

OVERSEAS VISITOR PATIENTS POLICY

		POLICY
Reference	F 17 001	
Approving Body	Executive Committee	
Date Approved	18/07/2024	
For publication to external SFH website	Positive confirmation received from the approving body that the content does not risk the safety of patients or the public:	
	YES	NO
	X	
Issue Date	19/07/2024	
Version	Version 3	
Summary of Changes from Previous Version	SFHT Policy has been updated to reflect the changes made to the Guidance on Implementing the Overseas Visitor Charging Regulations document due to the UK leaving the EU. Appendices have been updated to reflect these changes.	
Supersedes	Version 2	
Document Category	Governance	
Consultation Undertaken	N/A	
Date of Completion of Equality Impact Assessment	10/06/2024	
Date of Environmental Impact Assessment (if applicable)	N/A	
Legal and/or Accreditation Implications	None	
Target Audience	All SFHT patients and employees	
Review Date	16/06/2027	
Sponsor (Position)	Chief Financial Officer	
Author (Position & Name)	Julie Mayfield, Commercial Manager	
Lead Division/ Directorate	Finance	
Lead Specialty/ Service/ Department	Procurement	
Position of Person able to provide Further Guidance/Information	Commercial Manager	
Associated Documents/ Information		Date Associated Documents/ Information was reviewed
Not Applicable		
Template control		June 2020

CONTENTS

Item	Title	Page
1.0	INTRODUCTION	3
2.0	POLICY STATEMENT	3
3.0	DEFINITIONS/ ABBREVIATIONS	3
4.0	ROLES AND RESPONSIBILITIES	5
5.0	APPROVAL	6
6.0	DOCUMENT REQUIREMENTS	7
7.0	MONITORING COMPLIANCE AND EFFECTIVENESS	9
8.0	TRAINING AND IMPLEMENTATION	10
9.0	IMPACT ASSESSMENTS	10
10.0	EVIDENCE BASE (Relevant Legislation/ National Guidance) and RELATED SFHFT DOCUMENTS	10
11.0	APPENDICES	10

APPENDICIES

Appendix 1	<i>Detailed List of Services Which are Exempt from Charges</i>	11
Appendix 2	<i>Undertaking to Pay Form</i>	13
Appendix 3	<i>Clinician Patient Assessment Form</i>	15
Appendix 4	<i>Patient Letter 3 – Requesting Documents</i>	16
Appendix 5	<i>Patient Letter 4 – Non-EU: Requesting Documents</i>	17
Appendix 6	<i>Patient Letter 5 – UK Proof of Ordinary Residence</i>	18
Appendix 7	<i>Patient Letter 7 – Maternity: Requesting Documents/Proof</i>	19
Appendix 8	<i>Patient Letter 9 – Child: Requesting Documents</i>	21
Appendix 9	<i>Patient Letter 10 – UK Citizen Returning to UK</i>	23
Appendix 10	<i>Flowchart</i>	24
Appendix 11	<i>EQIA</i>	26

1.0 INTRODUCTION

The NHS provides healthcare free of charge for people who are ordinarily resident in the UK. When a person who is not 'ordinarily resident' in the UK (an 'overseas visitor') requires NHS (secondary care) treatment, they will be subject to the NHS (Charges to Overseas Visitors) Regulations 2011, as amended (the "Overseas Visitors Charging Regulations"). A person who is not 'ordinarily resident' in the UK falls within the definition of an 'overseas visitor' and may incur a charge for treatment.

2.0 POLICY STATEMENT

The purpose of this Overseas Visitors Policy is to define the approach and decision making taken by Sherwood Forest Hospitals NHS Foundation Trust (The Trust) in applying the same robust process fairly and non-discriminately to all patients. This process will allow us to identify which patients are entitled to free NHS (secondary care) treatment and which patients will be liable pay charges for their treatment.

The NHS (Charges to Overseas Visitors) Regulations 2011 were implemented in August 2011 (amended by Charging Regulations updated in April 2015) and apply to all courses of treatment commenced on or after that date. The Regulations were subsequently amended in 2017, 2020 and 2021, 2023,2024.

The latest national guidance can be found here:

[Overseas NHS visitors: implementing the charging regulations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/overseas-nhs-visitors-implementing-the-charging-regulations)

The regulations place a legal obligation on NHS Trusts to establish whether patients presenting for treatment are 'ordinarily resident' in the UK or whether they are overseas visitors.

NHS Trusts are also required to establish whether overseas visitors are exempt from charges and to charge them for NHS treatment if not. This is not optional and no one in the Trust has the authority to waive these charges.

The Trust is committed to ensuring that the Hospital Charging Regulations are implemented and consistently used across the Trust with a robust and sensitive approach.

The Trust will implement measures to pursue an overseas visitor's debt, to recover the charge from those liable to pay. If appropriate, this will include reporting the outstanding debtors to the Home Office and UK Border Agency as per regulations.

The Trust will advise all overseas visitors of the changes to Freedom of Movement post Brexit and give information regarding applying to the European Union Settlement Scheme.

3.0 DEFINITIONS/ ABBREVIATIONS

Charging Regulations – means the National Health Service (Charges to Overseas Visitors) Regulations 2015, as amended in years highlight as above.

EEA – refers to countries in the European Economic Area, which comprises the Member States of the European Union, and Norway, Iceland and Liechtenstein.

EU – refers to member states of the European Union.

EUSS – refers to the Home Office EU Settlement Scheme.

Overseas Visitor – An overseas visitor is defined under the Charging Regulations as someone who is not ordinarily resident in the UK.

OVO – Overseas Visitors Office, based on Floor 3, TB3.

Immediately Necessary Treatment – Treatment a patient needs to save their life, or prevent a condition from becoming immediately life-threatening, or promptly to prevent permanent serious damage from occurring. It must never be withheld from chargeable overseas visitors pending payment, although charges will still apply. Failure to provide immediate and necessary treatment may be unlawful under the Human Rights Act 1998.

Urgent Treatment – Treatment that clinicians do not consider immediately necessary, but which nevertheless cannot wait until the person can be reasonably expected to return home. An ‘Undertaking to Pay’ form should be signed prior to treatment, but treatment should not be delayed or withheld for the purposes of securing payment.

Non-Urgent Treatment – Routine elective treatment which can wait until the patient can return home. The patient’s chargeable status should be established after the initial referral to the Trust. If the patient is chargeable, the Trust will not put the patient on a waiting list or provide any treatment until the patient has paid in full.

Needs-arising treatment – also known as medically necessary treatment or treatment the need for which arose during a visit to the UK. Means treatment needed where the diagnosis of a condition is made when the first symptoms arise during a visit to the UK. It also applies where, in the opinion of a doctor or dentist employed by the relevant body, treatment is needed quickly to prevent a pre-existing condition increasing in severity, eg. Dialysis. It does not include routine monitoring of an existing condition such as diabetes, nor does it cover treatment that an overseas visitor travelled to the UK for the purposes of seeking, or treatment that can safely await until the overseas visitor can reasonably be expected to leave the UK.

Health Surcharge – An immigration health charge is now payable by non-EEA nationals who apply for a visa to enter or remain in the UK for more than 6 months. Payers of the surcharge are entitled to NHS funded healthcare on the same basis as someone who is ordinarily resident. Those who have paid the surcharge (or are exempt from paying it) will be identified by a green banner in the ‘Chargeable status’ section of the Summary Care Record.

EHIC/GHIC – the European Health Insurance Card (previously E111). In the UK, new applicants will be issued with a GHIC (Global Health Insurance Card). Those who hold a UK EHIC will continue to be able to use that EHIC in the EU until its stated expiry date.

S1 – issued to pensioners, posted or frontier workers, and their family members.

S2 – payment guarantee from the issuing country for planned treatment.

4.0 ROLES AND RESPONSIBILITIES

All staff should ensure that:-

- Patients presenting to the Trust for any kind of treatment are asked about their residency status to identify whether they are potentially chargeable.
- In all instances where a patient is identified as potentially chargeable for treatment, the Overseas Visitors Office (OVO) is contacted to ensure that eligibility for free care can be clarified before any non-emergency treatment is given.

All General Managers should ensure that:-

- Overseas visitors who are chargeable are not placed on waiting lists or given elective treatment without payment first being made and/or an undertaking to pay completed.
- 'Are you visiting the United Kingdom?' leaflets and posters highlighting the overseas visitor regulations are displayed in every clinical area within the Trust.
- All staff have a basic awareness of the regulations around overseas visitors to ensure 'Do you Live in the UK Permanently?' is a standard question asked of every patient presenting to the Trust.
- Staff are aware that if they are found to have colluded with an overseas visitor to obtain free NHS treatment that they are not entitled to, they will be subject to a disciplinary offence and could also be considered fraudulent.

All Clinical Leads and Matrons should ensure that:-

- Clinical staff in all areas are aware of the regulations in relation to eligibility for free NHS hospital care and know who to contact for advice and support

All Clinical Staff:-

- Should be aware of the regulations around eligibility for free NHS hospital care but are not expected to make judgements regarding the eligibility of patients to free NHS hospital treatment. However, if they first become aware that they the patient may not be 'ordinarily resident' in the UK, they should notify the OVO/Manager.
- Should not indicate to patients that treatment will be free until this has been established by the OVO.
- Must ensure that if a patient has been identified as a chargeable overseas visitor but is unwilling or unable to pay, the relevant clinician liaises with the OVO to agree whether the treatment required is 'immediately necessary' or could wait until the patient returned home. In all cases, Clinician Patient Assessment Form (Appendix 3) should be completed by the clinician and added to the patient's notes.
- Should produce medical reports as required by insurance companies, when an overseas visitor is covered by an insurance policy.
- Should be aware that the treatment of chargeable overseas patients is subject to the same clinical priority as other NHS patients. Clinicians cannot charge these patients for their services unless the patient has come to the UK specifically for elective treatment. In such cases they will be treated as a private patient and charged in line with the Trust's Private Patient Tariff.

- May arrange for a patient to come to the Trust for elective treatment but must liaise with the Private Patient /Overseas team to ensure robust financial arrangements are in place.

The Trust's OVO will be available to:-

- Liaise with and provide expert advice and support to the Trust's staff and patients in line with the Department of Health and Social Care's (DHSC) guidance.
- Provide and facilitate training and/or briefing events for clinical and administrative staff who come into contact with patients, as required. This training will provide staff with an awareness and guidance as to the baseline questions that should be asked of every patient who presents to the Trust.
- Evaluate and implement any changes to guidance or legislation in relation to overseas visitors to the Trust.
- Ensure that all patient areas have supplies of the standard posters and leaflets highlighting the Overseas Visitor Charging Regulations.
- Arrange for patients who have been identified as potential overseas visitors to be interviewed by the OVO. The interview will take place at the earliest opportunity to establish their eligibility for free NHS secondary care.
- Inform the clinical and administrative team if the patient who has been interviewed is chargeable.
- Ensure that all staff have an understanding of the importance of identifying potential overseas visitors and recording information accurately and correctly on hospital systems and in patient notes.
- Inform Information Services, who will update CareFlow and submit all required information via the portal to the Department of Work and Pensions (DWP) for all patients covered for treatment by EHICs (European Health Insurance Card) and S2. This enables the Trust to be reimbursed for the cost of the patient's care.
- Create and dispatch invoices for overseas visitors and advise patients how they can make payments.
- Liaise with the designated members of staff within the Finance Department to get information regarding debtors.
- Work with Finance to implement reasonable steps to recover any outstanding debts and report all outstanding debts amounting to more than £500.00 and over 90 days to the Home Office and Borders Agency in line with regulations.
- Ensure that the overseas visitors' database is maintained and invoices can be analysed by country and division.

5.0 APPROVAL

This Policy was approved by Executive Committee members on 17/07/2024.

6.0 DOCUMENT REQUIREMENTS

The process required by this policy is as follows:

- All patients presenting to the Trust will be asked about their residency status in the UK. This is to ensure that the Trust is applying the regulations consistently and that there is no discrimination between patients.
- There are baseline questions which will be asked by all staff to establish a patient's residency. A flow chart to illustrate this process is available at Appendix 6.
- If the patient's response indicates that they are not permanently living in the UK or if their residency is in doubt e.g. no GP or NHS number or a GP's referral letter indicates that the patient is not ordinarily resident in the UK, the OVO should then be contacted immediately to arrange for the patient to be interviewed prior to treatment (if out of hours see section 6, page 9).
- Staff do not need to ask any further questions as the interview will be carried out sensitively by the Overseas Visitors Team who have been trained appropriately.
- If it is the opinion of medical staff that the treatment is needed urgently, this should go ahead without delay and should never be withheld while the patient's eligibility is clarified. Potentially chargeable patients should be interviewed by the Overseas Visitors Team as soon as they are well enough to advise that their treatment may be chargeable.
- The purpose of the interview is to establish whether the patient is chargeable or not. They must prove that they are ordinarily and lawfully resident in the UK, or that they meet one of the exemption criteria. Evidence must be produced to support this. If the patient does not produce evidence to support their claim, the Trust may charge for treatment.
- If it is established that the patient is able to claim exemption for the treatment they require, then the patient's permanent overseas address should be recorded on CareFlow system whenever possible.
- Following interview, if it is established that the patient is liable for charges for their treatment, they should be informed of this immediately by the OVO. The patient's clinical and administrative team should also be informed. The patient will be asked to complete and sign an Undertaking to Pay form and will be liable for charges even if they refuse to sign the form. Where possible, patients should be given an estimated cost of their care.
- If the overseas visitor is an emergency inpatient, the OVO will give the patient an Undertaking to Pay form to cover treatment given when or if appropriate and explain any possible future charges.
- If the patient requires elective treatment, the OVO will consult the clinician caring for the patient and provide an estimate based upon their advice. This will then give the patient and their family the choice to decide whether they wish to proceed with treatment. Elective treatment/surgery will be on a strictly 'pay as you go' basis and will not go ahead without payment first being received. If the overseas visitor has travel insurance, they will be required to pay for their treatment at the Trust and then subsequently reclaim from their insurer upon their return home.
- If an overseas visitor is unable or unwilling to pay when applicable, the Clinical team, Finance and Business Manager together with the Divisional Management Team will implement a plan for the patient's future management of care. This plan will minimise expenditure to the Trust but ensure the patient's safety, working in conjunction with the Trust's Medical Director if required. A Clinician Patient Assessment Form must be completed by the Clinician and inserted into the patient's notes.

- If a patient has debts accruing under continuing care at the Trust the Business Manager should liaise with the Clinical team, Finance and the Divisional Manager and if appropriate, the patient, to implement a plan for debt recovery. If this could potentially lead to any treatment being withdrawn, the Clinical Director, Medical Director and Trust Secretary should be informed of the situation immediately.
- Immediate emergency care may be required to an overseas patient who does not have the means to pay for their treatment which can result in substantial debt. Also, there will be occasions when a patient cannot be traced after discharge because they have given false information. As the Trust is committed to providing any immediate and necessary treatment for all overseas visitors, on occasions these significant debts will be written off if the patient has no means to pay.
- If it becomes apparent that a commissioner has been charged for the treatment/care of a patient who is subsequently found to be a chargeable overseas visitor (e.g. a patient fails to provide eligibility or an alert is received from UKBA), payment will be returned to the commissioner and an invoice issued to the patient.
- No other person becomes responsible for the debt of a patient's care if they die without payment for treatment being made. The Trust will endeavor to seek repayment from the patient's estate if applicable but will write off the debt if this is unsuccessful.

Out of Hours Process:

Where it is not possible for a patient to be interviewed immediately by the Overseas Visitors Team (evenings and weekends), then the following procedure should be adhered to:-

- If available, take a copy of a valid EHIC (both sides) or PRC or S1 or S2
- If available, take a copy of the patient's passport (including page stamped with a visa) and any other ID, i.e. driving license, utility bill etc. (with an address).
- Continue with treatment but inform clinical staff that patient maybe an overseas visitor.
- Inform the Overseas Visitors Team by email at: sfh-tr.overseas.visitors@nhs.net who will arrange collection of copies of all documents.

7.0 MONITORING COMPLIANCE AND EFFECTIVENESS

Minimum Requirement to be Monitored (WHAT – element of compliance or effectiveness within the document will be monitored)	Responsible Individual (WHO – is going to monitor this element)	Process for Monitoring e.g. Audit (HOW – will this element be monitored (method used))	Frequency of Monitoring (WHEN – will this element be monitored (frequency/ how often))	Responsible Individual or Committee/ Group for Review of Results (WHERE – Which individual/ committee or group will this be reported to, in what format (eg verbal, formal report etc) and by who)
All information disseminated from DHSC will be monitored to ensure this policy is current and compliant.	Commercial Manager	Monitoring of websites: DH eXchange GOV.UK Receipt of updates from GOV.UK and DHSC	Weekly	Strategic Head of Procurement Finance Committee Verbal

8.0 TRAINING AND IMPLEMENTATION

- Document should be mentioned during Induction/Orientation Day.
- Document will available on internet and intranet
- PowerPoint presentation will be circulated
- Individual group training will be offered if deemed appropriate/on request

9.0 IMPACT ASSESSMENTS

- This document has been subject to an Equality Impact Assessment, see completed form at Appendix 7
- This document is not subject to an Environmental Impact Assessment

10.0 EVIDENCE BASE (Relevant Legislation/ National Guidance) AND RELATED SFHFT DOCUMENTS

Evidence Base:

This policy has been written with reference to:-

- The National Health Service (Charges to Overseas Visitor) Regulations 2011
- Guidance on Implementing the Overseas Visitor Hospital Charging Regulations February 2024 (DHSC)

Related SFHFT Documents:

- Scheme of Delegation – Section 39 (a)

11.0 APPENDICES

- Appendix 1 Detailed List of Services Which are Exempt from Charges
- Appendix 2 Undertaking to Pay Form
- Appendix 3 Clinician Patient Assessment Form
- Appendix 4 Patient Letter 3 – Requesting Documents
- Appendix 5 Patient Letter 4 – Non-EU; Requesting Documents
- Appendix 6 Patient Letter 5 – UK Proof of OR
- Appendix 7 Patient Letter 7 – Maternity, Requesting Proof/Documents
- Appendix 8 Patient Letter 9 – Child, Requesting Documents
- Appendix 9 10 – UK Resident Return to UK
- Appendix 10 Flowchart
- Appendix 11 EQIA

APPENDIX 1**Detailed List of Services Which are Exempt from Charges**

Some relevant services are free to everyone, even if the patient would be liable to pay for other services. The current list of exempt services comprises:

- Accident and Emergency (A&E) services (whether provided at an A&E Department or similar e.g. urgent care centre, walk-in centre or minor injuries unit) but not including services provided after the overseas visitor is accepted as an inpatient or at a follow-up outpatient appointment. So, where emergency treatment is given after admission to the hospital, e.g. intensive care or coronary care, it is chargeable to a non-exempt overseas visitor. Note that some walk-in centres provide primary care services rather than A&E-type services and overseas visitors cannot be charged for such services either because primary care services are not within the scope of the regulations;
- Family planning services, which means services that supply contraceptive products and devices to prevent pregnancy (termination of an established pregnancy is not a method of contraception or family planning);
- Exemptions from charge also exist to protect vulnerable patients, who have access to the NHS in the same way as patients who are ordinarily resident:
 - refugees – ie individuals granted asylum
 - asylum seekers – ie individuals with an outstanding asylum claim or appeal
 - refused asylum seekers supported by the Home Office
 - victims or suspected victims of modern slavery
 - unaccompanied children under the care of local authorities
 - prisoners and people being held in immigration detention
 - anyone receiving compulsory treatment under a court order or who is detained in a hospital or deprived of their liberty under mental health legislation.
- The diagnosis and treatment, including routine screening and routine vaccinations, of the conditions specified in Schedule 1 to the Charging Regulations which is necessary to protect the wider public health. This exemption from charge will apply to the diagnosis of the condition, even if the outcome is a negative result. It will also apply to any treatment provided for a suspected specified condition, up to the point that it is negatively diagnosed. It does not apply to any secondary illness that may be present even if treatment is necessary in order to successfully treat the condition;

The conditions to which the exemption applies are:

- Acute encephalitis
- Acute poliomyelitis
- Anthrax
- Botulism
- Brucellosis
- Cholera
- Diphtheria
- Enteric fever (typhoid and paratyphoid fever)
- Food poisoning
- Haemolytic uraemic syndrome (HUS)
- Human immunodeficiency virus (HIV) 30
- Infectious bloody diarrhoea
- Invasive group A streptococcal disease and scarlet fever
- Invasive meningococcal disease (meningococcal meningitis, meningococcal septicaemia)

- and other forms of invasive disease) - Legionnaires' Disease
 - Leprosy
 - Leptospirosis
 - Malaria
 - Measles
 - Middle East Respiratory Syndrome (MERS)
 - Mumps
 - Pandemic Influenza (defined as the 'Pandemic Phase'), or influenza that might become pandemic (defined as the 'Alert Phase') in the World Health Organization's Pandemic Influenza Risk Management Interim Guidance
 - Plague
 - Rabies
 - Rubella
 - Severe acute respiratory syndrome (SARS)
 - Smallpox
 - Tetanus
 - Tuberculosis
 - Typhus
 - Viral haemorrhagic fever (which includes Ebola)
 - Viral hepatitis
 - Whooping cough
 - Wuhan novel coronavirus (2019-nCoV)
 - Yellow fever
- The diagnosis and treatment, including routine screening and routine vaccinations, of sexually transmitted infections;
 - Palliative care services provided by a registered palliative care charity or a community interest company;
 - Services provided as part of the "NHS 111" telephone advice line commissioned by a Clinical Commissioning Group or the NHS England;
 - Services provided for treatment of a condition caused by
 - Torture
 - Female genital mutilation
 - Domestic violence
 - Sexual violence; including treatment of both physical and mental illness, or an acute or Chronic condition. The exemption applies wherever the violence has been experienced (including violence that occurred abroad), provided that the overseas visitor has not travelled to the UK for the purpose of seeking treatment. Any other treatment that they need that is not caused by that violence is not free, unless covered by another exemption.

APPENDIX 2

King's Mill Hospital
Mansfield Road
Sutton in Ashfield
Nottinghamshire
NG17 4JL

Tel: 01623 672325

Undertaking to Pay NHS hospital costs – Overseas Visitor

Declaration

I confirm that the information I have provided in this form is correct and that I have read and understood the terms and conditions at the end of this form.

The fees payable for the services specified in this form have been explained to me and I understand that I am legally responsible for all hospital charges related to those services.

I confirm I have been provided with a comprehensive indication of the likely total cost of charges. I understand that the final charges will only be confirmed on invoice after treatment has been completed and that the invoiced charges may be different to the estimate.

I understand that I will be advised of any changes to the cost of my care before treatment is provided, whenever possible.

I understand that I am liable for increased or reduced costs not part of the estimate and agree to pay the full final invoiced charges.

If a third party or insurer has agreed to pay all or part of my account, I agree to pay any outstanding amount not paid by the third party or insurer.

I understand that if I fail to pay for my NHS treatment, it may result in a future immigration application to enter or remain in the UK being denied. Personal information¹ may be passed via the Department of Health to the Home Office for this purpose.

Signed: Date:

To be completed by the patient or someone on their behalf:

First name:	Surname:
UK address:	
Overseas address:	
Telephone number:	Mobile number:
Email address:	
Passport/ID:	Nationality:

¹ Personal information does not include medical information.

Complete if you are undertaking to pay and are NOT the patient:

First name:	Surname:
Relationship to Patient:	
UK address:	
Overseas address:	
Telephone number:	Mobile number:
Email address:	

Terms and conditions

1. **Data protection:** We will comply with all legal requirements including the General Data Protection Regulation 2018 and NHS Confidentiality Code of Practice.
2. **Immigration sanctions:** You should be aware that under paragraphs 320(22) and 322(12), and 3.14 of Appendix V, of the Immigration Rules a person with outstanding debts of over £500 for NHS treatment that is not paid within two months of invoicing, may be denied a further immigration application to enter or remain in the UK. In the absence of prompt full settlement or a reasonable repayment schedule, non-clinical information relating to this debt is provided routinely to the Home Office and may be used by the Home Office to apply the above Immigration Rules. The information will remain active for the purpose of the above rules until the debt is settled and a record of the settled debt will also be retained, both subject to normal limitation periods.
 - In the event that you may seek entry to the UK or make an advance immigration application after settling an NHS debt in the previous **two months**, you are advised to retain and carry evidence of payment for potential examination by Home Office officials.
 - Information collected and shared for this purpose will be handled in accordance with data protection law and the NHS Confidentiality Code of Practice.
3. **Payment terms:** The Trust requires all patients liable for charging to pay for their NHS treatment up-front or to provide proof of third party cover (for example, if you have private medical insurance or another person will be paying for your care). The Trust reserves the right to request interim payments for any care that is being provided over an extended period.
4. **Payment by third parties:** If a third party or insurer has agreed to pay for some, or all, of the cost of your NHS treatment and the third party refuses or is unable to pay, you will be liable to pay the remaining outstanding balance of the charges.

APPENDIX 3

Clinician Patient Assessment Form

Dear Doctor

NAME OF PATIENT:

Date of Birth:/...../..... Hospital Number:.....

We have determined that this patient is an overseas visitor as defined in the National Health Services (Charges to Overseas Visitors) Regulations 2011 & 2015. As such, the patient is liable for charges as an overseas visitor unless and until there are any applicable changes in their situation.

Government advice to safeguard NHS resources is to obtain payment where possible before treatment is given. In this case, the patient has declared that he/she will not be able to pay prior to receipt of the treatment.

However, relevant NHS bodies must also ensure that treatment which clinicians consider to be immediately necessary is provided to any patient, even if they have not paid in advance. **Failure to do so may be unlawful under the Human Rights Act 1998.** Urgent treatment which clinicians do not consider immediately necessary, but which nevertheless cannot wait until the person can be reasonably expected to return home, should also be provided to any patient, even if deposits have not been secured.

You are asked to provide your considered clinical opinion and tick one of the declarations:

- Having made the appropriate diagnostic investigations, I intend to give treatment that is immediately necessary to save the patient's life, prevent a condition from becoming immediately life-threatening or needed promptly to prevent permanent serious damage occurring. All maternity treatment is considered immediately necessary.
- Having made the appropriate diagnostic investigations, I intend to give urgent treatment that is not immediately necessary to save the patient's life but cannot wait until the patient can leave the UK. If the patient's ability to leave the UK changes, I will reconsider my opinion.
- Having made the appropriate diagnostic investigations, I do not intend to provide treatment unless payment is made in advance, since the patient's need is non-urgent and it can wait until the patient can leave the UK. If the patient's ability to leave the UK changes, I will reconsider my opinion.
- I must make further investigations before I can assess urgency.

Where treatment is given (or has been given already), the relevant NHS body is obliged to raise an invoice for the cost of such treatment, and to recover the cost of treatment where possible. Debts are written off by this hospital as losses where unrecoverable.

Date/...../..... Signed (Doctor)

Date/...../..... Signed (Overseas Visitors Office)

APPENDIX 4

King's Mill Hospital
Mansfield Road
Sutton in Ashfield
Nottinghamshire
NG17 4JL

Dept: Overseas Liaison Office

Tel: 01623 622515 ext 4211
Direct: 01623 672325

Ref:
Date

PRIVATE & CONFIDENTIAL

Dear

Since the UK left the European Economic Area, new guidelines have been issued regarding residing in the UK and entitlement to free NHS healthcare.

To be eligible for free NHS Healthcare, you **must** evidence your individual or family application for EUSS and **also** have proof of permanent ordinarily residence in this country.

You must provide evidence in your own name showing your address where appropriate:

- Rental Agreement
- Utility Bill – not a mobile telephone bill
- Bank Statement
- Wage Slips
- Documentation from the Home Office advising of your residency status

Entry to UK from a Non – EEA Country

If you have entered the UK on a 6 month Visit Visa you will be liable to pay for all NHS secondary healthcare charges with the exception of Accident and Emergency services.

If you have entered the UK on any other type of Visa, we are sending you this letter to request documentation/proof of entitlement.

If you have paid the Immigration Health Surcharge when you applied for a Visa, your healthcare is free for the duration of your visa, please contact us to let us know.

I have enclosed a stamped addressed envelope for you to forward any documents to support your entitlement to free NHS treatment or copy and

E-mail to sfh-tr.overseas.visitors@nhs.net

If you are ordinarily resident in the UK, you must register with a local GP surgery and obtain an NHS Number.

Thank you for your co-operation

Yours faithfully
Overseas Visitor Patient Liaison Team

APPENDIX 5

King's Mill Hospital
Mansfield Road
Sutton in Ashfield
Nottinghamshire
NG17 4JL

Dept: Overseas Liaison Office

Tel: 01623 622515 ext 4211

Direct: 01623 672325

Ref:

Date

PRIVATE & CONFIDENTIAL

Name

Address

XXXXXXXX

XXXXXXXX

Dear

I write to inform you that you may be liable for charges for your NHS treatment at Kings Mill Hospital on **DATE**

If you have entered the UK on a 6 month Visit Visa you will be liable to pay for all NHS secondary healthcare charges with the exception of Accident and Emergency services. Please send a copy of your passport clearly showing your Visa details.

If you have entered the UK on any other type of Visa, we are sending you this letter to request documentation/proof of entitlement.

If you have paid the Immigration Health Surcharge when you applied for a Visa, your healthcare is free for the duration of your visa, please contact us to let us know and provide your IHS reference number

Please copy and email to sfh-tr.overseas.visitors@nhs.net

Thank you for your co-operation

Yours faithfully

Overseas Visitor Patient Liaison Team

APPENDIX 6

King's Mill Hospital
Mansfield Road
Sutton in Ashfield
Nottinghamshire
NG17 4JL

Dept.: Overseas Visitor Patient Administration Office
Tel: 01623 622515 Ext 4211
Direct: 01623 672325

Ref:
Date

PRIVATE & CONFIDENTIAL

NAME
XXXXXX
XXXXXX
XXXXXX
XXXXXX
XXXXXX

Dear XXXXX

We write to inform you that UK citizens who are not permanent residents of the UK may have to pay for treatment.

If you are visiting the UK, are not normally resident or if you have returned to live in UK recently, you may have to pay for your hospital treatment, this is regardless of:

- Being a British National
- Holding a British passport
- Owning a property in the UK
- Having previously paid or currently paying National Insurance contributions or taxes in the UK

To be eligible for free NHS Healthcare, you must evidence proof of settled, ordinary residence in this country.

You must provide evidence in your own name showing your address where appropriate:

- Passport/Visa
- Rental Agreement
- Utility Bill – not a mobile telephone bill
- Bank Statement
- Wage Slips

Thank you for your co-operation

Yours faithfully

Overseas Visitor Patients Liaison Team

APPENDIX 7

King's Mill Hospital
Mansfield Road
Sutton in Ashfield
Nottinghamshire
NG17 4JL

Dept.: Overseas Visitor Patient Administration Office
Tel: 01623 622515 Ext 4211
Direct: 01623 672325

Ref:
Date

PRIVATE & CONFIDENTIAL

Address 1
Address 2
Address 3
Postcode

Dear XXXX

Re: Proof of Eligibility to Receive NHS Maternity Treatment Free of Charge

Further to your referral to the Trust, the Overseas Visitor Patient Department has been contacted as you may need to pay for your NHS maternity treatment at Kings Mill Hospital. This is because you have a 'flag' on your NHS number as likely chargeable.

If you are a British National, this may be because you have been either residing overseas, been military personnel, or recently come to England from Scotland, Northern Ireland, or Wales.

The hospital requires evidence to determine if you are entitled to free NHS treatment. It is in your best interest to provide us with documents that show to us that you are entitled to free NHS treatment, otherwise you may be charged.

If you do not consider yourself a visitor to the UK and you think you should be classed as 'ordinarily resident' in the UK then we will need to see evidence of your nationality, e.g. your passport, or that you have Leave to Remain in the UK. We will also need to see evidence that you currently live in the UK on a properly settled basis, such as a recent utility bill in your name at your address in the UK.

Alternatively, you may consider that an exemption from the charge category applies to you. If so, please bring evidence that you are exempt from charge with you as this will help us establish your eligibility.

To avoid payment, you must provide evidence that you are either Ordinarily Resident in the UK, or and hold a valid visa with dates that cover the duration of the treatment, which includes paying the Immigration Health Surcharge, or fall within an exemption category.

What you need to do is either:

1. Please send evidence that you are ordinarily resident in the UK or fall within an exemption category. The documents you need to provide are listed below. These documents will be used to determine your status. Please either send copies of your documents to:

Overseas Visitors Office
King's Mill Hospital
Mansfield Road
Sutton in Ashfield

Nottinghamshire
NG17 4JL

Or Scan or email copies of your documents to sfh-tr.overseas.visitors@nhs.net

We need to receive your documents by XXXX – Give 2 weeks

To establish your eligibility for free NHS treatment, please send copies of any of the relevant documents listed on the reverse of this letter.

If more than one document is relevant to you then send all the relevant documents.

A – At least one item with your photograph:

Passport	UK Biometric Residence Permit (BRP)
National ID card	

B) At least one item to prove where you live:

(The proof you use must be less than 3 months old. Your name and address must be on the letter.)

Water, gas, electric or Council Tax bill	Bank or building society statement
Wage slip	Phone bill (landline)
Mortgage or rental agreement	

C) Any other personal documents that can help establish your eligibility:

Non-UK European Health Insurance Card (EHIC)	Provisional Replacement Certificate (PRC) for EHIC
An IND and ARC (for patients claiming asylum)	Any other Home Office issued documents
EU SETTLEMENT/PRE-SETTLEMENT CONFIRMATION LETTER/EMAIL	

If you cannot provide the documents mentioned, please contact us on the number/email above, so we can discuss your options.

Maternity services are classes as urgent and immediately necessary. Regardless of your ability to pay, treatment will be provided to you without delay and will not be withheld. However, this hospital will seek to recover costs once you have received treatment. If you do not have the funds to pay the invoice immediately, we will discuss a repayment plan with you to allow you to pay back the cost of your treatment over a longer period of time.

You should be aware that if you do not pay, or do not adhere to an agreed repayment plan, any future immigration applications you make to enter or remain in the UK may be denied by the Home Office until the debt has been paid.

If you have any queries about the information contained in this letter, please contact us on 01623 672325 or by email.

Should you have any queries or would like to discuss payment options please contact our Finance Department on 01623 622515 ext. 4041

Yours sincerely,

Overseas Visitor Patient Liaison Team

APPENDIX 8

King's Mill Hospital
Mansfield Road
Sutton in Ashfield
Nottinghamshire
NG17 4JL

Dept: Overseas Liaison Office

Tel: 01623 622515 ext 4211
Direct: 01623 672325

Ref:
Date

PRIVATE & CONFIDENTIAL

Parent /Guardian of Name XXXXXXX
Address
Address
Address
Address

Dear Parent /Guardian of Name

Your NHS treatment costs – please supply evidence to avoid payment.

You may need to pay for your child's NHS treatment received at the Hospital. The NHS is not free to everyone and overseas visitors, including British citizens, who are not ordinarily resident in the UK may be asked to pay for specified services, including NHS hospital services, under the National Health Service (Charges to Overseas Visitors) Regulations 2015. Payment goes directly to the NHS and is used to fund doctors and nurses who provide your care.

The NHS requires evidence to determine if you need to pay for your child's treatment. Patients who are ordinarily resident² in the UK or who fall within certain exemption categories will not need to pay. You will however still need to provide evidence to demonstrate your child is exempt. The list of exemptions can be found at: <https://www.gov.uk/government/publications/guidance-on-overseas-visitors-hospital-charging-regulations/summary-of-changes-made-to-the-way-the-nhs-charges-overseas-visitors-for-nhs-hospital-care>

It is your responsibility to prove that your child is entitled to free NHS treatment.

To avoid payment, you need to provide evidence that you are either ordinarily resident in the UK, or have paid the Immigration Health Surcharge and hold a valid visa covering the duration of the treatment or fall within an exemption category.

What you need to do is either:

Send evidence that you are ordinarily resident in the UK or fall within an exemption category.

The documents you need to provide are listed on the reverse of this letter. These documents will be used to determine your and your child's residency status.

Overseas Visitors Office
King's Mill Hospital
Mansfield Road

² This means that you are living in the UK on a lawful, voluntary and properly settled basis as part of the regular order of your life for the time being. If you are a non-EEA national subject to immigration control, you are also required to have indefinite leave to remain in the UK.

Sutton in Ashfield
Nottinghamshire
NG17 4JL

Or Scan or email copies of your documents to sfh-tr.overseas.visitors@nhs.net

We need to receive your documents by XXXX – 2 weeks

If you do not provide satisfactory evidence to support your claim, you will be liable for the cost of any treatment provided to you. You will be issued with an invoice for the costs of any treatment already provided to you and you will be required to pay the full cost of any future NHS hospital treatment. If you would like to discuss your claim please contact us on 01623 622515 ext 4211

Yours faithfully,

Overseas Visitor Patient Team

In order to establish your eligibility for free NHS treatment, please send copies of any of the relevant documents listed below.

If more than one document is relevant to you then send all the relevant documents.

A) At least one item with your photo:

X Passport/Visa (Parent & Child)	X UK Biometric Residence Permit (BRP) (Parent & Child)
National ID card	

B) At least two item to prove where you live:

(The proof you use must be less than 3 months old. Your name and address needs to be on the letter.)

X Water, gas, electric or Council Tax bill (Parent)	Bank or building society statement
Phone bill (landline)	X Mortgage or rental agreement (Parent)

C) Any other personal documents that can help establish your eligibility:

X Non-UK European Health Insurance Card (EHIC) (Child)	Provisional Replacement Certificate (PRC) for EHIC
X Pay Slips (Parent)	X EU SETTLEMENT/PRE SETTLEMENT CONFIRMATION (Parent & Child)
X An IND and ARC (for patients claiming asylum) (Parent & Child)	X Any other Home Office issued documents (Parent & Child)

Please note that having an NHS number does not automatically make you eligible for free NHS treatment.

You should be aware that under paragraphs 320(22) and 322(12), and 3.14 of Appendix V, of the Immigration Rules a person subject to immigration control with outstanding debts of over £500 for NHS treatment that is not paid within two months of invoicing, may be denied a further immigration application to enter or remain in the UK.

In the absence of prompt full settlement or a reasonable repayment schedule, non-clinical information relating to this debt is provided routinely to the Home Office and may be used by the Home Office to apply the above Immigration Rules. The information will remain active for the purpose of the above rules until the debt is settled and a record of the settled debt will also be retained, both subject to normal limitation periods.

In the event that you may seek entry to the UK or make an advance immigration application after settling an NHS debt in the previous two months, you are advised to retain and carry evidence of payment for potential examination by Home Office officials.

APPENDIX 9

King's Mill Hospital
Mansfield Road
Sutton in Ashfield
Nottinghamshire
NG17 4JL

Dept.: Overseas Visitor Patient Liaison Team

Tel: 01623 622515 Ext 4211
Direct: 01623 672325

Ref:
19 July 2024

PRIVATE & CONFIDENTIAL

XXXXX
XXXXX
XXXXX
XXXXX
XXXXX

Dear XXXX

Re: Eligibility for NHS Hospital Care

Further to your **upcoming/recent outpatient appointment/ inpatient stay** at Sherwood Forest Hospitals NHS Foundation Trust, I am bound to ask if you have been living overseas for a significant period of time. As the NHS is only funded to people who are ordinarily and legally resident in this country, we need confirmation that you have returned to the UK to resume permanent residency. If you are in the UK to seek treatment, please inform us if you have activated your S1 form which might entitle you to Funded Treatment whilst living overseas.

Prove you are eligible for free healthcare.

Residence in the UK

- Passport & Visa
- Proof of purchase of property or a tenancy agreement
- Recent utility or council tax bill payment
- One way ticket to the UK

Employment status

- Payslip or letter from employer
- Bank statement
- Unique tax reference number
- Documentation from your local job centre to show that you are receiving job-seekers allowance

You can also use documents that prove you no longer live abroad. For example, paperwork to show that you have:

- sold or rented your house in your previous country of residence.
- terminated employment or studies in your previous country of residence.
- shipped goods or transferred assets to the UK
- ended insurance policies and utility contracts.

Please send evidence that you are ordinarily resident in the UK or fall within an exemption category. These documents will be used to determine your status. Please either send copies of your documents to:

Overseas Visitors Office
King's Mill Hospital
Mansfield Road
Sutton in Ashfield
Nottinghamshire
NG17 4JL

Or Scan or email copies of your documents to sfh-tr.overseas.visitors@nhs.net

We need to receive your documents by XXXX – Give 2 weeks

If you have any Queries or need more information, please do not hesitate to contact the Overseas Team on above telephone number or email address.

Please be aware that the Home Office regulations for UK Passport Holders states that a UK passport Holder who returned to live in the UK must do so for 6 months to qualify for free NHS treatment, otherwise if the person is resident abroad and have not been in the UK for at least 6 months in the last 12 then they do not qualify for free treatment.

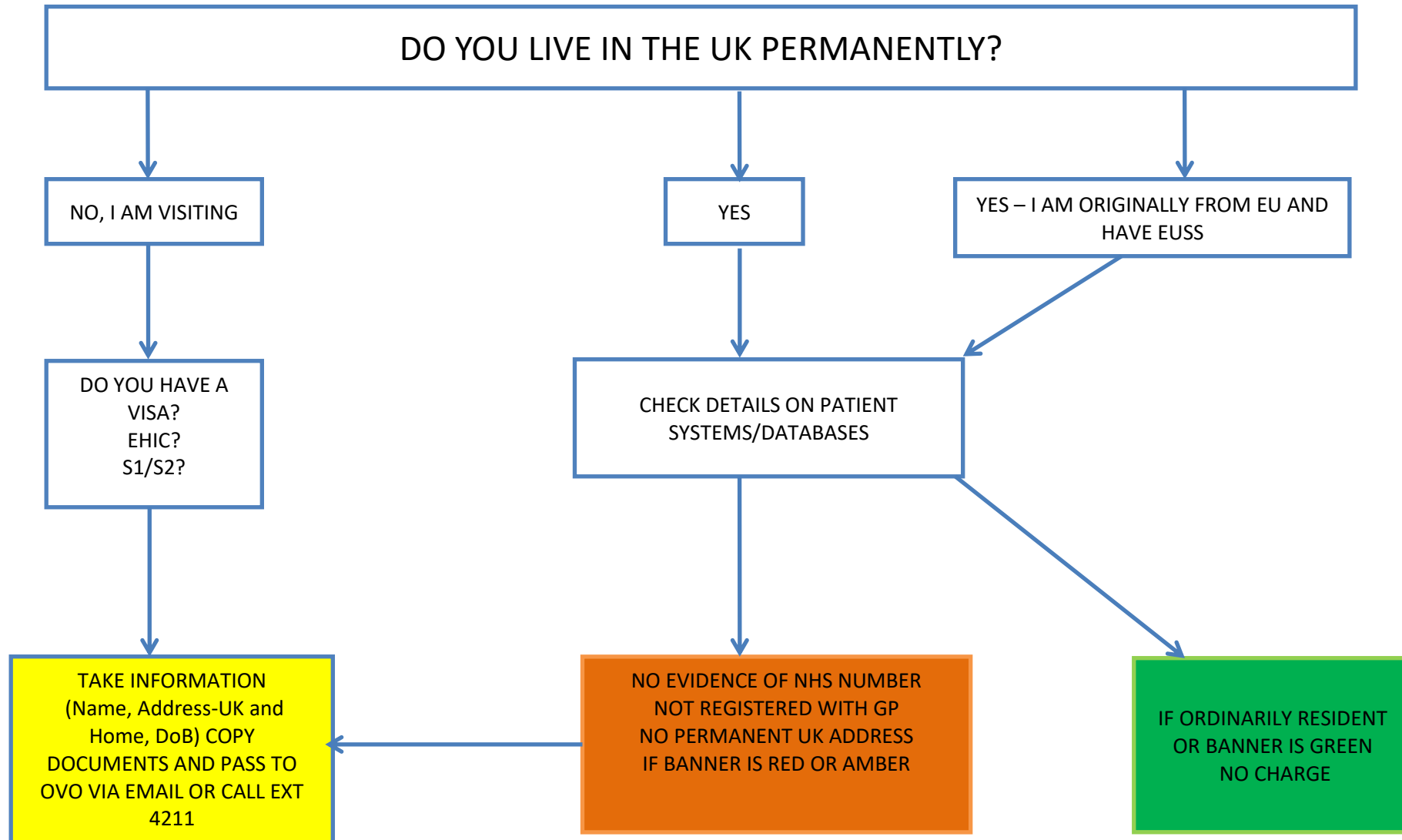
Access to free medical treatment is subject to strict qualifying conditions. Providing false information or failing to disclose information in order to access free treatment which would otherwise be chargeable may constitute a criminal offence resulting in a criminal conviction being imposed by the Courts. Anyone suspected to have provided false information or to have withheld information in order to access free medical care will be referred to East Midlands NHS Counter Fraud Service for full investigation and referral of the matter to prosecuting solicitors if evidence of fraud is found. Charges for treatment falsely claimed will be made by the Trust. East Midlands NHS Counter Fraud Service may also share information with the UK Border Agency (UKBA) for the prevention or detection of criminal offences.

Yours faithfully

Overseas Visitor Patient Liaison Team

APPENDIX 10

Questions on Arrival to All Departments



APPENDIX 11 - EQUALITY IMPACT ASSESSMENT FORM (EQIA)

Name of service/policy/procedure being reviewed: Overseas Visitor Patients Policy			
New or existing service/policy/procedure: Existing			
Date of Assessment: 10 June 2021			
For the service/policy/procedure and its implementation answer the questions a – c below against each characteristic (if relevant consider breaking the policy or implementation down into areas)			
Protected Characteristic	a) Using data and supporting information, what issues, needs or barriers could the protected characteristic groups' experience? For example, are there any known health inequality or access issues to consider?	b) What is already in place in the policy or its implementation to address any inequalities or barriers to access including under representation at clinics, screening?	c) Please state any barriers that still need to be addressed and any proposed actions to eliminate inequality
The area of policy or its implementation being assessed:			
Race and Ethnicity	None	Alternative version could be created on request	None
Gender	None	Not applicable	None
Age	None	Not applicable	None
Religion / Belief	None	Not applicable	None
Disability	Visual Accessibility of this document	End user has option to increase font size as required. Alternative version could be created on request	None
Sexuality	None	Not applicable	None
Pregnancy and Maternity	None	Not applicable	None
Gender Reassignment	None	Not applicable	None
Marriage and Civil Partnership	None	Not applicable	None
Socio-Economic Factors	None	Not applicable	None

(i.e. living in a poorer neighbourhood / social deprivation)			
What consultation with protected characteristic groups including patient groups have you carried out? <ul style="list-style-type: none"> None. This policy is written in conjunction with, and directly reflects the "Guidance on Implementing the Overseas Visitor Charging Regulations as issued by DHSC 			
What data or information did you use in support of this EqIA? <ul style="list-style-type: none"> All relevant data and legislation that has been published by the Department of Health and Social Care 			
As far as you are aware are there any Human Rights issues be taken into account such as arising from surveys, questionnaires, comments, concerns, complaints or compliments? <ul style="list-style-type: none"> No 			
Level of impact From the information provided above and following EQIA guidance document Guidance on how to complete an EIA (click here), please indicate the perceived level of impact: Low Level of Impact			
Name of Responsible Person undertaking this assessment: Julie Mayfield			
Signature: <i>Julie Mayfield</i>			
Date: 10/06/24			