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Lewis Macdonald
Convener, Health and Sport Committee
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Date: 04 December 2018
Our Ref: 271118-CAB-AC-02a-aw
Your Ref:
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Dear Mr Macdonald

Anticipate UK Healthcare (International Arrangements) Bill – Legislative Consent Memorandum

Thank you for your email and letter of 27 November requesting information on how European Economic Area (EEA) and non-EEA individuals treated in the NHS in Scotland are managed for debt and recovery purposes.

The scheme overall

CEL 09 (2010) "Overseas visitors' liability to pay charges for nhs care and services" is the main reference document for the operation of the scheme through Health Boards in Scotland.

This guidance primarily relates to Regulation 2(1) of the National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989, as amended.

Within the guidance it is outlined that it's only those who are not "ordinarily resident" that may be charged for NHS services through the overseas visitors liability to pay scheme.

There are also a number of services that do not attract any charging to any individuals (e.g. initial A&E attendances).

For the operation of the scheme the main determining factor relates to residency and so key aspects being identified and considered are why an individual is here, how long they are to be here, where they have come from / are returning to etc. Nationality is not the primary determinant of the scheme.

(An updated definition of "ordinary residence" to more fully reflect the changes introduced through Immigration / Home Office changes which brought the introduction of the Immigration Health Surcharge is to be included in updated guidance for Health Boards. A working group, led by SGHSC, are currently looking to progress on this and are also looking at the possibility of a more formalised "tool kit" for use in the operational aspects of the scheme (potentially along a similar structure to what has been developed and issued for use in NHS England).

Re specific questions - Q1 +Q5

NHS Grampian currently has one full time "Overseas and Private Patient Administrator" post. This specific dedicated post was a new post first introduced in 2016/17. In addition there are a number of other administration, finance, and management staff who continue to support the operation of the scheme as part of their overall roles.

To identify potential overseas visitors i.e. those not ordinarily resident in the UK an extract from the patient management system giving details of all new and current hospital admissions is available for interrogation and review by the Overseas Administrator. From this review, and from regular updates with ward and other operational staff, interviews will be arranged with any patients presenting as possible overseas visitors so that status can be confirmed and action taken accordingly.

Patients confirmed as chargeable and relating to other EEA states will be asked for an EHIC or temporary replacement card. These details will be taken forward and input in the DWP portal for consolidation and cross charging at State to State level.

NHS Grampian started entering details into the DWP portal from 16/17.

For those from outwith the EEA who are identified as chargeable the status is confirmed to patients, charging details are requested (i.e. self / insurance company etc), costings and billing prepared and issued.

Outstanding debt is followed up in same way as for other charging.

In addition, and in response to changes introduced to the immigration rules in 2010 (where for those subject to immigration control an unpaid debt above a set amount can be grounds for refusal of an application for a new visa or an extension of stay), all Health Boards have been issued with a proforma monthly return for UKHO which details relevant outstanding debts.

The tolerance amount was originally set at £1,000 and has subsequently been revised to £500.

Re Q2 +Q3+Q4

	Total costs re EEA as identified and included in portal – NHS Grampian	Total volumes re EEA portal values – NHS Grampian (predominately admitted patients)
14/15		
15/16		
16/17	£214k	47
17/18	£ 95k	34
18/19 (to Oct)	£341k	30

Re Q6

	Total costs – not EEA / not portal	Total % recovered to date *
14/15	£117k	94%
15/16	£112k	82%
16/17	£228k	82%
17/18	£351k	82%
18/19 (to Oct)	£167k	58%

* Payment plans can be put in place when individuals are unable to clear balances in full - therefore recoveries can continue to be made in some cases over an extended period.

I hope this is sufficient information to assist the Committee..

Yours sincerely



Professor Amanda Croft
Interim Chief Executive, NHS Grampian