



OPHTHALMIC LISTING (Northern Ireland)

GUIDANCE ON THE STATUTORY REQUIREMENTS FOR GENERAL OPHTHALMIC SERVICES CONTRACTORS

Context

The aim of this document is to provide guidance to General Ophthalmic Services (GOS) contractors on their responsibilities for the provision of GOS, both provided by themselves and by all other practitioners within their practice, as required by the General Ophthalmic Services Regulations and Terms of Service. GOS contractors are also referred to as GOS providers. This guidance and information is not a substitution for the 'Health and Personal Social Services - General Ophthalmic Services Regulations (Northern Ireland) 2007'. As a General Ophthalmic Services (GOS) contractor you are mandated to comply with all current Regulations. A copy of the 2007 GOS Regulations is enclosed with this guidance. Please be advised that the Regulations were consolidated in 2007 but that several amendments have been made to these since then. For details of the 2007 Regulations and the amendments (to date) please refer to the website links cited on the last page of this guidance document.

In addition to the GOS Regulations you should also be aware that updated disciplinary procedures regulations have recently been made. The Health and Social Care (Disciplinary Procedures) Regulations (Northern Ireland) 2014 came into operation on 24th November 2014. These Regulations outline disciplinary procedures for GOS and other contactors.

When amendments are made to the GOS Regulations, the Health and Social Care Board work with the Business Services Organisation to disseminate this information via a Memorandum of Ophthalmic Services (MOS). As a listed provider of GOS it is essential that you read, implement and disseminate all MOS within your optometry practice. Assurances that you have read, implemented and disseminated all MOS and guidance are sought on an annual basis through practice quality assurance (QA) returns.

The following information details SOME of the main points for you as a GOS contractor which require your attention on an ‘ongoing’ basis, that is to say, issues which may affect your provision of GOS within your practice on a daily and weekly basis. Other aspects of the Regulations may not require actions on a ‘frequent’ basis but you are advised that they are of equal importance and significance for you as a GOS contractor and you should have a comprehensive and working knowledge of the Regulations in order that you can comply with your statutory (legal) obligations as a GOS contractor.

Please ensure that you read the enclosed Regulations and this guidance in full. If you have any questions arising please contact one of the HSCB Optometric Clinical Advisers.

Background

In mid-late 2014 the Health and Social Care Board initiated a review of all Providers of General Ophthalmic Services. From a **statutory** (legal) perspective the review was necessary to:

- Collate up to date and valid information on the business status of those providing General Ophthalmic Services
- Ensure that all optometry practices fulfil the requirements for ophthalmic listing aligned to the current General Ophthalmic Services Regulations
- Provide a robust framework for the Health and Social Care Board to engage with General Ophthalmic Services contractors

In addition to the statutory aspects of ophthalmic listing the Health and Social Care Board must also consider any future developments in the delivery of ophthalmic services in Northern Ireland. “Developing Eyecare Partnerships, Improving the commissioning and Provision of Eyecare Services in Northern Ireland” requires the Health and Social Care Board to investigate and analyse the options for enhanced ophthalmic listing (e.g. shared care schemes). The evolving nature of ophthalmic service provision necessitates assurance that appropriate governance and statutory frameworks are in place to allow safe and effective commissioning and delivery of eyecare services.

Current Information

Thank you for providing the Health and Social Care Board with recent information relating to ophthalmic listing for your practice.

This information has been collated into a single information source on the provision of General Ophthalmic Services in Northern Ireland. Each local office of the Health and Social Care Board now has the necessary current and statutory information on GOS contractors in their respective areas. Administrative and Clinical staff within the Directorate of Integrated Care will continue to engage with you and your practice staff in all matters relating to GOS provision.

Regulatory Requirements (purpose and relevance of this guidance)

As detailed in the 'Health and Personal Social Services - General Ophthalmic Services Regulations (Northern Ireland) 2007', as a GOS contractor you are required to fulfil many requirements for GOS provision. The following points are a high level overview of some of the mandatory (legally required) aspects of GOS provision but are not a substitute or, replacement for the current GOS Regulations.

The current GOS Regulations have four main parts:

1. Arrangement of Regulations
2. Schedule 1 – Terms of Service
3. Schedule 2 – Constitution of Ophthalmic Committee
4. Schedule 3 – Regulations Revoked

The Arrangement of Regulations and the Terms of Service are of practical importance to you as a GOS contractor as they detail the 'working' arrangements and obligations for GOS provision. Schedule 2 is of relevance in that the Ophthalmic Committee is representative of GOS providers throughout Northern Ireland. Schedule 3 outlines the Regulations which have been considered and revoked in the drafting of any current Regulations.

This guidance will address each part of the current GOS Regulations in turn citing examples of Regulations and how they impact on your provision of GOS.

1. Arrangement of Regulations

This part of the GOS Regulations details the practical issues relating to GOS provision, for example; approval of OMP qualifications, the information required in order to be listed, withdrawal and removal from the ophthalmic list, appeals, the 'Statement', eligibility, sight test applications, payments, publications and servicing of documents. This information is crucial and central to your provision of GOS.

- a) Regulation 8 (3) (parts a-d) and Regulation 9 - These Regulations provide details on the information required, from you as a contractor, for ophthalmic listing and in addition your ongoing obligations in relation to GOS provision including mobile eye service provision.

For example only:

Regulation 8 (3) states:

(a) the names of persons who are entitled to be included in it and in relation to each person—

(i) his professional registration number; and

(ii) the date that his name was included in the ophthalmic list;

(b) except in the case of a mobile practice, the addresses of any places in the Board's area at which they have undertaken to provide general ophthalmic services, other than mobile services;

(c) particulars of the days on which and hours between which general ophthalmic services will normally be available at those addresses;

(d) the names of every other ophthalmic medical practitioner or optician who is regularly engaged as a deputy, director or employee in assisting in the provision of general ophthalmic services at any of those addresses or in the provision of mobile services.

(e) if the contractor has made arrangements with the Board to provide mobile services—

(i) that fact,

(ii) the address of any location visited regularly, with particulars of the months in which visits are planned to take place and the planned interval between such visits, and

(iii) if that contractor is a mobile practice, that fact and the addresses to which correspondence in connection with such provision may be sent.

Regulation 9 (2) states:

“A contractor shall within fourteen days of any change or addition affecting the entries which the ophthalmic list is required to contain in relation to him notify the Board accordingly.”

From this example extracted from the GOS Regulations you will note that you are required to advise the Health and Social Care Board of any **changes to the details you have recently provided in** relation to your listing within 14 days. ***This is important as it means that if there are; changes to your GOC registration, the days and hours of GOS provision or, the names of optometrists and OMPs who deliver GOS in your practice you must notify the Health and Social Care Board. This also includes practice closure, change of ownership, or withdrawal of service provision.***



[Process for Notification of changes to listing details](#)

Notification of any changes to your ophthalmic listing status is facilitated by the use of the following HSC Optometry secure web portal to BSO.

<http://sharepoint.hscni.net/sites/fpsoptometry/SitePages/Home.aspx>
(click here)

When you are connected to the HSC Optometry landing page on the web portal please click on the ‘Ophthalmic Listing’ notifications icon and enter all relevant details pertinent to your ophthalmic listing status.

If your practice does not have connectivity to the BSO and the HSC Optometry page i.e. if you do not yet use the Ophthalmic Claim System (OCS), you can use a hard copy notification proforma (sample enclosed) or download or, use the writeable PDF version of the form, which is hosted on the BSO website at:

<http://www.hscbusiness.hscni.net/services/2561.htm> (Ophthalmic Listing page). If you are choosing the option of notification by hard copy please either post or, scan and email, the notification to:

Mrs Karen Lee, Ophthalmic Services Professional Support, Business Services Organisation, 2 Franklin Street, Belfast BT2 8BS.

karen.lee@hscni.net

- b) Regulation 17(4) - When considering applications for sight testing, the GOS Regulations require you undertake checking of GOS eligibility and specifics in regard to completion of an application for a sight test.

For example only:

Regulation 17 (4) states:

“A contractor to whom an application for a testing of sight is made shall, before making any test of the person’s sight—

(a) subject to paragraph (5) —

(i) satisfy himself that the person is an eligible person by asking for satisfactory evidence of entitlement, unless the contractor, in cases other than where the patient is a person specified in regulation 16(1)(d), already has satisfactory evidence of it available to him; and

(ii) where the patient has been asked for but not produced satisfactory evidence that he is an eligible person, then the contractor shall record the fact on the patient’s sight test form;

(b) ensure that particulars of the patient and the approximate date of the last testing, if any, of his sight are inserted in a sight test form by the patient or on his behalf; and

(c) satisfy himself that the testing of sight is necessary.”

Taking the above into account as a GOS contractor you are required to ensure that you have the procedures in place to fulfil this statutory requirement. This statutory requirement has implications in respect of GOS claim form completion and as the listed GOS contractor you must bear this in mind.

2. Schedule 1 – Terms of Service

This part of the GOS Regulations is detailed and covers many aspects of the day to day provision of GOS. However other more overarching responsibilities are also detailed in the Terms of Service. It is essential that you, as a contractor listed to provide GOS, have a full and comprehensive working knowledge of the Terms of Service.

- Examples of statutory responsibilities in the Terms of Service which impact on everyday GOS provision are:

Mobile Eye Service Provision – Paragraph 4 states the requirements in respect of requests for sight test provision and notifications

Premises and Equipment – Paragraph 5 provides details on requirements in regard to premises and equipment

Records – Paragraph 7 states the responsibilities of GOS providers in relation to records

Payments – Paragraph 13 provides details on the requirements in respect of claims for GOS provision

Testing of Sight – Paragraph 14 provides details on the requirements for testing of sight including outcomes of sight testing

- Examples of significant statutory responsibilities in the Terms of Service which are more overarching include:

Deputies and Employees – Paragraphs 8 and 9 state that as the listed GOS provider you are “responsible for all acts and omissions.....” of deputies and employees

Complaints – Paragraph 10 states your obligations in relation to complaints

Co-Operation with Investigations – Paragraph 11 details the requirements in respect of investigations (complaints or otherwise)

Use of disqualified name and Telephone Services – Paragraphs 15 and 16 outline these requirements.

3. Schedule 2 – Constitution of the Ophthalmic Committee

This part of the GOS Regulations provides information on the Ophthalmic Committee, the statutory committee of the Business Services Organisation. This committee affords listed GOS contractors the opportunity to have representation within Health and Social Care in Northern Ireland. The Ophthalmic Committee meets approximately 3-4 times per year and its members are representative of optometrists, OMPs and registered dispensing opticians from across NI who are GOS contractors themselves. If you wish to have further information on the Ophthalmic Committee and your representatives who sit on it, please contact one of the HSCB Optometric Clinical Advisers.

Although this part of the GOS Regulations does not directly impact on your ability to provide GOS it is important that you are aware of the Ophthalmic Committee and its role and purpose.

4. Schedule 3 – Regulations Revoked

This part of the GOS Regulations details the legislation which has been considered and revoked in the preparation of the current Regulations. When amendments are made to the GOS Regulations the legal advisers and advisory staff in the Department of Health Social Services and Public Safety (DHSSPS) examine in detail the legislation which needs to be revoked in order to implement any amendment.

Further Information

The following web links will direct you to the 2007 Regulations and subsequent amendments (to date).

<http://www.legislation.gov.uk/nisr/2007/436/contents/made> or [\(click here\)](#)

<http://www.legislation.gov.uk/nisr/2009/16/contents/made?text=general%20ophthalmic%20services%202009#match-1> or [\(click here\)](#)

<http://www.legislation.gov.uk/nisr/2009/152/contents/made?text=general%20ophthalmic%20services%202009#match-1> or [\(click here\)](#)

<http://www.legislation.gov.uk/nisr/2014/2/contents/made?text=general%20ophthalmic%20services%202009#match-1> or [\(click here\)](#)