

Access to Mental Health Services Bill

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TO

Provide for establishing maximum waiting times and establishing standards for access to evidence-based psychological therapies for those with mental health problems; and for connected purposes;

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Waiting times

The Secretary of State must by regulations made pursuant to section 6E (regulations as to the exercise of functions by the Board or clinical commissioning groups) of the National Health Service Act 2006 provide for the term “treatment” in Part 9 of the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012 (S.I. 2012/2996) to be amended to include psychological therapies. 5

2 Duty to make arrangements to provide an appointment with a specialist for those patients urgently referred for treatment for mental health conditions 10

(1) The Secretary of State must by regulations made pursuant to section 6E (regulations as to the exercise of functions by the Board or clinical commissioning groups) of the National Health Service Act 2006 amend Part 9 of the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012 (S.I. 2012/2996) to provide for a duty to make arrangements to provide an appointment with a specialist for those patients urgently referred for treatment for mental health conditions. 15

(2) The duty referred to in subsection (1) must include a requirement that at the end of each data collection period, treatment for the urgently referred mental health condition has commenced within the period of 28 days beginning with the start date in not less than 93% of cases where that treatment is provided in that data collection period. 20

(3) The Secretary of State may within the amendment provided for in subsection (1) above specify the mental health conditions to which the duty shall apply.

(4) The Secretary of State may within the amendment provided for in subsection (1) above provide for a duty to offer an alternative provider for treatment for mental health conditions where the period of time specified in subsection (2) above has not or will not be met.

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3 Eligible referrers

The Secretary of State must by regulations made pursuant to section 6E (regulations as to the exercise of functions by the Board or clinical commissioning groups) of the National Health Service Act 2006 provide for the term “eligible referrer” in Part 9 of the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012 (S.I. 2012/2996) to be amended to include a psychologist, community psychiatric nurse or social worker.

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4 Access to psychological therapies

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The Secretary of State must by regulations made pursuant to section 237 (Standing Rules: Waiting Times) of the Health and Social Care Act 2012 provide for the term “health technology” in regulation 2 of the National Institute for Health and Care Excellence (Constitution and Functions) and the Health and Social Care Information Centre (Functions) Regulations 2013 (S.I. 2013/259) to be amended to include psychological therapies.

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5 Orders and regulations

(1) Any power to make an order or regulations under this Act is exercisable by statutory instrument.

(2) A statutory instrument containing an order or regulations under this Act may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

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6 Interpretation

(1) In this Act “evidence-based psychological therapies” means such psychological therapies as the Secretary of State may by order define.

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(2) The Secretary of State must in consultation with the National Institute for Health and Care Excellence keep and maintain a list of providers of evidence-based psychological therapies.

7 Financial provision

There is to be paid out of money provided by Parliament –

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(a) *any expenditure incurred under or by virtue of this Act by the Secretary of State, and*

(b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*

8 Short title, commencement and extent

- (1) This Act may be cited as the Access to Mental Health Services Act 2014.
- (2) This Act comes into force at the end of the period of two months beginning with the day on which it is passed.
- (3) This Act extends to England and Wales only.

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To provide for establishing maximum waiting times and establishing standards for access to evidence-based psychological therapies for those with mental health problems; and for connected purposes;

*Ordered to be brought in by Mr Michael Thornton,
Stephen Gilbert, Simon Wright,
Sir Andrew Stunell, Sir Bob Russell,
Annette Brooke, Sarah Teather,
Steve Brine, Dr Alan Whitehead,
Ian Swales and Paul Burstow.*

*Ordered, by The House of Commons,
to be Printed, 10 September 2013.*

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