

## **REGULATORY APPRAISAL**

### **THE CARE HOMES (WALES) (AMENDMENT) REGULATIONS 2004**

#### **Purpose and intended effect of the measure**

1. These regulations will remove the term “speech therapist” from the text contained within Regulation 2(1) of the Care Homes (Wales) Regulations 2002 to define a “health professional”. This change is necessary because speech therapists are now part of the profession of speech and language therapists which is covered by section 60(2) of the Health Act 1999 as a profession regulated by the Health Professions Order 2001. The specific reference to speech therapists in Regulation 2(1) of The Care Homes (Wales) Regulations is now redundant.

#### **Risk assessment**

2. The main risk which these regulations will eliminate is the continued possibility of the Assembly being criticised for an out of date definition of “health professional” being included in The Care Homes (Wales) Regulations 2002.

#### **Options**

3. The proposed order is the only option which can be identified for removing the otiose reference to speech therapists in Regulation 2(1) of the Care Homes (Wales) Regulations 2002. If nothing is done, there is the possibility of the Assembly being criticised for an out of date definition of “health professional” being included in The Care Homes (Wales) Regulations 2002.

#### **Benefits**

4. The benefit of making these regulations for the Assembly is that it could no longer be criticised for having an out of date definition of “health professional” included in The Care Homes (Wales) Regulations 2002. There are also benefits for inspectors, care home providers and service users who may refer to the regulations as the otiose reference to speech therapists will be removed as a result of these regulations.

#### **Financial Implications**

5. As the only effect of these regulations is to update the existing definition of “health professional”, there are no additional financial implications for the Assembly, any stakeholder group or others.

#### **Consultation**

6. As the Statutory Instrument has no practical effect, consultation with stakeholders was considered unnecessary.

#### **Review**

7. As part of a general review programme of all regulations made under the Care Standards Act, the Older People and Long Term Care Policy Directorate will periodically review the contents of these Regulation.

**Summary**

8. The option embedded in these regulations is the only option which can be identified for removing the otiose reference to speech therapists in The Care Homes (Wales) Regulations 2002. The order has no costs for any stakeholder group but has the benefit of bringing increased clarity in relation to the definition of “health professional” for anyone who may refer to The Care Homes (Wales) Regulations 2002.