

OVERSEAS VISITORS

Introduction

Overseas Visitors are not always covered by our contracts with NHS commissioners for the treatment they receive outside of the ED. It **MAY** be necessary to invoice Overseas Visitors directly; or to make a claim through the DH (if they're resident in another country within the European Economic Area¹ (EEA) or Switzerland); or to make a claim against their travel insurance.

The right to free NHS treatment at the point of delivery is based on residency, not nationality; a person who is ordinarily resident in the UK is entitled to treatment without charge.

A person is ordinarily resident if they are "living lawfully in the United Kingdom voluntarily and for settled purposes as part of the regular order of their life for the time being, whether of short or long duration²".

A person is NOT ordinarily resident in the UK simply because they have British nationality; hold a British passport; are registered with a GP; have an NHS number; own property in the UK; or have paid (or are currently paying) National Insurance contributions and taxes in the UK.

The rules are complicated and a considerable number of exemptions apply.

Lorenzo Question

At the point that a patient is booked in/ registered you are presented with the following question:

1. "Have you been a UK resident for the past 12 months?"

Answer Requiring Action

If the patient answers no then further action is required. Please ask the patient to fill out a pre-attendance form³, which when complete should be faxed through to 01722 325993. It would be useful at this stage to have a copy of any other relevant documents faxed through e.g. passport, visa, European Health Insurance Card (EHIC), travel insurance.....

We will determine from the answers the patient gives on the form whether they are chargeable, exempt or whether we need to interview them to obtain further information.

Treatment

For clarification - we will only decide on who pays for the patient's treatment, what treatment a patient receives (if any) is always a decision for the patient's clinician based on their assessment of whether the treatment is:

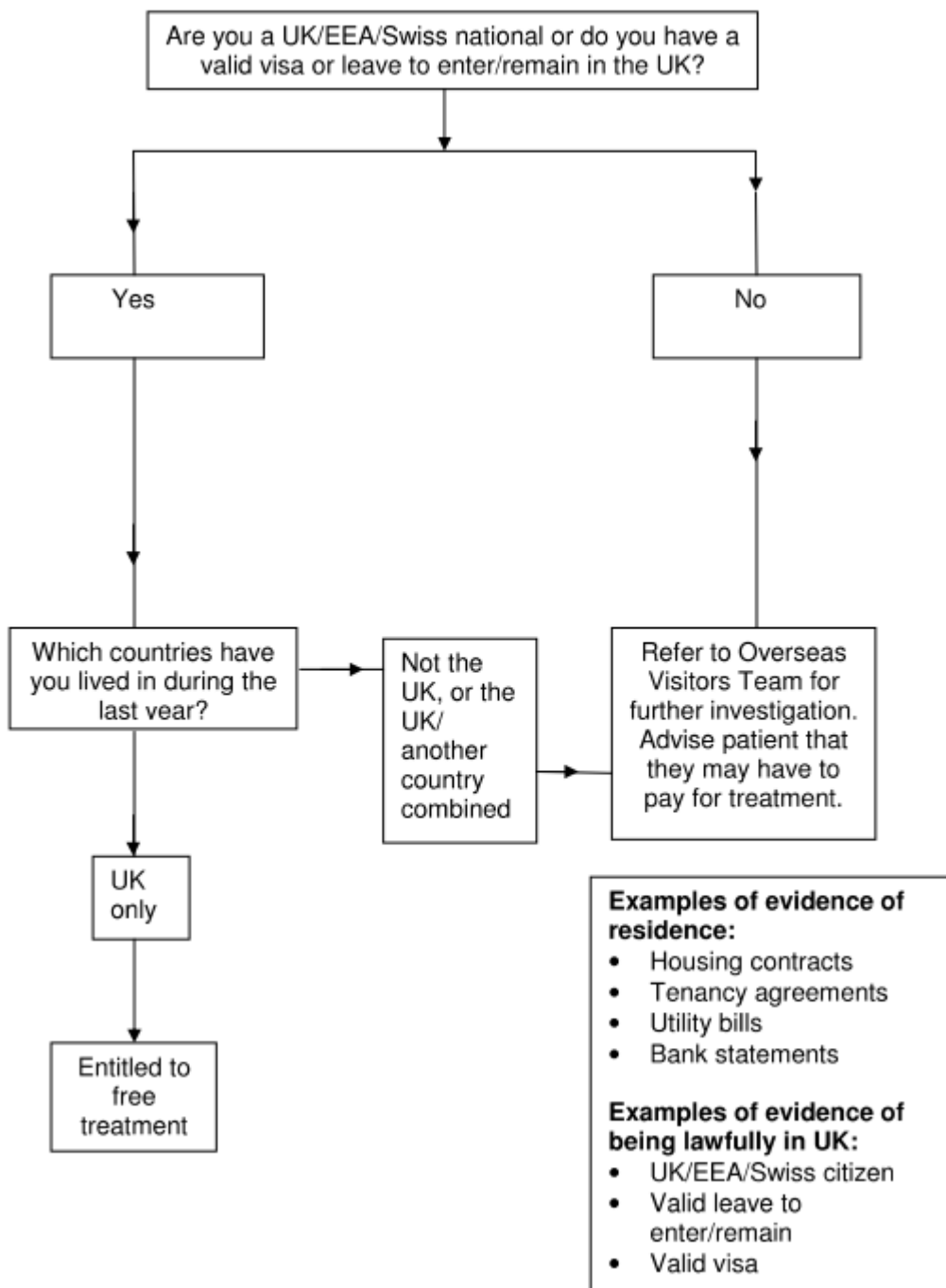
- Immediately necessary;
- Urgent; or
- Non-urgent

Cross References

1. Countries within the EEA are:
All the EU member states (Austria, Belgium, Bulgaria, Cyprus (Southern), Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Republic of Ireland, Romania, Slovakia, Slovenia, Spain, Sweden, and the UK), plus Iceland, Liechtenstein and Norway.
Switzerland has a separate agreement with the European Union
2. Implementing the Overseas Visitors Hospital Charging Regulations, paragraph 3.6
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/213015/GUIDANCE-October-2012-FINAL.pdf
3. The pre-attendance form can be found on the Trust intranet at:
<http://intranet/Website/Staff/formstempltes/finance/overseasvisitorpreattendanceform2015mar.pdf>

For further information please contact XXXX, Financial Accountant on extension 2249.

5.37 **Baseline questions**



A&E Route

GP Referral Route

