

Overseas Visitors – Guidance

1) Who is entitled to free NHS treatment at a GP surgery?

Anyone living here lawfully and on a settled basis is regarded as **ordinarily resident** in the UK¹ and therefore entitled to free primary medical services.

2) What about British Nationals? I have paid taxes in the past.

The only thing relevant is whether you ordinarily live in the UK. This is regardless of whether you are a British citizen or have lived or worked here in the past. Past or present payments of UK taxes and National Insurance contributions are not taken into consideration.

3) What about European Healthcare Arrangements & Bilateral Agreements with other Countries?

Patients from other European Economic Area (EAA) countries and countries with bilateral agreements should not be charged for any treatment which a doctor deems is **medically necessary** whilst the patient is temporarily staying in the UK. This includes the following types of healthcare services: blood tests, blood pressure checks, routine maternity care, cholesterol checks, insulin, oxygen, renal dialysis, warfarin tests.

Elective treatment or the treatment of pre-existing conditions which in the medical opinion of the GP can wait until they return to their home state is **NOT** eligible to be treated free on the NHS and will be charged.

Entitlement to free NHS treatment is established by checking the patient's European Health Insurance Card (EHIC), or in the case of countries outside the EEA, nationality (for example through a passport) or proof of residence of the country concerned (for example by checking a passport or driving licence).

The list of countries, entitlements and exclusions is listed in Appendix 1 below.

4) I live outside the UK for more than 3 months of the year – am I entitled to free care?

Under the current regulations, anyone who spends more than 3 months living outside the UK is **not** entitled to free NHS treatment in England.

If you live in a country that has a bilateral agreement or is inside the EEA then you are entitled to free treatment for any **medically necessary** services as per (3) above.

5) I am returning to the UK after a period of time living away – am I entitled to free care?

If you go anywhere abroad for **more than three months**, either for a one-off extended holiday for a few months or to live permanently for several years, but then return to the UK to take up **permanent residence** here again, then you will be entitled to receive free NHS treatment from the day you return. So will your spouse, civil partner and children (under the age of 16, or 19 if in further education) if they are also living with you permanently in the UK again.

8) What about hospital treatment?

Some hospital services are free of charge to everyone. These include:

- Treatment given only in an Accident and Emergency (A&E) or in a NHS Walk-in Centre providing services similar to those of an A&E department (excludes emergency treatment given elsewhere in the hospital);

¹ "ordinarily resident" is someone living lawfully in the UK, voluntarily and for settled purposes as part of the regular order of their life for the time being, with an identifiable purpose for their residence here which has sufficient degree of continuity to be properly described as settled. (Definition from House of Lords 1992)

- Treatment for certain infectious diseases (excluding HIV/AIDS where it is only the first diagnosis and connected counselling sessions that are free of charge)
- Compulsory psychiatric treatment;
- Family planning services

For all other hospital treatment most patients will have to pay the full cost of the treatment received.

Some patients are entitled to free hospital treatment for some or all services – see Appendix 2.

Students, Pensioners & Employees

6) I have come to the UK as a student – am I entitled to free care?

If your course of study is **not less than six months duration** or of any duration that is substantially funded by the UK Government, you are entitled to free NHS treatment. This exemption will apply to your spouse, civil partner and children (under the age of 16, or 19 if in further education) if they are living permanently with you in the UK for the duration of your course.

If you come from a country with which the UK holds bilateral healthcare agreements **and** your course of study is **less than six months in duration** you are only entitled to free **medically necessary** NHS treatment that is needed promptly for a condition that arose after your arrival in the UK. This exemption will apply to your spouse, civil partner and children (under the age of 16, or 19 if in further education) if they are living permanently with you in the UK for the duration of your course.

If you are here to study for **less than six months** on a course that is not substantially funded by the UK Government **and are from a country with which the UK does not hold a bilateral healthcare agreement**, then you will be chargeable for any treatment you receive, unless you meet the criteria for one of the other exemptions.

7) I am a UK state pensioner spending more than 3 months living outside the UK – am I entitled to free care?

This depends on where you live outside of the UK.

If you live in another EEA member state or Switzerland you will be entitled to free NHS treatment while living in the UK if you meet **all** the following:

- 1) you live in the UK for not less than 6 months each year and in another EEA member state or Switzerland for not more than 6 months each year
- 2) you have lived lawfully in the UK for **at least 10 continuous years** in the past
- 2) you are **not** registered as resident in the other EEA member state.

If you are registered as resident in another EEA member state then you will be entitled to **medically necessary** treatment free of charge but will be charged for all other services whilst in the UK.

If you are living in a non-EEA country you will be entitled to free **medically necessary** NHS treatment and any treatment that is needed quickly to prevent a pre-existing condition increasing in severity if you have lived lawfully in the UK for **at least 10 continuous years** in the past. This applies whether you spend a few months each year living in a non-EEA country and the rest in the UK or whether you are living there permanently and only return to the UK for short visit.

8) I am coming to the UK to work – am I entitled to free NHS care?

Under the current Regulations, anyone who is an employee of an employer who has his principle place of business in the UK, or who is a self-employed person whose principle place of business is in the UK, you are

Correct as at creation on 10/01/08

entitled to **free** NHS treatment in England. This exemption applies to your spouse, civil partner and children (under the age of 16 or 19 if in further education) if they are living with you in the UK on a permanent basis. Please note that to be exempt from NHS charges on this basis **you must be in employment at the time you receive treatment**.

Further information:

For further information on any of the above, visit

http://www.dh.gov.uk/en/Policyandguidance/International/OverseasVisitors/Browsable/DH_074373

For information on the entitlement of overseas visitors to free NHS Hospital treatment.

Tel: 0113 2545819

Email: overseasvisitors@dh.gsi.gov.uk

For information concerning reciprocal agreements and any E-forms (eg; EHIC and E112 forms)

Tel: 020 7210 4850

Email: dhmail@dh.gsi.gov.uk

Appendix 1: EEA Countries and Bilateral Care Agreements

EEA Countries	Proof of Entitlement	Level of Care	What is excluded
Austria	European Health	Treatment which a GP	Elective treatment or the
Belgium	Insurance Card or	decides is medically	treatment of pre-existing
Bulgaria	passport, identity or	necessary.	conditions which in the
Cyprus (<u>not</u> North)	residence card.		medical opinion of the GP
Czech Republic			can wait until they return to
Denmark			their home state.
Estonia			
Finland			
France			
Germany			
Greece			
Hungary			
Iceland			
Ireland			
Italy			
Latvia			
Liechtenstein			
Lithuania			
Luxembourg			
Malta			
Netherlands			
Norway			
Poland			
Portugal			
Romania			
Slovakia			
Slovenia			
Spain			
Sweden			
Switzerland			

<u>Nationals from the following countries:</u> Armenia Azerbaijan Georgia Kazakhstan Kyrgyzstan Moldova New Zealand Tajikistan Turkmenistan Russia Uzbekistan Ukraine	Passport	Visitor is entitled to "immediately necessary" treatment.	Elective treatment or the treatment of pre-existing conditions which in the medical opinion of the GP can wait until they return to their home state.
<u>Residents of:</u> Anguilla Australia Barbados Bosnia-Herzegovina British Virgin Islands Channel Is. Croatia Falkland Islands Gibraltar Isle of Man Macedonia Montenegro Montserrat Serbia St Helena Turks & Caicos Islands	A passport or proof of residence in the country concerned e.g. an identity or residence card.	Visitor is entitled to "immediately necessary" treatment.	Elective treatment or the treatment of pre-existing conditions which in the medical opinion of the GP can wait until they return to their home state.

Appendix 2

People Entitled to Full NHS Hospital Treatment free of charge –

- 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, a course 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 twelve months immediately prior to treatment;
- Refugees and asylum seekers whose application is still being considered;
- Anyone employed on a ship or vessel registered in the UK or working offshore on the UK sector of the Continental Shelf;
- Anyone who receives a UK war disablement pension or war widows pension;

- Diplomatic staff working in embassies or Commonwealth High Commissions in the UK.
- Members of Her Majesty's UK armed forces*;
- UK Civil Servants working abroad who were recruited in the UK and employed by Her Majesty's Government*;
- Anyone recruited in the UK who works abroad for the British Council or the Commonwealth War Graves Commission*;
- Anyone who is working abroad in a job financed in part by the UK Government in agreement with the Government or a public body of some other country or territory*;
- Anyone working abroad for not more than 5 years as long as they have lived legally in the UK for ten continuous years at some point (including self employed people);
- Anyone working in an EEA country member state and contributing compulsory (not voluntary) UK national insurance contributions (class I or II);
- Anyone who is a national of an EEA member state, a refugee or stateless person or their dependant or survivor living in an EEA member state who is referred to the UK for specified treatment with an EC form E112 or E123;
- Anyone who is referred by their home country authorities for specified treatment in the UK under the terms of a bilateral agreement;
- Anyone who is detained in prison or by the Immigration Authorities in the UK;
- Serving NATO personnel, posted in the UK, who are not using their own or UK armed forces hospitals;
- 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;
- Missionaries working overseas for an organisation principally based in the UK, regardless of whether they are receiving a wage or salary*;
- The spouse or civil partner and any dependent children of anyone who is exempt under the above criteria, if they are living permanently with the exempt person. Coming to visit the exempt person for a few weeks or months does not give exemption.

These categories of exemption provide that the spouse/civil partner/dependent children are exempt from charge in their own right so that the principal exempt family member does not have to be in the UK with them at the time of their treatment.

People Entitled to Some NHS Hospital Treatment – this is limited to treatment required for any condition that occurred after arrival in the UK (including pre-existing conditions which acutely exacerbate whilst here).

- Anyone, including a refugee, stateless person or a member of the family of any of them, who normally lives in another EEA member state and is visiting the UK;
- Anyone, or the spouse, civil partner or child of anyone, 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 UK Civil Servant for at least 10 continuous years;
- Anyone, or the spouse, civil partner or child of anyone, 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 is genuinely without the means to pay for their treatment;
- Anyone, or the spouse, civil partner or child of anyone, 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 healthcare agreement (some bilateral healthcare agreements are limited to nationals of that country).