

# OVERSEAS VISITORS INFORMATION

Patient Information

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# NHS hospital treatment is not free for everyone



## Overseas Visitor Team

Contact Number: 01942 264800 (ext. 4800)  
Email: [overseasvisitorsenquires@wvl.nhs.uk](mailto:overseasvisitorsenquires@wvl.nhs.uk)

NHS hospital treatment is not free for everyone.

**Any person of any nationality who is not ordinarily resident in the UK at the time of treatment is an 'Overseas Visitor' and may be charged for the treatment they receive at Wrightington Wigan and Leigh NHS Foundation Trust.**

**Overseas visitors that opt to have planned elective treatment are classed as private patients.**

**It is the role of the Wrightington Wigan and Leigh NHS Foundation Trust (WWL) Overseas Team to determine whether a patient is eligible for free NHS healthcare or whether they are a chargeable NHS patient.**

## **Free Emergency Treatment**

Some NHS services are free to everyone regardless of the status of the patient including family planning services and certain communicable diseases. Treatment at Accident & Emergency is free only up until the point an overseas visitor is accepted as an inpatient or given an outpatient appointment. **This means that free emergency treatment is limited to the treatment administered in A&E. Further emergency treatment after admission to a WWL NHS FT hospital is not free.** An overseas visitor may still be charged if they are admitted and continue to receive emergency treatment including intensive care or coronary care. Patients will not be told by anyone that charges will not apply, until this is formally established by the Overseas Team.

## **Why WWL must identify overseas visitors**

The NHS (Charges to Overseas Visitors) Regulations 2011 place a **legal obligation** on WWL to establish whether a person is an overseas visitor to whom charges apply or whether they are exempt from charges for the NHS services provided.

When charges apply, WWL **must** charge the person liable for the costs of the NHS services and recover the cost from them.

If charges apply, they can be waived, if the Overseas Team finds them not chargeable after the initial invoice has been raised.

## **Immediately Necessary and Urgent Treatment**

Failure to provide immediately necessary treatment may be unlawful under the Human Rights Act 1998. WWL Trust will never withhold treatment which is considered by clinicians to be immediately necessary irrespective of whether or not the patient has been informed of, or agreed to pay, charges. Treatment which is not immediately necessary, but is nevertheless classed as urgent by clinicians, since it cannot wait until the overseas visitor can return home, will also be provided. Only clinicians may determine whether treatment is immediately necessary, urgent or non-urgent. Treatment is not made free of charge by virtue of being provided on an immediately necessary or urgent basis.

## Patients from the European Economic Area (E.E.A)

### EEA member states – a guide for Overseas Visitor Managers



EEA members (EU unless marked)	
Austria	Lithuania
Belgium	Luxembourg
Bulgaria	Malta
Cyprus (Southern)	Netherlands
Czech Republic	Norway <b>EEA</b>
Denmark	Poland
Estonia	Portugal <sup>2</sup>
Finland	Republic of Ireland
France <sup>1</sup>	Romania
Germany	Slovakia
Greece	Slovenia
Hungary	Spain <sup>3</sup>
Iceland <b>EEA</b>	Sweden
Italy	Switzerland <b>EEA</b> <sup>4</sup>
Latvia	United Kingdom
Liechtenstein <b>EEA</b>	

  

European Countries not in the EEA	
Albania	Macedonia <sup>5</sup>
Andorra	Moldova <sup>5</sup>
Belarus <sup>5</sup>	Monaco
Bosnia and Herzegovina <sup>5</sup>	Russia <sup>5</sup>
Channel Islands	San Marino
Croatia <sup>5</sup>	Serbia and Montenegro <sup>5</sup>
Gibraltar <sup>5</sup>	Turkey
Isle of Man <sup>5</sup>	Ukraine <sup>5</sup>
Kosovo	Vatican City

Visit [www.dh.gov.uk/overseasvisitors](http://www.dh.gov.uk/overseasvisitors) for more information

1 France includes Guadeloupe, Martinique, French Guiana, St Pierre, Miquelon and Réunion.  
 2 Portugal includes Madeira and the Azores.  
 3 Spain includes the Canary Islands, Balearic Islands, Ceuta and Melilla.  
 4 Switzerland is not in the EEA but has a similar arrangement.  
 5 Bilateral arrangement in place but no need to display EHIC or report treatment



- Please note Croatia is also now an EEA member

## EEA/Swiss Nationals

**Emergency Treatment** – EEA residents and Swiss nationals are entitled to receive free emergency treatment but must produce a valid European Health Insurance Card (EHIC) or a Provisional Replacement Certificate (PRC) to enable WWL Trust to recover the costs of their treatment from their home country. A copy of the EHIC or PRC must be forwarded to the WWL Overseas Team who will record the details and the costs of their treatment through the Department of Health Web Portal. Without an EHIC or a PRC, the patient will be charged for their treatment.



## Elective Treatment

EEA residents and Swiss nationals must produce a valid E112 or S2 form for planned treatment. A copy of the E112 or S2 must be forwarded to the WWL Overseas Team. If they do not have this form, they may only access WWL for treatment as a private patient. It is the patient's responsibility to obtain an E112 form from the Commissioning Body in their own country prior to the commencement of treatment.

## The Interview

The Trust reserves the right to ask any patient attending WWL to demonstrate their entitlement to NHS treatment. If you are seen as a potential overseas visitor you will be asked to attend an interview with one of the team.

When a member of the Overseas Team interviews you, you will be asked the following:

- Your full name
- Date of birth
- Your UK address
- Your overseas address
- Your arrival date in the UK
- Your expected departure date from the UK
- Your reason for visiting the UK
- Place of birth
- Nationality

You will be asked to provide specific documentation to evidence your responses to the above questions these may include

- Valid passport
- Visa – entry clearance documents
- UKBA papers – valid to leave to enter/remain stamp
- Asylum – ARC card
- Bank statements
- Housing contract
- Utility bills
- Council tax
- Employment contracts
- EHIC or PRC (European Health Insurance Card or Provisional Replacement Certificate)

If you do not have the requested documentation with you at the time of your interview, a further appointment will be made for you to present them. At the interview you are required to complete the WWL Undertaking to Pay form.

**IF YOU DO NOT PRESENT THE REQUESTED DOCUMENTATION TO THE OVERSEAS TEAM WITHIN TEN DAYS, YOU WILL RECEIVE AN INVOICE FOR YOUR TREATMENT.**

## Patients living in EEA countries - Admissions after treatment in A&E

You will be asked to produce a valid EHIC or PRC. If you do not produce these documents, you cannot demonstrate your eligibility to free NHS care and you will be charged for your treatment and will be able to recover the costs from your healthcare abroad team when you return home.

## Chargeable Overseas Patients with insurance

You will receive an invoice for your treatment at WWL hospitals. You will not be charged for any treatment you receive in the Accident and Emergency Department; you will accrue charges from the point of admission. **It is your responsibility to liaise with your insurance company.**

## Chargeable Overseas Patients without insurance

You will receive an invoice for your treatment at WWL hospitals. You will not be charged for any treatment you receive in the Accident and Emergency Department; you will accrue charges from the point of admission.

## Frequently asked questions

### Q. What does ordinarily resident mean?

**'Ordinary residence'** means, broadly, living in the UK on a lawful, voluntary and properly settled basis for the time being. A person who is not ordinarily resident in this country at the time of treatment is not automatically entitled to NHS hospital treatment free of charge.

### Q. How do I make a payment?

The Trust accepts the following forms of payment:

- Cash
- Cheque
- Credit/Debit Card (not American Express)
- Bank Transfer

When you pay you will be provided with a receipt for your records.

### Q. "Why should I pay when I have lived in this country for most of my life and paid all my taxes and National Insurance?"

If you have permanently left the country, i.e. emigrated, you waive all rights to free NHS treatment.

### Q. "Why should I pay when I've got a British passport?"

Having a British passport does not, in itself, make a patient exempt. A patient with a British passport must be able to demonstrate they have been lawfully ordinarily resident in the UK for the preceding 12 months.

### Q. "Why should I pay when I've got an NHS Medical Card?"

NHS Medical Cards only entitle the holder to free Primary (GP etc.) care.

### Q. "I don't want to sign an Undertaking to Pay form"

A signature is not needed to make the charges legally valid. Even if you do not sign the form, you are still liable for charges.

## Q. "Why am I being interviewed and asked these questions?"

You are being interviewed with regard to your Overseas Visitor status because the Ward / Clinic informed the Overseas Team that you have not been lawfully resident in this country for the past 12 months. Every patient who has not been resident in the UK for the past 12 months has to be interviewed as stipulated by the Department of Health. This is to establish whether you are liable for charges for the treatment you receive. You will be asked a few questions and assessed whether you are liable or exempt from the answers and supporting evidence you provide.

## British Citizens who no longer reside in the UK

Free NHS entitlement is dependent on UK residency. A person does not become ordinarily resident in the UK simply by: having British nationality; holding a British passport; being registered with a GP; having an NHS number; owning property in the UK, or having paid (or currently paying) National Insurance contributions and taxes in this country. The WWL overseas team will be advised of all British citizens who no longer reside in the UK.

If you fail to pay for NHS treatment for which charges have been levied, it may result in a future immigration application to enter or remain in the UK being denied.

Necessary (non-medical) personal information may be passed via the Department of Health to the UK Border Agency for this purpose.

**The Trust will never withhold urgent or immediately necessary treatment from any patient. Only a clinician may decide if your treatment is urgent or immediately necessary.**

**If a clinician determines your treatment is urgent or immediately necessary, you may still be charged.**

**Only emergency treatment received at the Trust's Accident and Emergency is Free.**

## Interpreter and Translation Services

Access to interpreter and translation services is available for patients who do not speak or understand English.

A Telephone Interpreter Service is available and can be accessed 24 hours a day. Sign Language Interpreters can be provided on request.

Written information can be translated into other languages, audio, large print and braille on request.

The use of a family member / staff member to interpret information is not appropriate.

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## Comments, Compliments or Complaints

The Patient Relations/PALS Department provides confidential on the spot advice, information and support to patients, relatives, friends and carers.

### Contact Us

Tel: 01942 822376 (Monday to Friday 9am to 4pm)

The Patient Relations/PALS Manager  
Wrightington, Wigan and Leigh NHS Foundation Trust  
Royal Albert Edward Infirmary  
Wigan Lane  
Wigan WN1 2NN

In addition to the Patient Relations/PALS Service, you can contact HELPLine on 01942 822111.

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This leaflet is also available in audio, large print, Braille and other languages upon request.  
For more information call 01942 773106.

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