

HEALTH AND SOCIAL SERVICES PORTFOLIO
SUBORDINATE LEGISLATION PROGRAMME 2003/04

HSS(2)-11-04(p.5a)
HEALTH AND SOCIAL CARE

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2004

	NAME/WORKING TITLE	PURPOSE	PROJECTED MONTH LEGISLATION TO BE MADE	1. STANDING ORDER 2. PROCEDURE – STANDARD OR EXECUTIVE 3. WALES / UK OR EUROPE
HSS 1(03)	NHS (England and Wales) (National Blood Authority) (Establishment and Constitution) (Amendment) Order 2003	Establishing the National Blood Authority	Not Known – This has been deferred until the outcome of the Dept. of Health Arms Length Body Review has been published.	1. SO 25 2. Standard 3. England and Wales
HSS 9(03)	Carmarthenshire, Ceredigion and Mid Wales and North Glamorgan NHS Trusts Amendment Orders (Identified for further consideration 16/07/03)	To increase the number of Non-Executive Directors for these NHS Trusts by one additional member to bring the Establishment Orders into line with the number of Non-Executive Directors on the Trust Boards	December 2004	1. SO 24 2. Standard 3. Wales
HSS 10 (03)	NHS (Local Pharmaceutical Schemes) (Wales) Regs 2003 (Identified for further consideration 08/10/03)	To enable a Local Health Board to negotiate different local arrangements for the provision of community pharmacy services, outside the restrictions of the existing legal framework in part II of the NHS Act following the agreement of the New Pharmacy Contract	December 04 (may be subject to change)	1. SO 24 2. Standard 3. Wales (Regulations already made in England)

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HSS 12 (03)	National Minimum Standards for Adult placements schemes 2003 (considered by committee on 3.3.04)	To introduce national minimum standards for adult placement schemes	July 2004 signed 7 July Came into force 1 August 2004	1. SO 29 2. Standard 3. Wales
HSS 17 (03)	The Childminding and Day Care (Suspension of Registration) (Wales) Regulations 2004 (Identified for further consideration 08/10/03)	To enable the Inspectorate to suspend the registration of childcare setting pending an investigation, as an alternative to immediate cancellation	December 2004	1. SO 24 2. Standard 3. Wales
HSS 20 (03)	Childcare in Schools (Wales) Regulations 2004 (Identified for further consideration 08/10/03)	To make provision for the registration and inspection of childcare provided by the governing bodies of schools	November 2004	1. SO 24 2. Standard 3. Wales
HSS 24 (03)	The Children (Performances) (Amendments) (Wales) Regulations 2004	To remove current limits on the number of performances a child may undertake each year in film, TV or theatre; and to make some other aspects of regulation of such performances less restrictive.	June 2005 (deferred to allow prior consideration of Clwyd Report recommendations)	1. SO 24 2. Standard 3. Wales
HSS 25 (03)	Private and Voluntary Healthcare (Amendment) (Wales) Regulations 2004	Brings into force powers to lay down National Minimum Standards for Independent Medical Agencies	Not known as soon as possible	1. SO 24 2.
HSS 26 (03)	Independent Medical Agencies National Minimum Standards	Lays down the National Minimum Standards for Independent Medical Agencies	Not known as soon as possible	1. SO 29 2. 3.

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HSS 28 (03)	Small Care Homes for Younger Adults National Minimum Standards (Identified for further consideration 08/10/03)	Lays down the National Minimum Standards for Small Care Homes for younger adults	January 2005	1. SO 29 2. Standard 3. Wales
HSS 35 (03)	New Pharmacy Contract (Identified for further consideration 08/10/03)	Major change to the pharmacy contract, subject to agreement with the professionals. Agreement on the New Pharmacy contract will be made in October 2004 with an estimated staged introduction in England from January 2005	December 2004/January 2005	1. SO24/SO 22 2. Standard/Executive 3. UK
HSS 36 (03)	Changes to Pharmaceutical Services Regs	Changes regarding control of entry rules around controlled areas. The First Minister agreed (29 th June 2004) to consult stakeholders on proposals to make regulatory changes to streamline the "Control of Entry" process (i.e. consideration of applications from pharmacies and the related appeals system) and to inform stakeholders that criteria will be developed to help determine that applications meet the requires "Essential Services" to be specified under the new pharmacy contractual framework which is currently being negotiated.	December 2004/January 2005 (This date may be subject to change)	1. SO24/SO22 2. Standard/Executive 3. UK
HSS 37 (03)	Tamiflu	Schedule 11 of the General Medical Services Regulations. This date may be subject to change, are	December 2004 (This date may be subject to	1. SO24 2. Standard 3. UK

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		keeping step with England	change, are keeping step with England)	
HSS 38 (03)	Appliance Contractors (changes to the contract) Pharmaceutical Services Regulations	Amendments to the appliance contractors contract and reduce opportunities for fraud and abuse. This is to be linked to the introduction of the New Pharmacy Contract	December 2004/January 2005	1. SO24/SO 22 2. Standard/Executive 3. UK
HSS 42 (03)	The Care Council for Wales (Specification of Social Care Workers) (Registration) Order 2004	To effect the roll out of registration of social care workers This order will have the effect of requiring the Care Council for Wales to maintain a register of social care workers as specified. The order does not confer any functions on the Assembly	November 2004	1. SO24 2. Standard 3. Wales
HSS 44 (03)	Health Professions Order Consequential Amendments	Amendments required to NHS (Professions Supplementary to Medicine) Reg 1974 and NHS (Speech Therapists) Reg 1974.	Not Known awaiting advice	1. SO24 2. Standard 3. UK
HSS 46 (03)	(Adoption) Independent Review of Determinations (Adoptions) (Wales) Regulations 2004 (Considered by Committee on 23/06/04)	To establish a mechanism for the independent review of determinations by adoption panels on assessment of adopters.	November 2004	1. SO24 2. Standard 3. Wales
HSS 48	The Healthy Start Scheme and Welfare Food	Regulation to specify the range of foods covered by the Healthy Start Scheme in	October 2005	1.

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(03)	(Amendment) Regulations 2005	Wales.		
HSS 54 (03)	National Health Service (Charges for Drugs and Appliances) (Amendment) (Wales) Regulations 2003	Amendments required to reduce prescription charges to £5 and introduce free wigs and fabric supports for people aged under 25 years	July 2004 (CIF October 2004) This has been made and is effective from 1/10/04	1. SO24 2. Standard 3. Wales
HSS 57 (03)	The Disqualification from caring for children (Wales) regulations	Amendment to the automatic disqualification criteria and to provide for the power of waiver for CSIW if applicants for registration as childminders or day care providers would otherwise be automatically disqualified	Possibly December 2004	1. S024 2. Standard 3. Wales
HSS 07 (04)	Access to Information (Pre Commencement Adoptions) (Wales) Regulations 2004	Regulations covering access and disclosure of information about adoption made before commencement of these regulations (Sept 2005?)	January/February 2005	1. S024 2. Standard 3. Wales
HSS 08 (04)	Special Guardianship (Wales) Regulations 2004 (Identified for consideration 14.1.04)	Regulations establishing special guardianships and support services	November 2004	1. S024 2. Standard Wales
HSS 09 (04)	Adoption Support Agencies Regulations 2004	Regulations concerning the operation and registration of adoption support agencies	November 2004	1. S025 section 1 2. Standard 3. England and Wales
HSS 10	Adoption Support Services (Local Authorities) (Wales)	Regulations to extend the scope and coverage of adoption support services	November 2004	1. S024 2. Standard

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(04)	Regulations 2004			3. Wales
HSS 11 (04)	Adopted Children and Adoption Contact Registers Regulations 2004—Order on Council	Order in Council made by the Secretary of State for Education and Skills, to establish the Adoption and Children Act Register . If the Order applies to Wales a draft must be laid before and approved by resolution of the Assembly	To be confirmed	1. S026 2. Standard 3. England and Wales
HSS 12 (04)	Local Authority Adoption Plans (Wales) Regulations 2004	Regulations to prescribe the content for local authority adoption plans and the method of publication and review	Action suspended	
HSS 13 (04)	Adoption Agencies Fees (Wales) Regulations 2004	Regulations prescribing the fees that may be charged by adoption agencies	November 2004	1. S024 2. Standard 3. Wales
HSS 14 (04)	Independent Review of Determinations (Phase 2) (Wales) Regulations	Regulations establishing independent reviews of adoption panel determinations in respect of the disclosure of protected information	Action Suspended	

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HSS 17 (04)	The Health and Social Care Act 2001 (Commencement No 7) (Wales) Order 2004	Commences the available powers in the Health and Social Care Act 2001 to enable the further developments of the direct payments scheme	Coming into force 1 November 2004	1. SO 22 2. Standard 3. Wales
HSS 18 (04)	Care Standards Act 2000 (Commencement No ...20.) Order 2004	To commence the provisions of Part VII of the CSA 2000 to establish a joint England/Wales list of people who are considered unsuitable to work with vulnerable adults; to require employers of staff working vulnerable adults to refer to this list the names of people they have reason to believe have caused harm to vulnerable adults; to require employers to ensure that potential recruits and in some cases existing employees, are checked against this list and to refuse employment to anyone whose name is on the list; and to give individuals a right of appeal against decisions made to include their names on the list. There are no devolved responsibilities for the National Assembly for Wales, the list will be maintained on a joint England/Wales basis by the Secretary of State for Health.	Signed 6 July 2004 Came into force 26 July 2004	1. SO 25 2. Standard 3. England/Wales
HSS 27 (04)	The Social Services Complaints Procedures (Wales) Regulations 2005	To provide a statutory framework for local authority social services complaints, using the Assembly's new powers in the Health and Social Care (Community Health and	January 2005	1. SO24 2. Standard 3. Wales

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		Standards) Act 2003		
HSS 28 (04)	The National Health Service Complaints Procedure (Wales) Regulations 2005	To give a statutory basis to the new NHS complaints procedure introduced on 1 st April 2003 presently contained in the Directions to the NHS	1 st April 2005 – now likely to be October 2005 – timetable under review	1. SO 24 2. Standard 3. Wales
HSS 33 (04)	The Care Standards Act 2000 (Commencement No 14) (Wales) Order 2004	To bring into force sections 8,9 (2) and (3) 10(2) to (7), 11 to 15, 17 to 21,24,26 to 32,36 and 37 of the Care Standards Act 2000 for the purposes of regulations made under Section 42 of the Care Standards Act 2000.	Signed 6 July 2004 Came into force 7 July 2004	1. SO24 2. Standard 3. Wales
HSS 35 (04)	Amendment to Community Health Councils (WALES) Regulations 2005	To amend the existing regulations to deal with membership and complaints procedure for CHCs	1 st April 2005	1. SO24 2. Accelerated 3. Wales
HSS 36 (04)	The Water Act 2003 (Commencement No3) (Wales) Order 2005 Identified for consideration on 23.6.04	To bring into force section 58 of the Water Act for the purpose of introducing water fluoridation consultation regulations in Wales.	Not Known	1. SO 24 2. Anticipated Standard 3. Wales
HSS 37 (04)	The Water Fluoridation (Wales Consultation) Regulations 2005 Identified for consideration on 23.6.04	To introduce regulations governing consultation arrangements for any water fluoridation scheme(s) that might be introduced in Wales	1 April 2005 (provisional timing)	1. SO 24 2. Anticipated Standard (with debate) 3. Wales
HSS 38 (04)	The National Health Service (Charges for drugs and Appliances) Regulations	To change the calculation of the requirements for someone over 60 in line with changes that were made in England	As soon as possible	1. SO24 2. Accelerated 3. Wales

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HSS 39 (04)	The National Health Service (Pharmaceutical Services) Regulations Identified for consideration on 23.6.04	Original pack dispensing	April 2005	1. SO 24 2. Standard 3. Wales
HSS 40 (04)	The National Health Service (Travelling Expenses and Remission of Charges) Regulations 2005	To update the income allowances (required as part of the non-devolved tax credit system) for people eligible for help with health costs in line with England	April 2005	1. SO 24 2. Standard 3. Wales
HSS 41 (04)	The National Assistance (Assessment of Resources)	To allow for a disregard of student childcare grants and the one off age related payment to pensioners over 70 in the residential care charging assessment.	November 2004	1. SO 22 2. Standard 3. Wales
NEW ADDITIONS				
HSS 42 (04)	The Care Standards Act 2000 (Commencement No.21) Order 2005	An England and Wales order to bring into force, section 61 of the Care Standards Act 2000 which provides for the protection of the title "social worker" by the creation of an offence, punishable by a fine of up to level 5 on the standard scale, for a person who is not registered as a social worker to use that title or hold himself out as a registered social worker with an intention to deceive.	March 2005	1. SO 24 2. Standard 3. England and Wales
HSS 43 (04)	Regulations associated with the above order	To prescribe the registers of social workers maintained by Scotland and Northern Ireland which correspond to the registers maintained by the General Social Care Council and the Care Council for Wales. For the purpose of the Order.	March 2005	1. SO 25 2. Standard 3. England and Wales

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HSS 44 (04)	The Health and Social Care (Community Health and Standards) Act 2003 (Healthcare Inspections) (Wales) Regulations 2005	Regulations prescribing persons to provide the Assembly with explanations of any documents or, records, provided or any related matters in connection with inspections, reviews and investigations into the provision of health care in Wales	To be confirmed	1. SO 24 2. Standard 3. Wales
HSS 45 (04)	Proposed Primary care (charges to overseas visitors) Regulations 2005	To change and clarify the rules of eligibility of overseas visitor to receive free primary medical services	Not known – no timetable as yet – just about to go out to consultation	1. SO 24 2. Anticipated Standard 3. Wales
HSS 46 (04)	Access to Information (Post-Commencement Adoptions) (Wales) Regulations 2004	Regulations covering access and disclosure of information about adoptions made after commencement of these regulations (Sept 2005?)	January/February 2005	1. SO 24 2. Standard 3. Wales
HSS 47 (04)	Adoption Agencies (Wales) Regulations 2004	Regulations concerning the functions and duties of adoption agencies in Wales, both local authority and voluntary agencies	November 2004	1. SO 24 2. Standard 3. Wales
HSS 48 (04)	Adoption and Children Act 2002 (Commencement No7) Order 2004	To bring into force the vast majority of the remainder of the Act for England only, and England and Wales jointly	November 2004	1. SO 24 2. Standard 3. England and Wales
HSS 49 (04)	Adoption and Children Act 2002 (Commencement No 8) (Wales) Order 2004	To bring into force those parts of the Act not yet commenced relating to Wales that must be commenced by Wales alone.	November 2004	1. SO 24 2. Standard 3. Wales
HSS 50 (04)	The National Health Service (Performers Lists) (Wales) (Amendment) Regulations	To simplify the performer list application process for GPs currently listed on a Primary Care Organisation List	December 2004	1. SO 24 2. Standard 3. Wales

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	2004			
HSS 51 (04)	The Carers (Equal Opportunities) Act 2004 (Commencement) (Wales) Order 2005	To commence the available powers of the Carers (Equal Opportunities) Act 2004	Coming into force 1 April 2005	1. SO 24 2. Standard 3. Wales
HSS 52 (04)	The National Health Service (Primary Medical Services) (Miscellaneous Amendments) Regulations 2004	Amendments to the GMS Contract Regulations and the GMS Transitional and Consequential Order	Possibly December 2004	1. SO 24 2. Standard 3. Wales
HSS 53 (04)	NHS (Charges for Drugs and Appliances) (Wales) Regulations 2001	Amendments required to (1) introduce the second reduction in prescription charges; (2) Provide exemption for the provision of oxygen	Possibly February 2005/March 2005	1. SO 24 2. Standard 3. Wales