

Eligibility for NHS treatment

A patient's guide

This leaflet is a general guide and not a full statement of the current regulations.

Please contact the Overseas Team on 01480 830541 ask for bleep 268, for further information or see the Department of Health website at: www.nhs.uk/NHSEngland/AboutNHSservices/uk-visitors

Did you know that you may have to pay for hospital treatment whilst here?

Hospital treatment is only free to people who live in the United Kingdom (UK).

If you do not normally live here and you do not meet one of the exemptions from charges then you may have to pay for your treatment.

How do I know if I have to pay?

The law says that the hospital providing treatment must decide if each patient is entitled to free NHS hospital treatment.

The hospital will ask you to provide evidence to confirm your eligibility. If the hospital decides you can receive free NHS treatment you will still have to pay for statutory NHS charges such as prescription charges unless you are otherwise exempt.

If the hospital decides you are not entitled to free NHS treatment charges, will apply and cannot be set aside. This will include the full cost of any prescribed medication even if you are in possession of an HC2 exemption certificate.

What do I have to pay for?

- The full cost of all treatment you receive, including emergency treatment, given by staff at a hospital. There are some services that are free of charge to everyone:
- Treatment given only in an Accident and Emergency (A&E) department or in an NHS Walk-in Centre providing services similar to those of an A&E department. (Excludes emergency treatment given elsewhere in the hospital).
- Treatment for certain infectious diseases.
- Compulsory psychiatric treatment.
- Family planning services.

People entitled to some NHS treatment

This is limited to treatment required for any condition that occurred after arrival in the UK.

- Anyone, including a refugee, stateless person or a member of their family, who normally lives in another EEA member state and visiting the UK.
- Anyone, including their spouse or children, receiving a UK state pension who has either lived legally in the UK for 10 continuous years at some point or has worked as a Civil Servant for at least 10 continuous years.
- Anyone, including their spouse or children, who is a national of a country that has signed the European Social Charter but is not entitled to be provided with services under a bilateral agreement (currently Turkey and areas of Cyprus not covered under the EEA arrangements) and is genuinely without the means to pay for their treatment.
- Anyone, including their spouse or children, who has lived legally in the UK for 10 continuous years at some point but who is now living in another EEA member state or in certain countries with which the UK has a bilateral healthcare agreement.
- Anyone who is entitled to receive industrial injury benefit from Israel if the treatment is in connection with the industrial injury.
- Anyone living in a country with which the UK has a bilateral agreement (some bilateral healthcare agreements are limited to nationals of that country).

Who does not have to pay?

- Anyone who is working in the UK for an employer who is based in the UK or is registered in the UK as a branch of an overseas employer (this includes self-employed people). You must be actually working, not just looking for work.
- Any unpaid worker with a voluntary organisation offering services similar to those of a Health Authority or Local Authority Social Services Department.
- Any full time student on a course of at least 6 months duration, or if less than 6 months, is substantially funded by the UK Government.
- Anyone who has come to live permanently in the UK. If you make an application for permanent residence after you get here you are chargeable until your application is approved.
- Anyone who has been lawfully living in the UK for 12 months immediately prior to treatment.
- Refugees and asylum seekers whose application is still being considered.
- British citizens, EEA or Swiss nationals and are ordinarily resident in the UK.
- Anyone entitled to services under or by virtue of EU Regulations, an EU agreement or other EU right (e.g. by having an EHIC).
- Anyone covered by a reciprocal healthcare agreement with the UK.
- Anyone granted asylum or temporary or humanitarian protection in the UK (e.g. refugees).
- Anyone who has applied for asylum or temporary or humanitarian protection, until their application, including appeals, is decided (e.g. asylum seekers).
- Serving NATO personnel.
- Anyone who receives a UK war pension, war widows' pension or armed forces compensation scheme payment.

- Members of the regular and reserve forces.
- Employees on ships (family members no longer have this exemption).
- Anyone lawfully in the UK and covered under the European Social Charter or European Convention on Social and Medical Assistance with insufficient resources to pay ('needs arising' treatment only).
- Anyone who is detained in prison or by the immigration authorities in the UK (family members no longer have this exemption) .
- A child born in the UK to an exempt person is also exempt from charge up to the age of three months.
- Government workers (crown servants, UK Government financed employment, British Council and Commonwealth War Graves Commission staff) who are required to work abroad (required to have been an ordinary resident in the UK, prior to going overseas to take up the post).
- 2015 victims of violence (relating to domestic violence, sexual violence, torture and female genital mutilation (FGM)).
- Any Non-European Economic Area (EEA) national, subject to immigration control, is exempt from charge if one of the following applies to them:
 - » Leave to enter/remain is still valid they have paid the surcharge.
 - » Exempt from payment of the surcharge or have had the requirement waived or reduced, or have had part (but not all) of the surcharge refunded to them.
 - » Covered under one of the above, but for the fact that they applied for leave to enter or remain in the UK before the start of the surcharge (this will include those already resident here without indefinite leave to remain and a small number of people arriving after 6 April 2015).

- » UK state pensioners who have lived lawfully in the UK for 10 continuous years at some point, who now live for not more than 6 months each year in another EEA member state and not less than 6 months each year in the UK.

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