplying such goods shall be liable to pay to the chemist or other person who supplies the goods the following charges:—

(*a*) the sum of one shilling in respect of the drugs and appliances (other than scheduled appliances) supplied to him by virtue of each such prescription or form;

(*b*) such sum as is specified in the schedule hereto as being payable by the patient in respect of any scheduled appliance so supplied.

5. Where the Minister of Pensions supplies a person not resident in a hospital with a scheduled appliance under arrangements made under Part II of the National Health Service Act, 1946, such charge may be made and shall be recoverable by that Minister on behalf of the Minister of Health in respect of the supply of the said appliance as would have been recoverable by a hospital authority if that authority had supplied it to an outpatient.

6. The charges authorised by these regulations shall not be payable in respect of appliances prescribed or ordered before the date on which these regulations come into operation notwithstanding that they may be supplied on or after that date.

7.—(1) No charge shall be made under regulation 3 or 5 in respect of the supply of any drug or appliance to:—

(*a*) a person for whose needs provision is being made in national assistance grants under the National Assistance Act, 1948, and who produces his national assistance order book to the hospital authority or, as the case may be, to the Ministry of Pensions in proof thereof;

(*b*) a person who receives the drug or appliance for the treatment of a disability which has been accepted for an award by the Minister of Pensions, being a disability for the treatment of which that Minister may defray any necessary medical or surgical expenses.

(2) No charge shall be made under these regulations in respect of the supply of a scheduled appliance if it is provided by way of replacement of an appliance provided under the hospital and specialist services and replacement is necessitated by a change in the patient's condition before in the normal course of wear replacement would be required.

8. The amount payable under any agreement or arrangement, whether made before or after the coming into operation of these regulations, by a hospital authority, or by an Executive Council on behalf of a hospital authority, to any person for the supply of drugs and appliances to outpatients shall be reduced by the sum of the payments received or recoverable by him under regulation 4 in respect of drugs and appliances supplied on behalf of that hospital authority.

9. Any sum payable under these regulations to a hospital authority or any other person shall be recoverable summarily as a civil debt.

SCHEDULE

CHARGES FOR APPLIANCES

	£	s.	d.
Surgical boots or shoes, per pair (including fellow, if any)	3	0	0
Surgical abdominal supports, each	1	0	0
Elastic hosiery:			
anklets, kneecaps, leggings, thigh pieces, each		5	0
stockings, knee stockings, thigh stockings, knee leggings, thigh leggings, thigh kneecaps, each		10	0
Wigs, any type, each	2	10	0

Repairs	*Men* s.	d.	*Women* s.	d.
Surgical boots or shoes, per pair (including fellow, if any):				
Soling	8	0	6	0
Heeling	2	6	1	6
Soling and heeling	10	6	7	6
Long soling, including heeling	13	6	13	6

Given under the official seal of the Minister of Health this twenty-third day of May, nineteen hundred and fifty-two.

(L.S.)

Iain Macleod,
Minister of Health.

EXPLANATORY NOTE

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

These regulations provide for the making and recovery from hospital out-patients of a contribution towards the cost of drugs and appliances supplied to them at or through the hospital under the provisions of Part II of the National Health Service Act, 1946. By virtue of section 1 (2) of the National Health Service Act, 1952, the regulations will not apply to—

(*a*) drugs and appliances supplied to inpatients of hospitals;

(*b*) drugs supplied for the treatment of venereal disease;

(*c*) appliances supplied to children under 16 or still full time at school;

(*d*) the replacement or repair of an appliance which was defective when supplied.

The regulations themselves exempt—

(i) persons in receipt of national assistance grants;

(ii) certain persons in receipt of allowances from the Ministry of Pensions;

(iii) replacement of an appliance owing to a change in the patient's condition.