

## Free NHS Hospital Care



Non NHS Patient Income Manager Chief Operating Officer's Team

Respecting everyone Embracing change Recognising success Working together Our hospitals.





# Free NHS Hospital Care



The Overseas Visitors NHS Hospital Charging Regulations

**Treatment Urgency** 

Baseline question in Medway

**Scenarios** 

**Treatment Advice Forms** 

Alerts in Medway

**Treatment Advice Forms** 

**Overseas Visitors Team** 

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Our hospitals.







## Housekeeping and scene setting

Housekeeping and introductions

Purpose of the session

Short video from the Cost Recovery Team







#### Housekeeping & Introductions

Fire Alarms

Fire Exits

Non NHS Patient Income Manager, UHBFT, Co Chair NHS Overseas Visitors Advice Group (OSVAG)







#### Purpose of the Session

Raise awareness of the Trusts obligations under the "Overseas Visitors NHS Hospital Charging Regulations"

Improve the Trusts compliance with those obligations







### Short video from the Cost Recovery Team









## Who is entitled to free NHS hospital care?

Contributions from the floor

Patients who are entitled to free NHS hospital care

Patients who are potentially chargeable







#### Contributions from the floor





People who are 'Ordinarily Resident in the UK'

Vulnerable patients such as refugees, asylum seekers and children in local authority care, prisoners, immigration detainees, and people detained under the Mental Health Act (MHA)

Temporary migrants and students who have paid the Immigration Health Surcharge (IHS) as part of their visa application

People covered by reciprocal healthcare agreements or other international obligations including EHIC, S1, S2

Specific list of exempt persons

Those with exempted conditions







EHIC European Health Insurance Cards are used by visitors and students from countries in the European Economic Area (EEA). EHICs allow the UK to recover costs of NHS healthcare provided during their stay, from their home country.

An EHIC covers treatment that can't wait until the patient's return to their home country. This includes pre-existing medical conditions and routine maternity care, providing the reason for a visit to the UK is not specifically to give birth.

Many EEA nationals live in the UK on a settled basis and are 'ordinarily resident'— they are entitled to free NHS care and do not need to have an EHIC. However, if they do hold an EHIC, because they remain insured for healthcare by their home EEA state, and they retain their principal long-term residence in that country then these costs can still be recovered from their home country through the EHIC.







S1 forms are issued to people who live in one EEA country, but have their healthcare costs covered by another EEA country. People entitled to apply for an S1 include state pensioners and those in receipt of certain benefits. It also includes people who have been posted to work in another country (once they have lived there for 2 years) and frontier workers. Family members are also covered by the S1 form.







S2 forms are issued to people who choose to have their healthcare, usually hospital treatment, in a different EEA country to the one where they live. These forms are processed by the hospital where the individual is receiving treatment.







#### Patients who are potentially chargeable

Holidaymakers

People visiting family in the UK

Former residents who are now living overseas (expatriate citizens)

People living in the UK illegally

Short-term migrants, who are staying in the UK for less than six months (this can include students)







# The Overseas Visitors NHS Hospital Charging Regulations 2015 (amended 2017)

Obligations Outline







#### Obligations outline

In England, not everyone is entitled to free NHS hospital treatment

The Charging Regulations place a **legal obligation** on us to **establish** whether a person is **subject** to, or **exempt** from **charges** 

When charges apply, a relevant NHS body must make and recover them

Charges must be recovered in full, in advance of providing services, unless doing so would prevent or delay immediately necessary or urgent services (IN/U)

In law - elective treatments must not be given unless full payment of the estimated costs is received beforehand

Immediately necessary or urgent treatment must not be withheld as this may breach the Human Rights Act







## Treatment Urgency

**Immediately Necessary** 

**Urgent** 

Non Urgent

**Further Investigation** 

**Emergency Department** 

**Maternity Services** 







#### Immediately necessary:

Treatment which the patient needs promptly

- To save their life; or
- To prevent a condition from being immediately life threatening; or
- To prevent permanent serious damage from occurring







#### **Urgent**

Urgent treatment is that which clinicians do not consider immediately necessary, but which nevertheless cannot wait until the person can be reasonably expected to leave the UK

Clinicians may base their decision on a range of factors, including the pain or disability a particular condition is causing, the risk that delay might mean a more involved or expensive medical intervention being required, or the likelihood of a substantial and potentially life-threatening deterioration occurring in the patient's condition if treatment is delayed until they return to their own country







#### Non-urgent treatment

Non urgent treatment is **routine elective treatment** that **could wait** until the **patient leaves the UK** 

Relevant NHS bodies do not have to provide non-urgent treatment if the patient does not pay in advance and **must not do so until the estimated full cost of treatment has been received** 







#### Further Investigation

Sometimes further investigation must take place before a clinician can assess urgency







#### Treatment in the Emergency Department

A charge **cannot be made** or **recovered** from any overseas visitor for **accident and emergency (A&E) services**, this includes all A&E services provided at an NHS hospital, e.g. those provided at an accident & emergency department, walk-in centre, minor injuries unit or urgent care centre.

This does not include those emergency services provided after the overseas visitor has been accepted as an inpatient, or at a follow-up outpatient appointment, for which charges must be levied unless the overseas visitor is exempt from charge in their own right.





#### **Maternity Treatment**

Due to the severe health risks associated with conditions such as eclampsia and pre-eclampsia, and in order to protect the lives of both mother and unborn baby, all maternity services must be treated as being 'IN'.

Maternity services include **all antenatal**, **intrapartum** and **postnatal** services provided to a **pregnant person**, a person who has **recently given birth** or a **baby**.

No one must ever be denied, or have delayed, maternity services due to charging issues.

Although a person **must be informed** if **charges app**ly they should not be discouraged from receiving the remainder of their maternity treatment. The Trust should be especially careful to inform pregnant patients that further maternity healthcare **will not be withheld**, **regardless** of their **ability to pay** 







## The 'baseline' question?

The baseline question

Why is it changing?

The new question

Answers to the baseline question

Patient Information Leaflet

EEA member states

EHIC data collection







#### The baseline question

The baseline question is about **UK residency**.

The current question is:

Have you lived in the UK for the last 12 months?

We are going to change this question so it will be:

Where have you lived in the last 6 months?







#### Why is the question changing?

Current question is a 'Yes' / 'No'

Doesn't require a conversation

Can easily be answered incorrectly if English is not a primary language

Can be completed by making assumptions about a person







#### The new question....

Doesn't answer the 'test' in the Charging Regulations but

- Requires dialogue
- Recommended by the DHSC
- 6 months is the usual length of a visit visa.

The same question must be asked of **every single patient**, in **every single department**.

If we don't do this we could be seen to be acting discriminatorily







#### Answers to the baseline question

Where have you lived in the last 6 months?

- 1. UK only
- 2. UK & another country
- 3. Another country only
- 4. Unknown

If answer is 2 or 3, give 'Access to free hospital healthcare leaflet'.



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NHS Foundation Trust

Access to free hospital healthcare



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Patient information service Trustwide

#### Access to free hospital healthcare



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#### Who is entitled to free hospital treatment

The NHS provides free hospital treatment to people who are, and have the right to be, permanent UK residents. Please note:

- Evidence of residence and the right to live lawfully in the UK is needed to access free hospital treatment.
- Overseas visitors must pay for hospital treatment unless their home country has a healthcare agreement with the UK or an exemption applies.
- Visitors from European Economic Area (EEA) member states should show a valid European Health Insurance Card (EHIC).
- People who are employed or studying in the UK may be entitled to free hospital treatment.
- Refugees and asylum seekers whose formal applications to the Home Office are still being considered are entitled to free hospital treatment.
- Patients who have paid the Home Office Health Surcharge and have been issued with a Biometric Residence Permit are entitled to free hospital treatment.
- Patients who are 'ordinarily resident' in the UK are entitled to free hospital treatment.

#### Why do I need to provide evidence of entitlement?

NHS hospital trusts have a legal duty to check evidence of entitlement.

All patients attending the hospital, whatever nationality and residency, are required to provide evidence of entitlement and an overseas visitors officer can advise you what documentation is acceptable.

#### What if I have not lived in the UK for some or all of the last six months?

If you have indicated that you have not lived in the UK for some or all of the last six months, you will be referred to an overseas visitors officer.

If the overseas visitors officer is not able to speak with you that day, they will write to you to request proof of your eligibility for free NHS hospital treatment.

#### What if I am not eligible for free NHS hospital treatment?

If the hospital decides you are not able to have to free NHS hospital treatment, you will have to pay for the full cost of your hospital treatment.

Payment of the full estimated costs of treatment must be paid in advance or the treatment will be withheld.

- · All maternity treatment is classed as immediately necessary.
- Immediately necessary or urgent treatment will be provided but will be charged for afterwards.
- Treatment in the emergency department is exempt from charges.

#### Where can I get further information?

This leaflet is a general guide and not a full statement of the current Department of Health guidance and charging regulations.

For more information visit the Department of Health website: www.nhs.uk/NHSEngland/AboutNHSservices/uk-visitors/Pages/ accessing-nhs-services.aspx



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#### Answers to the baseline question

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If answer is 2 or 3, give

'Access to free hospital healthcare leaflet'

If the non UK country is an EEA member state ask if the patient has a European Health Insurance Card (EHIC)

But what are the EEA member states?



Access to free hospital healthcare



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#### The European Economic Area

The 28 EU countries are:

Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK.

The EEA includes EU countries and also Iceland, Liechtenstein and Norway.

Switzerland is neither an EU nor EEA member but is part of the single market - this means Swiss nationals have the same rights to live and work in the UK as other EEA nationals.







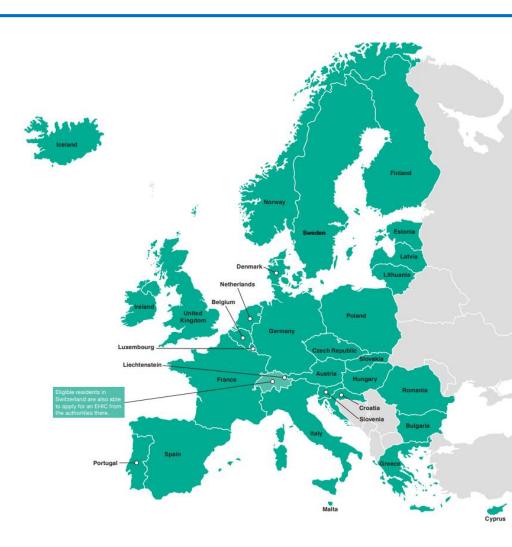
#### **EEA** member states







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#### Answers to the Medway question

Where have you lived in the last 6 months?

- 1. UK only
- 2. UK & another country
- 3. Another country only
- 4. Unknown

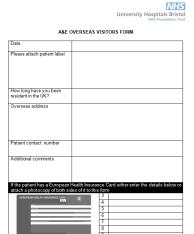
If answer is 2 or 3, give

'Access to free hospital healthcare leaflet'

If the non UK country is an EEA member state ask if the patient has a

European Health Insurance Card (EHIC)

But what are the EEA member states? Complete the 'Overseas Visitors Form'



















#### **EHICS**

Complete form as fully as possible.

If the person has an EHIC complete

#### **A&E OVERSEAS VISITORS FORM**

Date					
Please attach patient label					
How long have you been resident in the UK?					
Overseas address					
Patient contact number					
Additional comments					
If the patient has a European attach a photocopy of both si	Health Insura des of it to thi	ince Card	d either ente	r the details bel	ow or
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		8			
		9			









#### **EHICS**

University Hospitals Bristol
NHS Foundation Trust

Complete the Overseas Visitors form as fully as possible.

If the person has an EHIC complete

#### A&E OVERSEAS VISITORS FORM

Date					
Please attach patient label					
How long have you been resident in the UK?					
resident in the ÚK?					
Overseas address					
Patient contact_number					
Additional comments					
If the patient has a European I	lealth Insurar	nce C	Card either e	nter the deta	ils below or
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#### **Nationality**

Nationality is one of the personal information fields in Medway

It allows us, together with name and date of birth, to make enquiries of the Home Office as to the legal status of an individual

If we don't have the Nationality is makes it harder to establish a patients charging status

Asking a patients nationality isn't a racist action.

We must ensure that we ask all patients the same questions to ensure transparency and fairness







# Perceptions

Some scenarios

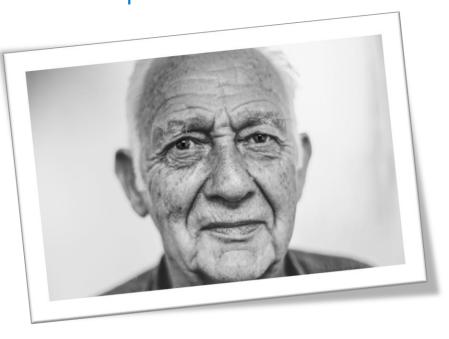












#### Scenario

72 years old
Born in the UK
British passport holder
Worked in the UK until retirement
Has property in the UK
Lives in Spain
Has his pension paid there
Being treated operatively for a broken
leg

Free - Spain will pay (reciprocal agreement via S1)







#### Scenario

72 years old
Born in the UK
British passport holder
Worked in the UK until retirement
Has property in the UK
Lives in Thailand
Has his pension paid there
Being treated operatively for a broken
leg

Not covered by a reciprocal agreement - Personally liable for charges









#### Scenario

18 years old
Spanish citizen
Spanish passport holder
Studying at university in the UK
Being treated in dermatology

Free - EEA national 'ordinarily resident' in the UK







#### Scenario

10 weeks old
Born in the UK
Mum and Dad are Canadian & live in
Canada
In PICU

Not ordinarily resident in the UK - Personally liable for charges









#### Scenario

43 years old
Born in Jamaica
British passport holder
Lives in the UK
Being treated for haemophilia

Free - EEA national 'ordinarily resident' in the UK









#### Scenario

36 years old
Born in South Africa
South African passport holder
Entered the country on a visit visa 2
years ago
Now lives in the UK with a British
Citizen
Presented to maternity (20 weeks
pregnant)

As being treated in maternity, treatment cannot be withheld







#### Scenario

22 years old
Born in China
Chinese passport holder
Entered the UK 4 years ago as a student
Had student visa
Now working in the UK
Treated in ED for SOB

#### Treated only in ED so no charges will be made









#### Scenario

14 years old
Born in Pakistan
Entered the country illegally
Lives in the UK
Has been granted refugee status

#### Free - 'Ordinarily resident' in the UK











# Clinicians obligations under the regulations

Clinicians obligations under the regulations

**Treatment Advice Forms** 

Purpose

**Process** 

Walk through







## Clinicians obligations under the regulations

Clinicians have 4 legal obligations under the regulations

- To make the final decision as to whether treatment is Immediately necessary, urgent or non-urgent
- To confirm that a patient is receiving exempt services
- To confirm that the patient is a victim of specified types of violence
- To confirm if the patient is fit to travel to return home for further treatment

These obligations are satisfied by completing the Treatment Advice Form





## Treatment advice form - Purpose

#### Purpose is to establish:

- What the immediacy of the treatment is
- If the patient receiving an exempt service
- If the patient a victim of a specified type of violence
- When will the patient be fit to travel home for further treatment
- A general definition of inpatient episode (Adult or Paediatric) which matches the NHSI upfront charging categories
- If there are any additional elements







#### Treatment advice form - Process

#### The process is

- Electronic 'list' form linked to the Overseas Visitors Team workspace
- Sent by the Overseas Visitors Team by email.....
   to the named consultant in Medway
- Needs to be completed electronically......
   as soon as is reasonably practical
- Escalation process is a chase after 2 days





#### Treatment advice form

Dear Colleague,

Please return this completed form as soon as possible.

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

Clinicians have 4 key responsibilities under the regulations:

- 1. To take the final decision as to whether treatment is immediately necessary, urgent or non-urgent.
- 2. To confirm that a patient is receiving exempt services.
- 3. To confirm that a patient is a victim of specified types of violence.
- 4. To confirm the patient is fit to travel to return home for further treatment.

You are asked to provide your considered clinical opinion in relation to those 4 responsibilities and to advise us of the general description of the inpatient episode.

Services must not be provided to a chargeable overseas visitor until the estimated full cost of treatment has been secured upfront, unless doing so would prevent or delay the provision of immediately necessary or urgent treatment.

Treatment which clinicians consider to be immediately necessary must be 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.

Please complete the details for this patient here.

http://workspaces/sites/OverseasandPrivatePatients/Lists/Test1/EditFormClinician.aspx?ID=50&Source=http://workspaces/sites/OverseasandPrivatePatients/Web%20Pages/TAFConfirm.aspx

Thanks









#### Treatment advice form

New Item   Dedit Item	🗙 Delete Item   🛂 Manage Permissions   🍪 Workflows   Alert Me
Patient Surname	Test
Patient Firstname	Test
Patient Date of Birth	01/01/1950
Adult or Paediatric	Adult
T Number	T1234567
Regarding episode / referral	Test text for training purposes
Patient likely to return home on	01/01/2019
Patient normally resides in	Test Overseas Country
Clinician	
What is the immediacy of the treatment?	Immediately Necessary
Is the patient recieving an exempt service?	Acute encephalitis
Is the patient a victim of a specified type of violence?	No evidence / No
When will the patient be fit to travel home for further treatment?	01/01/2020
General definition of inpatient episode - Adult	Vascular surgery







# Alerts in Medway

The Medway homescreen

**Alert Texts** 







## The Medway homescreen



'Contact Overseas Office if patient attends'

'Not eligible for free NHS treatment excluding A&E. Do not book any appointments without contacting the Overseas Team on xxx'

'OK for NHS treatment'

'OK for NHS treatment (after date shown overseas visitors team on xxx) Expiry date dd/mm/yyyy'

'Scottish/Welsh/NI resident – Funding check required / Funding Approved'







#### **Overseas Visitors Team**

- · Who, What, Where, When, How
- Gathering Information in the background
- Outreach and awareness







#### Who, What, Where, When, How

1 Supervisor, 2 Overseas Visitors Officers & 1 Administrator

Corporate team part of Chief Operating Officers team

Based in xxx

7 days a week, 365 days a year

Single telephone number & email address

email: OverseasVisitorsTeam@UHBristol.NHS.uk

telephone: xxx







## Gathering information in the background

Daily IM&T report – Inpatient, Outpatient and ED attendances

- 'No' or 'unkown' to the residency question
- Existing Medway Overseas Visitor alert
- NHS number (missing or new)
- GP (no named GP or no GP practice)
- ZZ99 postcodes
- · 'Red' and 'green' banners in the Summary Care Record







#### Outreach and awareness

Charitable organisations

The Haven – Montpellier Health Centre

**Bristol Hospitality Network** 

**Bristol Refugee Rights** 

The Assisi Centre (Borderlands)







# How much does it costs and what is the level of engagement?







#### How much does OSV cost the NHS?

£97m charged for treating overseas visitors in 2013-14

£289m charged for treating overseas visitors in 2015-16, including a

new immigration health surcharge for students and temporary

migrants

Up to £500m target annual amount to be recovered for treating overseas

visitors by 2017-18

£164m generated by a new immigration health surcharge for students

and temporary migrants from outside the European Economic

Area in 2015-16

15,500 cases that hospital trusts reported under the European Health

Insurance Card scheme in 2015-16

additional amount above NHS tariff prices charged to overseas

visitors from outside the European Economic Area







#### What does UH Bristol do?

860,000 patients in 17/18 (740,000 OP (inc all ED's) 120,000 IP)

12,500 investigations

1250 found to be charge liable, 90% exempt

£1.2M revenue







#### How much awareness in the NHS?

68% of Trust chairs and board members who are aware of the cost recovery programme consider that the programme's benefits will outweigh the costs to the NHS

58% of hospital doctors are aware that some people are chargeable for the NHS healthcare they





## Questions





# Free NHS Hospital Care



Non NHS Patient Income Manager Chief Operating Officer's Team

Overseas Visitors Team - Supervisor







## Purpose of the Session

Raise awareness of the Trusts obligations under the "Overseas Visitors NHS Hospital Charging Regulations"

Improve the Trusts compliance with those obligations







## Obligations outline

In England, not everyone is entitled to free NHS hospital treatment

The Charging Regulations place a **legal obligation** on us to **establish** whether a person is **subject** to, or **exempt** from **charges** 

When charges apply, a relevant NHS body must make and recover them

Charges must be recovered in full, in advance of providing services, unless doing so would prevent or delay immediately necessary or urgent services (IN/U)

In law - elective treatments must not be given unless full payment of the estimated costs is received beforehand

Immediately necessary or urgent treatment must not be withheld as this may breach the Human Rights Act







#### Entitlement outline

Free NHS hospital treatment is provided to those persons who are 'Ordinarily Resident' in the UK

It is not contribution or nationality based

Some exemptions apply







## Immediately necessary:

Treatment which the patient needs promptly

- To save their life; or
- To prevent a condition from being immediately life threatening; or
- To prevent permanent serious damage from occurring







## **Urgent**

Urgent treatment is that which clinicians do not consider immediately necessary, but which nevertheless cannot wait until the person can be reasonably expected to leave the UK

Clinicians may base their decision on a range of factors, including the pain or disability a particular condition is causing, the risk that delay might mean a more involved or expensive medical intervention being required, or the likelihood of a substantial and potentially life-threatening deterioration occurring in the patient's condition if treatment is delayed until they return to their own country







## Non-urgent treatment

Non urgent treatment is **routine elective treatment** that **could wait** until the **patient leaves the UK** 

Relevant NHS bodies do not have to provide non-urgent treatment if the patient does not pay in advance and **must not do so until the estimated full cost of treatment has been received** 







## Further Investigation

Sometimes further investigation must take place before a clinician can assess urgency







### Treatment in the Emergency Department

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This does not include those emergency services provided after the overseas visitor has been accepted as an inpatient, or at a follow-up outpatient appointment, for which charges must be levied unless the overseas visitor is exempt from charge in their own right.







### The baseline question

The baseline question is about **UK residency**.

The current question is:

Have you lived in the UK for the last 12 months?

We are going to change this question so it will be:

Where have you lived in the last 6 months?







## Why is the question changing?

Current question is a 'Yes' / 'No'

Doesn't require a conversation

Can easily be answered incorrectly if English is not a primary language

Can be completed by making assumptions about a person







### The new question....

Doesn't answer the 'test' in the Charging Regulations but

- Requires dialogue
- Recommended by the DHSC
- 6 months is the usual length of a visit visa.

The same question must be asked of **every single patient**, in **every single department**.

If we don't do this we could be seen to be acting discriminatorily







### Answers to the baseline question

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If answer is 2 or 3, give 'Access to free hospital healthcare leaflet'.



University Hospitals Bristol
NHS Foundation Trust

Access to free hospital healthcare













Patient information service Trustwide

### Access to free hospital healthcare













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Access to free hospital healthcare



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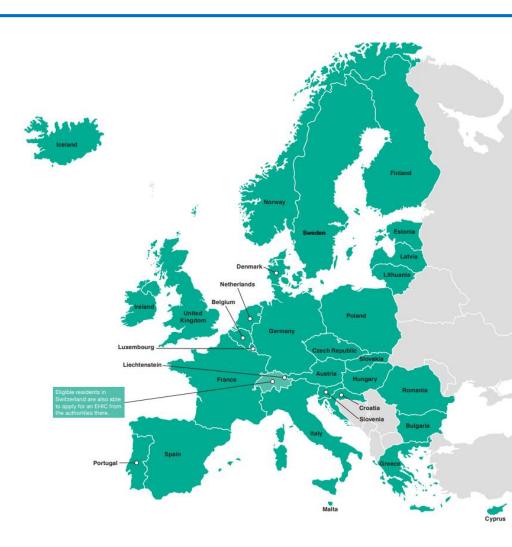




### **EEA** member states











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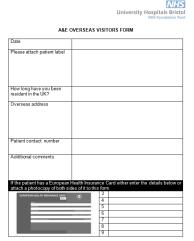
'Access to free hospital healthcare leaflet'

If the non UK country is an EEA member state ask if the patient has a

**European Health Insurance** Card (EHIC)

But what are the EEA member states?

Complete the 'Overseas Visitors Form'

















### **EHICS**

Complete form as fully as possible.

Complete the EHIC details section or attach a photocopy

#### **A&E OVERSEAS VISITORS FORM**

Date			
Please attach patient label			
How long have you been resident in the UK?			
Overseas address			
Patient contact number			
Additional comments			
If the patient has a European Heattach a photocopy of both sides	alth Insurance of it to this for	Card either enter t	he details below or
EUROPEAN HEALTH INSURANCE CARD			
Committee Color (No. com	6 7	-	
	8	<u> </u>	
	9		









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Nationality is one of the personal information fields in Medway

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### The Medway Homescreen



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Corporate team part of Chief Operating Officers team

Based in xxx

7 days a week, 365 days a year

Single telephone number & email address

email: OverseasVisitorsTeam@UHBristol.NHS.uk

telephone: xxx







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