

TREATMENT OF OVERSEAS VISITORS

Expatriates. if an NHS patient goes abroad for more than three months they should be removed from the practice's list.

Overseas visitors.

- Privately funded treatment. Any visitor can opt to be treated privately. Note that the breadth of treatment that can be provided privately may well be greater than that allowed under the GMS contract.
- Treatment under the NHS. A visitor from abroad from whatever country (and that includes expatriates already referred to) may be entitled to NHS-funded care if certain conditions are met.
 - In the case of a visitor who is in your area for less than 24 hours:
 - They cannot be registered but can receive immediately necessary treatment from the practice without charge under the NHS.
 - They can be treated privately for any condition if they so agree.
 - Registration. Any patient in the country for more than 24 hrs, wherever their country of origin, is entitled, if they wish, to register with a practice as a temporary/permanent patient depending on length of stay. However, you may refuse to register a person as a patient if your practice list is closed or there are any other reasonable, non-discriminatory grounds to refuse registration. If you refuse registration you must tell the person in writing why you are not registering them. If you decide to register the person as a patient then the following applies:
 - Is the patient resident in the country for more than 3 months? If yes, then you can register them as a permanent resident using the revised GMS1 form, which includes supplementary questions to determine a patient's eligibility to free hospital healthcare. For those patients who self-declare they hold either a non-UK issued EHIC or a S1 form, the practice will be required to manually record that the patient holds either of these forms in the patient's medical record and then send the form and supplementary questions to NHS Digital (for non-UK issued EHICs) or the Overseas Healthcare Team (for S1 forms) via email or post.
 - Is the patient resident in the country for between 24 hours and 3 months? If yes, you should only register the person as a temporary resident.
- What care can they receive under the NHS?
 - If the patient is registered either as a temporary or as a permanent resident they are entitled to full primary level care under the NHS, wherever they come from.
 - Secondary level care is a different matter, but GPs are under no obligation to act as border guards. Practices can, however, help their secondary care colleagues by:
 - Displaying posters regarding entitlement to NHS hospital treatment.
 - Indicating in referral letters when they understand a patient may be an overseas visitor, or is an EHIC holder so the relevant NHS body can check whether the patient is entitled to free NHS hospital care.
 - Informing patients that they may be chargeable for some hospital services.

What is immediately necessary treatment? See definitions at:

<https://www.bma.org.uk/advice/employment/ethics/overseas-visitors-guidance/what-is-non-urgent-urgent-and-immediately-necessary-treatment>

What are reasonable non-discriminatory grounds for refusal? In practice, the grounds for refusal are probably very limited. One suggested example is the limitations on your GPs' indemnity cover in respect to the country of origin of the patient (e.g. the USA where the US patient treated in UK can then sue in New York and obtain judgement thus putting the GP at serious risk if the GP's holiday plane should be diverted onto US soil). The GPC is still seeking to obtain clarity from the MDOs over this issue; hence any attempt to use this as a reasonable ground may be challengeable and may only end up being determined by FHSAU / court if it comes to a dispute.