

DIRECTIONS

NATIONAL HEALTH SERVICE ACT 2006

The General Ophthalmic Services Contracts (Continuing Education and Training Allowance) Payment Directions 2010

The Secretary of State for Health gives the following Directions as to payment to be made under general ophthalmic services contracts for continuing education and training allowances in exercise of the powers conferred by sections 120 and 272(7) and (8) of the National Health Service Act 2006(a).

The Secretary of State has consulted in accordance with section 120(4) of that Act, with bodies appearing to the Secretary of State to

be representative of persons to whose remuneration these Directions relate and such other persons as the Secretary of State considers appropriate.

Citation, commencement and application

1.—(1) These Directions may be cited as the General Ophthalmic Services Contracts (Continuing Education and Training Allowance) Payment Directions 2010 and come into force on 19th July 2010.

(2) These Directions are given to Primary Care Trusts in England.

Interpretation

2. In these Directions—

“CET allowance” means an allowance for continuing education and training;

“contractor” means a party to a GOS contract other than a Primary Care Trust;

“GOS contract” means a general ophthalmic services contract within the meaning of section 117 of the National Health Service Act 2006;

“GOS Contracts Regulations” means the General Ophthalmic Services Contracts Regulations 2008(b);

“OMP” has the same meaning as in regulation 34 of the National Health Service (Performers Lists) Regulations 2004(c);

“ophthalmic performers list” has the same meaning as in regulation 2 (interpretation and modification) of the National Health Service (Performers Lists) Regulations 2004;

“ophthalmic practitioner” has the same meaning as in regulation 34 of the National Health Service (Performers Lists) Regulations 2004;

“register” has the same meaning as in regulation 34 of the National Health Service (Performers Lists) Regulations 2004;

“registered optometrist” means a person registered on the register;

“relevant Primary Care Trust” means the Primary Care Trust in whose area an ophthalmic practitioner is included on the ophthalmic performers list; and

(a) 2006 c.41.

(b) S.I. 2008/1185; there are no relevant amendments.

(c) S.I. 2004/585; relevant amending instruments are S.I. 2008/1187 and 1657 and 2010/412.

“relevant year” means the period commencing on 1st January 2009 and ending on 31st December 2009.

Payments for continuing education and training

3. A CET allowance is only payable by a Primary Care Trust to a contractor in respect of the relevant year in accordance with these Directions.

Amount of CET allowance payable

- 4.—(1) The specified amount of a CET allowance payable for the relevant year is £468.
- (2) The relevant Primary Care Trust—
- (a) must only make one payment of a CET allowance in respect of an individual ophthalmic practitioner; and
 - (b) must not make a payment in respect of an individual ophthalmic practitioner if another Primary Care Trust has made a payment in respect of that performer.

Entitlement to a CET allowance

5.—(1) A CET allowance is only payable by a relevant PCT to a contractor if the following entitlement conditions are met.

- (2) The conditions are—
- (a) the ophthalmic practitioner in respect of which the CET allowance is claimed—
 - (i) has, in the case of a registered optometrist, performed primary ophthalmic services under a GOS contract during the relevant year and undertaken continuing education and training during that year which is accepted by the General Optical Council as earning points for the purposes of continuing education and training to enable that optometrist to maintain registration; or
 - (ii) has, in the case of an OMP, performed primary ophthalmic services under a GOS contract during the relevant year and has had no other remunerated medical employment other than medical or optical activity performed during that year under a GOS contract and has undertaken continuing education and training during that year;
 - (b) the name of the ophthalmic practitioner in respect of which the CET allowance is claimed has been included in an ophthalmic performers list for a period of at least six months during the relevant year; and
 - (c) a claim for a CET allowance is made in accordance with direction 6.

Claim and Payment arrangements

- 6.—(1) Payment under these Directions is only payable—
- (a) if a claim is made in writing on the claim form approved by the Secretary of State^(a); and
 - (b) the claim form is received by the relevant Primary Care Trust no earlier than 1st August 2010 and no later than 30th November 2010.

(2) Where an ophthalmic practitioner in respect of which a CET allowance is payable is employed by two or more contractors, the relevant Primary Care Trust must pay the CET allowance to the contractor which that ophthalmic practitioner nominated by way of declaration on the claim form.

14 July 2010

David Lye
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(a) A claim form is available for downloading from the Department of Health website www.dh.gov.uk. Gateway 14533