

B U L L E T I N

OVERSEAS ELIGIBILITY FOR ENTITLEMENT TO NHS TREATMENT IN PRIMARY CARE

One of the most frequently asked questions received at the TVPCA is regarding the entitlement of a patient to receive NHS treatment in Primary Care by overseas visitors. Almost always the first response to the question is **Are they visitors** (holiday/short-term stay) ? or **Are they intending to reside for a lawful and settled purpose** (permanent employment/formal training/joining spouse/relative as dependant already resident etc).

1. Visitor – There is a duty for practices to provide **immediately necessary** treatment to any patient in their practice area regardless of whether or not the patient would otherwise be entitled to NHS care irrespective of nationality. Detailed information about these arrangements are available at: www.dh.gov.uk/travellers

- **European Healthcare Arrangements** – from 1st July 2004 EU law provides for visitors from EEA countries to be entitled to the same services as any local resident irrespective of duration of stay. From 1st January 2007 these arrangements have been extended to visitors from Bulgaria and Romania. In effect visitors from these countries should not be charged for any treatment which becomes **necessary** during a temporary stay in the UK, other than normal charges that UK residents pay. Visitors from EEA countries should be registered as Temporary Residents only.
- It is important to establish an entitlement to free NHS treatment. Visitor's from EEA countries and Switzerland should demonstrate their right to healthcare treatment by producing a European Health Insurance Card (EHIC). A full list of these countries and proof of entitlement you should ask for can be found at www.tvpca.org
- The following types of healthcare services can be obtained by eligible overseas visitors to the UK under the current European healthcare arrangements:
 - Blood Tests
 - Blood pressure checks
 - Routine maternity care
 - Cholesterol checks
 - Insulin, Oxygen, Renal Dialysis, Warfarin Tests

Bilateral Healthcare agreements – there are a number of bilateral healthcare agreements where the visitor is entitled to emergency or immediately necessary treatment. In essence these agreements focus on healthcare treatment that becomes necessary during a visit. They do not cover situations where people come to the UK (unless with an explicit referral) in order to access treatment. Department of Health guidance states that GPs are encouraged to treat overseas visitors that do not require immediate and necessary treatment, on a private basis. **Even if a non-UK resident (visitor) is accepted onto the GPs list for free NHS treatment they must be advised that should they be referred on for hospital treatment it is likely that they will be charged by the hospital.** Hospital referral arrangements can be found at: www.dh.gov.uk/assetRoot/04/10/60/24/04106024.pdf

The Channel Islands are not part of the UK nor part of the EU, therefore if it is not 'immediate or necessary treatment' the patient should be charged at the GP Surgery.

2. Resident or Intention to Reside (Settled Status)

A person must have an identifiable reason for residence here and that person must have a sufficient degree of continuity to be properly described as settled. There is no "six month" rule in determining residency and it is incorrect to apply a time period of residency

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It is more about establishing the purpose of registration and whether the reasons given constitute “settled status”. The purpose could be employment; formal training or joining a spouse/guardian already resident in the UK.

A practice may reasonably ask for evidence of reason and duration of stay as (It may help with the process of registration if an applicant can provide documentary evidence, which gives their current address and demonstrates that they live lawfully in the UK, in support of their application. GP practices are not required to check, record or take copies of any such supporting documentary evidence, nor are they obliged to carry out checks on a person’s immigration status). This needs to be done in a non – discriminatory way

Examples of Proof required to receive Free NHS Treatment as a resident are as follows:

Proof of Identity

- A passport or Identity (ID) Card – more information about passports and visas can be found at :

<http://www.ind.homeoffice.gov.uk/applying/eeaeunationals>

Proof of Residency

- Rental or Housing agreement
- Utility Bill (gas, electric telephone or water) showing current address
- Bank Statement

Work Permit (Romania/Bulgaria)

- Please note that a patient joining their husband or wife who has a work permit should produce the work permit as evidence.

Home Office Registration Worker Registration Scheme (Czech Republic; Estonia; Lithuania, Hungary; Latvia; Poland; Slovakia and Slovenia)

Admission letter – if for a student undertaking formal training

Marriage Certificate may be required if the surname is different or when joining a spouse already resident in the UK or **Civil Partnership Registration document** if same sex partner.

On taking up **residence** in the UK it is advisable for the patient to approach a GP practice and apply to register on to its list of NHS patients. An application may be refused if the practice has reasonable grounds for doing so, such as if the patient is living outside their practice area. A practice would not however be able to refuse an application on the grounds of race, gender, social class, age, religion, sexual orientation, appearance, disability or medical condition.

3. Further Help and Advice is available at:

TVPCA More information can be found on the TVPCA website: www.tvpca.org or telephone **Geraldine Cooke on 0118 918 3381**

Department of Health - Department of Health advice is available at www.dh.gov.uk/PolicyAndGuidance/International/OverseasVisitors

DH Helpline

0207 2104850

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