



STATUTORY INSTRUMENTS.

S.I. No. 578 of 2009

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 9) (TREATMENT BENEFIT)
REGULATIONS 2009

(Prn. A9/1922)

S.I. No. 578 of 2009

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND CONTROL) (AMENDMENT) (NO. 9) (TREATMENT BENEFIT) REGULATIONS 2009

The Minister for Social and Family Affairs, in exercise of the powers conferred on her by sections 4 (as amended by section 17 and Schedule 3 of the Social Welfare Law Reform and Pensions Act 2006 (No. 5 of 2006)) and 138 of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), hereby makes the following Regulations:

Citation and construction.

1. (1) These Regulations may be cited as the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 9) (Treatment Benefit) Regulations 2009.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007) shall be construed together as one and may be cited as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2009.

Definitions.

2. In these Regulations “the Principal Regulations” means the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007).

Treatment Benefit.

3. The Principal Regulations are amended—

(a) in article 91 by:

(i) deleting the definitions of “afocal goggles”, “afocal sunglasses”, “ready made reading spectacles” and “spectacles”;

(ii) substituting the following definition for the definition of “dental treatment”—

“‘dental treatment’ means the carrying out of a dental examination by a dentist;”

(iii) deleting the definition of “dispensing optician”;

(iv) inserting the following definition for “medical appliances benefit”—

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 5th January, 2010.

“‘medical appliances benefit’ means the provision of contact lens supplied for medical reason and hearing aids;”

(v) inserting the following definition for “optical treatment”—

“‘optical treatment’ means the carrying out of an optical examination by an ophthalmologist or an optometrist;”

(vi) deleting the definition of “Register of Dispensing Opticians in Ireland”;

(vii) substituting the following definition for the definition of “treatment benefit”—

“‘treatment benefit’ means dental treatment, optical treatment and medical appliances benefit.”,

(b) by substituting the following article for article 92—

“92. The treatment benefit to be provided under section 138 shall be—

(a) dental treatment,

(b) optical treatment, and

(c) medical appliances benefit;”,

(c) by substituting the following article for article 101—

“101. Subject to article 94, a claimant to whom article 87 of the Regulations of 1996 applies shall be entitled to medical appliances benefit and to no other treatment benefit.”,

(d) in article 106 by substituting the following paragraph for paragraph (b)—

“(b) ophthalmologist or optometrists for the purposes of optical benefit and medical appliance benefit, and”, and

(e) by revoking articles 107 and 113.

4. The amendments effected by these regulations—

(a) shall apply to any treatment or benefit approved on or after 1 January 2010,

(b) shall not apply to any treatment or benefit approved on or before 31 December 2009.



GIVEN under the Official Seal of the Minister for Social and Family
Affairs,
30 December 2009

MARY HANAFIN,
Minister for Social and Family Affairs.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These regulations amend the definitions of dental benefit and treatment benefit in the light of a reduction in the range of treatments covered under the Treatment Benefit Scheme announced in the budget statement of 9 December 2009. These changes will apply in the case of all new claims made after 1 January 2010.

Claimants whose benefit or treatment has been approved on or before 31 December 2009 will continue to be entitled to receive treatment benefit under the previous arrangements.

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