

Health in Hackney Scrutiny Commission 19 th November 2018 Implementing the overseas visitors charging regulations at HUH	Item No 8
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OUTLINE

This issue was raised under AOB at the 26 Sept meeting.

Attached is a response from HUHFT. This briefing was also prepared for HUHFT Council of Governors.

The issue was first raised with the Chair during the summer by Cllr Smyth. The Chair wrote to HUHFT to seek clarification and the response below was received from the Chief Nurse on 28 August:

On 28 August 2018 at 08:25, PELLEY, Catherine (HOMERTON UNIVERSITY HOSPITAL NHS FOUNDATION TRUST) <c.pelley@nhs.net> wrote:

Jarlath

First of all apologies for taking so long to reply. As you know I am new to the trust and I wanted to ensure I fully understood how the system works within the trust before responding.

In response to your email I have attached the DH Upfront Charging Regulations effective from 21 October 2017, in preparation for the introduction of this policy Trusts were asked to look at ways to identify patients preferably before attending their first appointment, as such we were also advised to look at NHS numbers beginning with (7) this was in-line with the Immigration Health Surcharge brought in 2016.

Any Non-EEA National who intends to enter the UK as a Visitor would not need to pay the health surcharge as the visa only allows entry for 6 months (180 days) therefore would be responsible for obtaining Travel Insurance or sufficient funds should they access to NHS while in the UK.

Any Non-EEA National intending to enter the UK for longer such as to study, work or settle would have to mandatorily pay the surcharge as part of their application, only giving access to NHS (excluding Fertility, Dialysis or Cancer treatment) only when the visa has been granted.

The NHS Spine generates a New NHS Number for those required to pay the surcharge, this shows as a traffic light system,

Green Banner – Has paid or Exempt from paying the surcharge (Asylum Seekers, Refugees, visa applicants but not visitors, anyone who originally entered the UK before 1 March 2016 with outstanding applications including extension as their conditions of entry were before the introduction of the surcharge)

Amber banner – May need to provide further evidence for NHS . These would mostly be from those EEA Nationals or countries outside Europe previously granted access to healthcare under the EEA Reciprocal agreement which for those countries ended from 1 January 2016.

Red Banner – Red likely chargeable for NHS These may now be subject to immigration because they overstaying their visa, making an applications to remain or an Asylum or Refugee case has been refused. In all cases Overseas team must run a check with Home Office for confirmation.

Pre-Attendance Forms

These were originally issued to OVM's to replace any previous registration form because most trusts had different registration forms in different parts of their trusts which became confusing, we were asked to use their pre- attendance forms and given freedom to introduce the form where it would have the most effect. With support from Maternity management and the booking team, a form was sent with every New Antenatal Appointment, these would completed and handing in at check-in the OVM would collect the forms and check if further investigations were required, bearing in mind according the regulations Maternity is considered immediate absolutely necessary those identified as chargeable would be contacted and followed up with a letter of entitlement and invoiced post-delivery. We introduced the form in all Maternity areas such as delivery or EOAU where access was 24/7 this enabled us to identify possible chargeable patients as early as possible.

Using the success of Maternity, we introduced the form into Fertility where we had some of our most success having established a 4 month Initiative May to September 2015 with support from the Home Office and continue to use these forms to deny or place on hold access to fertility at the earliest point.

Based on the success of the forms in these areas with support from my Line Manager and Senior Managers and Out-patients Staff & Central booking the form was sent to all New Appointments only regardless of previous NHS history with Homerton as the DH wanted us to identify those chargeable as early as possible, these forms would collected and processed by Overseas Team. The Central Booking and Outpatient staff were very supportive, there were a few review meetings with those involved.

Currently there are lots of changes in the coming months that will no longer require the pre-attendance form to be sent with appointment letters, Check-in Kiosks will shortly be placed in all Out-Patients areas which will hopefully include simple yes/no answers to a few questions that the information team are currently working with Overseas based on the basic questions.

Overseas Team receive a report weekly of all New Appointments for the coming week where the NHS Number starts with a 7 and the patient is over the age of 18, the NHS numbers can be checked with NHS Spine for a possible Green, Amber or Red Banner to help identify any possible chargeable patient so the Consultant can be made aware as early as possible should

there be a need to refer to another NHS provider or order elective procedures which under upfront charging regulations the patient would need to pay for in advance.

I am led to believe also being introduced at some point is all patients referred to NHS Trusts must have a valid NHS Number as such patients are where possible being encouraged to register with a GP .

We take our guidance from the DH Migrant Hospital Charging Regulations & further regulations like the Upfront Charging Regulations and try to work within these as much as possible and the DH reviews all regulations continuously

Catherine Pelley
Chief Nurse and Director of Governance
Homerton University Hospital NHS Foundation Trust

Here is the NHS Guidance on charging of overseas visitors:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/742251/guidance-on-implementing-the-overseas-visitor-charging-regulations-may-2018.pdf

Here are all the template letters and forms which the NHS is currently (Oct 2018) recommending to providers to use:

<https://www.gov.uk/government/publications/help-for-nhs-to-recover-costs-of-care-from-visitors-and-migrants>

Here is a government memorandum about the Oct 2017 amended regulations:

http://www.legislation.gov.uk/ukxi/2017/756/pdfs/ukxiem_20170756_en.pdf

And here is the Equality and Human Rights Commission's position on it which was raised by Cllr Smyth at the September meeting

https://www.equalityhumanrights.com/sites/default/files/debate_on_the_impact_of_the_governments_hostile_environment_approach_towards_illegal_immigration_house_of_commons_14_june_2018.pdf

Attending for this item will be:

Tracey Fletcher, Chief Executive, HUHFT

ACTION

The Commission is requested to give consideration to the reports.