

**UNIVERSITY HOSPITAL DORSET**  
**NHS FOUNDATION TRUST**  
**OVERSEAS EEA & NON EEA PATIENT CHARGING**

**Procedures and Guidelines section of the intranet to ensure this is the most up to date version.**

**Out of date policy documents must not be relied upon.**

<b>A) EXECUTIVE SUMMARY POINTS</b>	
•	
•	
•	
<b>B) ASSOCIATED DOCUMENTS</b>	
•	<a href="https://publishing.service.gov.uk">Guidance on implementing the overseas visitor charging regulations (publishing.service.gov.uk)</a>
•	
•	
•	

<b>C) DOCUMENT DETAILS</b>	
<b>Author:</b>	Chris Hickson
<b>Job Title:</b>	Associate Director of Finance
<b>Directorate:</b>	Finance
<b>Date:</b>	August 2022
<b>Version No:</b> (Author Allocated)	V1
<b>Equality impact assessment date:</b>	TBC
<b>Target audience:</b>	All Staff
<b>Approving committee / group:</b>	Financial Planning Group
<b>Chairperson:</b>	Pete Papworth, Chief Finance Officer
<b>Review Date:</b>	August 2025

<b>D) VERSION CONTROL</b>						
<b>Date of Issue</b>	<b>Version No.</b>	<b>Date of Review</b>	<b>Nature of Change – (include section reference)</b>	<b>Approval Date</b>	<b>Approval Committee</b>	<b>Author</b>
04/8/22	1.0	04/8/25		26/8/2022	Financial Planning Group	Chris Hickson

<b>E) CONSULTATION PROCESS</b>			
<b>Version No.</b>	<b>Review Date</b>	<b>Author</b>	<b>Level of Consultation</b>
1.0	04/8/22	Chris Hickson	Associate Director of Finance

## Contents

1. Introduction and Scope
2. Definitions
3. Purpose of the Policy
4. Charging Process for non UK EEA Patients with EHIC
5. Charging Process for non UK EEA Patients without EHIC
6. Charging Process for non EEA Patients
7. Costing Principles to be applied
8. Patient Identification Process
9. Management of EHIC Claims via Portal
10. Debt Management Process
11. Overseas Students
12. NHS Debtors Return
13. Communication and Training
14. Local Counter Fraud Specialists
15. Equality and Diversity
16. Who is covered for healthcare under the EU regulations

## 1.1 Introduction and Scope of the Policy

The aim of this document is to provide guidance to all University Hospitals Dorset NHS Foundation Trust (UHD) staff - UHD, contract and agency and contracted out service providers working for UHD.

The National Health Service provides healthcare for people who are ordinarily resident in the United Kingdom. A person is not ordinarily resident in the UK simply because:

- Hold a UK Passport
- Have UK Nationality
- Are registered with a UK GP
- Have an NHS number
- Own a property in the UK
- Have paid (or are paying) NI contributions and taxes in the UK

This policy supports the Department of Health Overseas Visitor Hospital Charging Regulations. It outlines the arrangements for identifying and supporting people who are not ordinarily resident in the UK and who need treatment within the Trust.

The charging regulations place a legal obligation on the Trust to recover the costs of NHS services where an individual is not entitled.

The full version national policy is available on the following link:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1090896/overseas-NHS-visitors-charging-regulations-guidance-July-2022.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1090896/overseas-NHS-visitors-charging-regulations-guidance-July-2022.pdf)

University Hospitals Dorset intranet site:

<https://intranet.uhd.nhs.uk/index.php/finance/overseas-visitors>

This policy covers the following:

- Charging Process for EEA Patients with EHIC
- Charging Process for EEA Patients without EHIC
- Charging Process for non EEA Patients
- Cost Principles to be Applied
- Patient Identification Process
- Management of EHIC Claims via Portal
- Debt Management Process
- OVS Students

- NHS Debtors Return
- Communication & Training
- Local Counter Fraud Specialists
- Equality & Diversity

## **2.1 Definitions**

- UHD: University Hospitals Dorset NHS FT (the Trust)
- EEA: European Economic Area
- Non EEA: Countries outside of the EEA
- OVM: Overseas Visitors Manager
- OVO: Overseas Visitors Officer
- OVS: Non UK Patients Accessing NHS Services
- EHIC: European Health Insurance Card
- DWP: Department of Work & Pensions
- ED: Emergency Department
- ICS: Integrated Care System
- PAS : Patient Administration Systems
- NI: National Insurance
- GP: General Practitioner

## **3.0 Purpose of the Policy**

To provide assurance to both the Trust and NHS Improvement that the Trust is aligned to national policy in relation to the identification and appropriate charging of OVS Patients.

The Trust receives a 25% incentive for any EEA patient where EHIC details have been provided and uploaded onto the EHIC portal.

There is a wider Dorset system ICS and national NHS benefit as all OVS EEA patients updated onto the portal will be recharged to the EEA at the agreed rate. This will also be taken into consideration when calculating local commissioner allocations.

The Trust receives 100% of the income of any non EEA OVS patient who are identified, invoiced and debt collected.

There is a requirement to upload all debts greater than 60 days and £500 through the NHS debtors return to the Department of Health. As a result anyone with an outstanding debt will be refused entry into the UK. UK Immigration will contract the Trust to confirm the outstanding debt and payment.

Visa applications for the UK will also be refused if the debt remains outstanding.

The Trust is required by law (from 23/10/2017) to withhold treatment from chargeable overseas visitors until the estimated full cost of the service has been paid, unless doing so would prevent or delay immediately necessary or urgent services (incl. maternity services and standard screening for a condition).

No patient needing immediately necessary or urgent treatment for a condition which arose during their visit will be refused treatment because of an inability to pay.

The services given to overseas patients by NHS staff are provided as part of their normal duties under the terms and conditions of their employment, there is no extra income involved. Consultants are not permitted to charge for their services.

The treatment of the NHS charged patients is subject to the same clinical priority as other NHS patients.

All Trust staff have a responsibility to identify potential overseas visitors to the Trust's Overseas Visitors Manager or Officer whose details are available through the Trust intranet. They will be responsible for interviewing potentially liable patients and ensuring where appropriate the trusts charges are implemented and recovered.

#### **4.1 Charging Process for EEA Patients with EHIC**

- Patients arrives in either main ED or eye ED with EHIC
- Identified as an overseas visitors from EEA
- Completes a Pre-Registration form with EHIC details
- Scanned EHIC loaded onto Symphony
- Forms picked up daily from ED reception (Eye patient's forms sent in the post)
- On eCamis check contacts add attendance or admission date to form
- On demographic screen add NHS agreed and your extension number in secondary field
- On personal screen add CT to blood group field to notify DQ and overseas at Poole and Bournemouth that the patient has been checked
- In scratchpad add `EHIC details available`
- In patient registration, EHIC tab – enter EHIC details.
- Enter all EHIC details, HRG and price to EU spreadsheet once submitted to OVT portal

#### **5.1 Charging Process for EEA Patients without EHIC**

Where the patient is from the EEA and does not qualify for NHS-funded care and/or is unable to present a European Health Insurance card or apply for a PRC, S1 or S2 they are charged national tariff + MFF + 150%.

- Patients arrives in either main ED or eye ED without EHIC
- Identified as an overseas visitors from EEA
- Completes a Pre-Registration form without EHIC details
- The patient/patients family/guardian would need to apply for a provisional replacement certificate from their home county or the overseas team can do this on their behalf.
- If EHIC or provisional replacement certificate is not provided the patient would be liable and charged for all costs at 100% of National Tariff + MFF and 150%.
- Forms picked up daily from ED reception or emailed to the overseas team (Eye patient's forms sent in the post)
- On eCamis check contacts add attendance or admission date to form
- On demographic screen add NHS not agreed with your extension number in secondary field
- On personal screen add CT to blood group field to notify DQ and overseas at Poole and Bournemouth that the patient has been checked.
- On scratch pad add EHIC details requested.
- Send a letter, a leaflet re overseas charges and pre-paid envelope requesting EHIC details or do this by email if you have an address.
- File in `requested EHIC` file.
- When received update secondary field and scratchpad.
- In patient registration, EHIC tab – enter EHIC details.
- Enter all EHIC details, HRG and price to EU spreadsheet once submitted to OVT portal
- Transfer all Pre-attendance forms to `submitted` file and update overseas spreadsheet to indicate submitted to Portal.

## 6.1 Charging Process for non EEA Patients

- Patients arrives in either main ED or eye ED
- Identified as an overseas visitor from non EEA country
- Completes a Pre-Registration form to include insurance details if available
- Patient would be liable for all costs incurred and charged at 100% of National Tariff + MFF and 50%
- UHD will deal directly with non-eligible patients in relation to overseas charges (**the patient remains responsible for the payment not the insurance provider**). It is the responsibility of the non-eligible patient to deal directly with their insurance provider if applicable in relation to any reimbursement for their healthcare charges.
- The OVM will provide the necessary documentation on request from the medical patient or their family in line with latest information governance protocols. The patient remains responsible for the episode of care costs if not eligible.

- Contact patient to assess if they are legally settled in the UK in order to establish if they are ordinarily resident here or need to fully pay for hospital treatment.
- In exceptional circumstances, where necessary, will direct contact with patients on wards be undertaken by the OVM and OVO.
- It is recommended that patients from non EEA countries with insurance, or their relative, should contact their insurance company as soon as possible to inform them that they are in hospital. **It remains the patient or their family's responsibility for the cost of treatment.**
- Patients should be fully informed about the treatment charges they face.
- All patients/Guardians need to sign 'Undertaking to Pay NHS hospital costs' declaration which is found on the Pre-attendance form (non-completion of the form for non-eligible patients will not preclude patients from paying for their treatment).
- Final invoices should be raised as soon as possible after the completion of treatment and hospitalisation, and given to the patient or the patient's family.

## 7.1 Cost Principles to be Applied

The cost would be applied based on national clinical coding practice and National Tariff Payment system rules and regulations.

The Clinical Coding Team would need to apply the relevant clinical codes for the patient episode. There would be a requirement to identify all procedures throughout the episode including the identification and accurate coding of inpatient stay and associated diagnostic procedures.

- Non EEA Charges are based on latest available National Tariff plus Market Forces Factor (MFF) at 150%. (National Tariff plus 50%)
- EEA are based on latest available National Tariff + MFF

The Commissioning Team within the Finance Directorate would apply the national tariff costs to arrive at final total cost for episode to either inform:

- EEA uploaded onto OVT Portal
- Non EEA to be presented with a Trust invoice

## 8.1 Patient Identification Process

The information below sets out the general position only; the principles do not apply in all cases. The OVM or OVO will have an understanding of the full scope of the charging regulations when making and recovering charges from overseas visitor.

Patient's residency is assessed using the guidance provided in the Department of Health tool kit.

The general position for non-EEA and Swiss nationals is that those who have indefinite leave to remain in the UK and are ordinarily resident here, and those who have paid or are exempt or waived from paying the immigration health surcharge, are entitled to NHS

services on the same basis. This means that while their visa remains valid they must not be charged.

Non-EEA/Swiss nationals who are visiting the UK for six months or less including on a multiple entry VISA, or who are in the UK without permission, must be charged for services they receive at the point of accessing care, unless exempt from charges under other categories of the Charging Regulations.

The general position for British citizens/EEA/Swiss nationals is that those who are ordinarily resident here must not be charged.

British citizens living in another EEA country/Swiss nationals living in another EEA country here on a temporary visit or course of study, and who are insured by their resident state, should present a valid European Health Insurance Card (EHIC) from that member state to access free medically necessary treatment. The UK will recover the cost of that healthcare from the other member state.

British citizens/EEA/Swiss nationals who are visiting and who do not have a valid EHIC or Provisional Replacement Certificate (PRC) and who are not covered under another exemption category under the Charging Regulations, must be charged for services they receive at the point of accessing care.

Patients identified as overseas visitors who are resident in countries which the UK has a Reciprocal Agreement (Appendix 1) should be charged in accordance with the level of treatment provided.

An OVS patient (EEA & Non EEA) is identified through the following. Once identified the PAS would be updated to record the patient as overseas.

- All access points into the Trust including ED, Direct Admissions and Outpatients would need to ask the questions:
  1. "Do you have a non UK EHIC?"
  2. "Where have you been living for the last 12 months?"

## **9.1 Management of EHIC Claims via Portal**

Assurance must be sought that all associated costs to the patient episode have been recorded and identified before uploading onto the OVT Portal. The Trust receives a 25% incentive payment of the total cost of the treatment episode.

The sections required from the EHIC for the portal are 6/7/8/9 and the patient's overseas address.

- Log on to OVT portal
- Pick visitors form



- Add name overseas address and date of birth
- Personal Identification number usually about 10 digits
- Country of issue number usually about 16 digits and letters
- Card identification number usually 20 digits
- Expiry date
- Attendance date or if inpatient admission and discharge dates
- Cost
- Once completed upload to OVT

## **10.0 Debt Management Process**

Debt management needs to be carefully considered in relation to Non EEA overseas patients. National experience suggests that after discharge from UHD Hospitals the debt collection becomes very high risk.

All patients/family/guardian not eligible will be presented with an invoice as per the national pricing approach detailed in this policy.

The policy expects that all debts will be settled on or before discharge linking with the OVM and OVO where necessary.

In exceptional circumstances the Trust reserves the right to agree a payment plan as follows:

30% of Invoice on or before discharge and the balance spread evenly over no more than 12 months. This will be monitored by the OVM and OVO.

Any payment plan would need to be approved by the Associate Director of Finance as laid out within the terms of the policy.

National experience suggests that the OVM/OVO links on the outstanding debt directly with the debtor/family/guardian for the first four weeks through telephone, face to face and email exchange.

Following the first four weeks the debt management would transfer to existing Trust debt collection processes. Debt collection would be monitored via the OVM/OVO supported closely through the Shared Services Team. Aged debt treatment is outlined in section 12.0.

The Trust will undertake a periodic review of aged debt to ensure income is appropriately recorded within Finance Statements and regulators.

## **11. Overseas Students**

If overseas students present to the Trust without relevant EHIC or information to allow correct invoicing process then the relevant organisation would need to be identified.

It would be expected that the organisation that the student is attending has a responsibility that this information is available and the student is aware and compliant to the regulations.

The OVM/OVO would contact noncompliant organisations as required with support of the Deputy Director of Finance. This process would be to support future compliance to the Overseas Charging Regulations.

## **12.0 NHS Debtors Return**

Any aged debt above 60 days and above £500 is recorded on the NHS Debtors Return by the OVM/OVO. This is applicable for all outstanding debts. This return is submitted to the UK Home Office.

Trust Invoices would need to include reference to this as follows:

***“As per national NHS guidance unpaid invoices will be recorded on the Home Office NHS Debtors Return. This will be flagged by UK Immigration when entering the UK and immediate payment will be requested before entry into UK”***

It is essential all payments made relating to NHS debt are updated on the system with immediate effect as not to impact on any UK immigration restrictions.

## **13.0 Communication & Training**

Training and guidance is available from the Overseas Visitor Officer. Regular updates will be provided through the Trust intranet and face to face awareness training. Relevant training materials will be provided to ED and relevant Wards.

## **14.0 Local Counter Fraud Specialists**

When there is a suspicion that an overseas visitor is attempting to access, or has accessed, free NHS treatment by fraud or deception, this should be reported to Local Counter Fraud Specialist (LCFS), Contact details are available on the Trust intranet.

## **15.0 Equality & Diversity**

The Trust is committed to ensuring that, as far as is reasonably practicable, the way services are provided and the way staff are treated reflects their individual needs and does not unlawfully discriminate against individuals or groups in any way.

## **16.1 Who is covered for healthcare under the EU Regulations (EEA)**

Eligibility will be aligned to the latest agreements in line with the UK withdrawal from the European Union. It remains the responsibility of the patient to be aware of the eligibility status when travelling to the UK. Currently, the EU Regulations apply to all countries within the EEA, which is made up of the 28 member states of the EU:

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- (Southern)
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden
- UK plus
- Iceland
- Liechtenstein
- Norway

Switzerland has a separate agreement with the EU which, in effect, applies the EU Regulations to Switzerland.

An arrangement between the UK and the Republic of Ireland means that visitors from the Republic of Ireland do not have to present an EHIC to obtain free NHS treatment under the EU Regulations. They only need to present evidence that they are resident in the Republic of Ireland, although a valid EHIC can be used as evidence of this.

## Reciprocal Agreement Countries

Effective from 1 October 2016 the list of countries with reciprocal agreements are:

Country	Level of cover provided (see key)	Further information
Anguilla	1*	Applies to all residents of that country. Can also refer four patients to the UK for free NHS hospital treatment.
Australia	1*	Applies to all residents of that country.
Bosnia and Herzegovina	3	Applies to all insured persons of that country.
British Virgin Islands	1*	Applies to all residents of that country. Can also refer four patients to the UK for free NHS hospital treatment.
Falkland Islands	4	Applies to all residents of that country. Can refer an unlimited number of patients to the UK for free elective treatment.
Gibraltar	3	Applies only to citizens resident in that country when that citizen is not expected to stay in the UK for more than 30 days. Can also refer an unlimited number of patients to the UK for free elective treatment (see 10.4).
Isle of Man	2	Applies to all residents of the Isle of Man for a period of stay in the UK that has not exceeded, nor is expected to exceed, three months.
Jersey*	2	Applies to all residents of Jersey for a period of stay in the UK that has not exceeded, nor is expected to exceed, three months.
Kosovo	3	Applies to all insured persons of that country
Macedonia	3	Applies to all insured persons of that country.
Montenegro	3	Applies to all insured persons of that country.
Montserrat	1*	Applies to all residents of that country. Can also refer four patients per year for free NHS hospital treatment.
New Zealand	2	Applies only to citizens resident in that country.
Serbia	3	Applies to all insured persons of that country.
St Helena	1*	Applies to all residents of that country. Does not include Ascension Island or Tristan da Cunha. Can also refer four patients per year for free NHS hospital treatment.
Turks and Caicos Islands	1*	Applies to all residents of that country. Can also refer four patients per year for free NHS hospital treatment.

\*The UK has a reciprocal agreement with Jersey, but not with the other Channel Islands]

Key:

1. Immediate medical treatment only.
2. Only treatment required promptly for a condition which arose after arrival into the UK or became, or but for treatment would have become, acutely exacerbated after such arrival. Services such as the routine monitoring of chronic/pre-existing conditions are not included and free treatment should be limited to that which is urgent in that it cannot wait until the patient can reasonably return home.
3. All treatment on the same basis as for a person insured in the other country, including services such as routine monitoring of pre-existing conditions, but not including circumstances where a person has travelled to the other country for the purpose of obtaining healthcare.
4. All treatment free on the same terms as for an eligible UK resident (an ordinary resident), including elective treatment.

For all levels of coverage, it will be for a doctor or dentist employed by the relevant NHS body to provide clinical input into whether required treatment meets a specific level of coverage.

\* For these countries, the agreement will also apply to those persons requiring treatment if they are a member of the crew, or a passenger, on any ship, vessel or aircraft travelling to, leaving from or diverted to the UK and the need for urgent treatment has arisen during the voyage or flight.





