

LINCOLNSHIRE MENTAL HEALTH ACT SECTION 117 AFTERCARE STATUTORY SERVICES AND PRESCRIPTION CHARGES

What are Statutory Services

The term Statutory services relates to those services that are provided by the NHS and Local Authority free of charge, in relation to the mental health and Learning disability service, these services in respect of the Mental Health Act section 117 aftercare could include access to (this is not an exhaustive list) Consultant Psychiatrist, Clinical Psychologist, Occupational Therapist, and other services provided and funded within the remit of Lincolnshire Partnership Foundation Trust, and some community services for example the Community Psychiatric Nurse, Crisis Team, Social Workers also from Lincolnshire Partnership Foundation Trust, Social Workers from Adult Social Care in Lincolnshire who have a duty to assess and meet unmet needs, and registered nurses and healthcare workers from NHS Lincolnshire Integrated Care Board for care co-ordination. (These services are already funded by the Integrated Care Board or the Local Authority).

Services that are not statutory services

The Local Authority and NHS Integrated Care Boards for individuals eligible for Mental Health Act Section 117 aftercare, fund non statutory care for example care homes with or without nursing, private providers of care in the community, the provision of Direct Payments and Personal Health budgets and other needs that are not funded through statutory services where a need has been assessed and requires funding to meet that need.

Access to NHS services is based on clinical need, not an individual's ability to pay

This principle states unequivocally that NHS services should be free at the point of use, except where charges are expressly provided for in legislation (for example, prescription charging and dentistry). Any decision to introduce new charges would need to be sanctioned by Parliament.

Individuals have the right to receive NHS services free of charge, apart from certain limited exceptions sanctioned by Parliament.'

NHS services are generally provided free of charge. This includes access to local services like your GP, hospital or clinic, or health improvement services provided by your local authority, so you do not have to worry about payment.

Dental, Ophthalmic and prescription services are chargeable the legislation in the 2006 NHS Act enables the making and recovery of charges for these services.

S117 does not automatically entitle individuals to free prescriptions unless they are in an exemption category or hold a valid medical exemption certificate (MedEx). Mental disorders are not included in the list of medical conditions.

However, The National Health Service (Charges for Drugs and Appliances) Amendment Regulations 2008 amended the 2000 Regulations so that individuals who are subject to a Community Treatment Order will not be charged for medication if it is supplied to them by a CCG, Trust or a Patient Group Directive. Individuals who are not subject to a CTO but who are receiving medication from a trust will not be charged for the prescription.

Further information can be sought from an appropriate pharmacist.