

4 Aug 08

## **OVERSEAS PATIENTS AND ASYLUM SEEKERS**

Although a root and branch review is still expected in this area, we have redrafted last year's guidance to make it clearer.

The basic rule is that, regardless of residential status or nationality, GPs should give 'emergency or immediately necessary treatment' free of charge. This is treatment which cannot be reasonably delayed until the patient returns home (and does not normally include pre-existing conditions or illnesses). It is for the GP to decide whether the case falls into this category.

As regards other treatment, the DH lays down 4 categories:

- Asylum seekers (closely defined legally as those with an 'outstanding application for refuge in the UK' – so not illegal immigrants) are entitled to the same services as any person ordinarily resident in the UK. *This also applies to unaccompanied asylum-seeking children.* Asylum seekers need to prove their status as asylum seekers, usually with Home Office form IS 96.
- EEA visitors (i.e. European Union countries plus Iceland, Liechtenstein, Norway and Switzerland) are entitled under the NHS to free treatment for chronic conditions, including routine monitoring. The following types of healthcare services can be obtained by such eligible overseas visitors: blood tests, blood pressure checks, routine maternity care, cholesterol checks, insulin, oxygen, renal dialysis, warfarin tests. These visitors need only produce a **European Health Insurance Card**, or if that has been lost a Provisional Replacement Certificate, or (until the EHIC becomes universally available) a passport, identity or residence card. Exceptionally, visitors from Ireland need only provide a passport.
- Visitors from countries with which UK has a bilateral agreement are entitled to NHS hospital treatment in England that is needed promptly for a condition that arose after their arrival in the UK. At primary care level it depends on whether they have registered with you: if they have done so they rank as any normal patient; if not they can only receive emergency and immediately necessary treatment. Such people include :
  - The nationals of almost all of the former states of the USSR and New Zealand. Such nationals need to provide a **passport** only.
  - The residents of the following countries: Anguilla, Australia, Barbados, Bosnia-Herzegovina, British Virgin Islands, Channel Islands, Croatia, Falkland Islands, Gibraltar, Isle of Man, Macedonia, Montenegro, Montserrat, Serbia, St Helena and the Turks & Caicos Islands. Such residents can provide as proof a **passport or proof of residence (e.g. an identity or residence card)**.
- All other visitors (including Americans, Canadians and Japanese, for instance) have no right to free primary care under the NHS except for emergencies and immediately necessary treatment. Of course if they later become ordinarily resident in UK then, whatever their nationality, they come under the normal NHS arrangements.

The above does not cover situations where people come to the UK without an explicit referral in order to access treatment. These people fall outside the NHS. Where there is no entitlement to treatment under the NHS it is still open to practices to charge a fee for their services.

There is no further documentary requirement under the Dept of Health guidance. The PCT confirms that there is no need to collect proof of country of birth or of when the prospective patient arrived in UK.

For those who prefer a pictorial guide, a flowchart is attached.

**M J D FORSTER**  
**Lay Secretary**

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# OVERSEAS VISITORS ELIGIBILITY TO FREE PRIMARY CARE

