

Information for people seeking free NHS Hospital Treatment

You may not be aware but The Overseas Visitor Charging Regulations place a legal obligation on providers of relevant services to establish whether a person is an overseas visitor to whom charges apply, or whether they are exempt from charges.

Overseas visitors to the UK, non-resident UK nationals, or those who are in the UK without immigration permission must be charged for services they receive, unless they are exempt from charges under the Charging Regulations.

Overseas visitors coming to, or remaining in, the UK for six months or more are usually required to pay the immigration health surcharge (referred to as the health surcharge, or IHS) unless an exemption from paying the surcharge applies or the charge is waived.

You might be asked for documented proof to establish your entitlement to free NHS hospital treatment. Failure to respond will lead to the Overseas Visitors Team sharing your non clinical information with the Home Office to ascertain your immigration status.

Definition of an Overseas Visitor

An Overseas Visitor is any person of any nationality not “ordinarily resident” in the UK and therefore potentially liable to be charged for NHS hospital treatment. Ordinarily residence means: living lawfully and on a settled basis in the UK for the time being.

The Trust will:

Ensure that patients who are not ordinarily resident in the UK, or otherwise exempt from charge, are identified. A person is not “ordinarily resident” in the UK simply by:

- Having British nationality: holding a British passport.
- Being registered with a General Practitioner (GP).
- Having an NHS number.
- Owning property in the UK.
- Having paid (or currently paying) National Insurance contributions and taxes in the UK.

The Trust is required to charge those liable to pay in accordance with the Charging Regulations, and to recover charges from those liable to pay.

Family Doctor Referrals

If you are an Overseas Visitor and have been referred by a Family Doctor (GP) to an NHS Relevant Service and you do not qualify for exemption for medical treatment received, you will be charged for the treatment you receive.

Information for people seeking free NHS Hospital Treatment

Services and Categories of Overseas Visitors Exempt from Charges

Services That Are Free to all Overseas Visitors

- No charge will be made for Accident and Emergency treatment. However, once a medical decision has been reached and either an outpatient clinic appointment or admission is required – including for further emergency treatment – it is then necessary to charge the patient unless they are exempt from charge.
- Certain diseases where treatment is necessary to protect the wider public health.

Immigration Health Surcharge (IHS)

An immigration health surcharge must be paid by persons subject to immigration control who apply for a visa to enter or remain in the UK for more than six months, unless an exemption from paying the surcharge applies or the charge is waived.

Those who pay or are exempt from paying the surcharge are generally entitled to relevant services on the same basis as an ordinarily resident person, once leave to remain has been granted but not on application.

Since 21 August 2017, those exempt from charge under Regulation 10 (health surcharge arrangements) are not exempt from charge and must pay upfront for assisted conception services.

European Union (EU) and Economic Free Trade Agreement (EFTA) Countries

EU and EFTA citizens lawfully residing in the UK on or before 31 December 2020 retain their entitlement to healthcare as long as they continue to be ordinarily resident here.

They will need to apply to the EU Settlement Scheme for Settled or Pre Settled Status by 30 June 2021, in order to secure these rights for the future, and their entitlements will be subject to any future domestic policy changes which apply to UK nationals. They can be joined in the UK by eligible family members who will also need to apply to the EUSS within a specified deadline. Family member(s) may require an EUSS family permit in order to enter the UK.

Patients granted Pre Settled Status (Leave to remain) will be required to prove they are Ordinarily Resident.

EU citizens who move to the UK from 1 January 2021 will generally pay the immigration health surcharge as part of any visa application. Those whose healthcare costs are covered by an EU member state under the SSC Protocol, such as EU-insured state pensioners, detached workers with a valid S1 document, or eligible students with a valid Member State European Health Insurance Card (EHIC), may be eligible for a reimbursement of their immigration health surcharge payment.

EU citizens who visit the UK and hold a valid EHIC or Provisional Replacement Certificate are eligible to receive needs-arising treatment without charge; S1 holders will be eligible for healthcare services on the same basis as someone ordinarily resident in the UK, except for assisted conception services under the SSC Protocol.

Information for people seeking free NHS Hospital Treatment

Other Reciprocal Healthcare Agreements

Several countries and territories outside the EU also have reciprocal healthcare agreements with the UK. Patients who can show they are lawfully resident in one of those countries (and a national of that country if necessary) are exempt from charges providing *the need for treatment arose during their visit to the UK.*

Other Exemption Categories

Some overseas visitors are exempt from charges. These include refugees and asylum seekers and victims of human trafficking.

Treatment Costs – Implications of Failure to Pay

If you fail to pay for NHS treatment for which charges have been applied, it may result in a future immigration application to enter or remain in the UK being denied. Necessary non-clinical personal information may be passed via the Department of Health & Social Care (DHSC) to the Home Office for this purpose.

There is no option, nor is there the authority, to waive the charge on the part of the relevant body.

Urgent and Immediately Necessary Treatment

No-one will be refused urgent or immediately necessary treatment because they cannot pay, however treatment is not made free of charge by virtue of being provided on an immediately necessary or urgent basis and charges found to apply cannot be waived.

Further Information

Information can be found on the NHS Choices website by searching for “Overseas Visitors”. If you need to know anything further or wish for advice, please do not hesitate to contact the Overseas Visitors Team at the Norfolk & Norwich University Hospital NHS Foundation Trust to discuss your individual needs.

Overseas Visitors Advice & Liaison Services

Telephone: 01603 289093

Email: overseasvisitors@nnuh.nhs.uk

