

## Freedom of Information request 645-18

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### Request

This request seeks information about decisions made under the National Health Service (Charges to Overseas Visitors) Regulations 2015 (the '2015 Regulations'), amended most recently by the National Health Service (Charges to Overseas Visitors) (Amendment) Regulations 2017. The Department of Health and Social Care has published national guidance on the implementation of the same entitled "Guidance on implementing the overseas visitor charging regulations" (May 2018).

Please provide the following information:

#### Exemptions from charging for overseas visitors

1. For the years 2016 and 2017 (separately) the number of individuals who were deemed exempt from charges for NHS services (including those who were deemed exempt at a later point pursuant to Regulation 6A of the 2015 Regulations) provided pursuant to:
  - a. Regulation 9 (f) of the 2015 Regulations in total
  - b. Regulation 9 (f) (i) (torture)
  - c. Regulation 9 (f) (ii) (female genital mutilation)
  - d. Regulation 9 (f) (iii) (domestic violence)
  - e. Regulation 9 (f) (iv) (sexual violence)
2. For the years 2016 and 2017 (separately) the number of individuals deemed exempt from charges pursuant to:
  - a. Regulation 10 (2) of the 2015 Regulations in total
  - b. Regulation 10 (2) (a) (IHS paid)
  - c. Regulation 10 (2) (b) (an exemption from the IHS applies)
  - d. Regulation 10 (2) (c) (a reduction or waiver from the IHS applies)
  - e. Regulation 10 (2) (d) (a partial refund of the IHS has been made)
3. For the years 2016 and 2017 (separately) the number of individuals deemed exempt from charges pursuant to 10 (2) of the 2015 Regulations for whom the relevant period is:
  - a. As defined under Regulation 10 (1) (a) (the period of leave granted)
  - b. As defined under Regulation 10 (1) (b) (extension of leave provisions)
4. For the years 2016 and 2017 (separately) the number of individuals deemed exempt (including those who were deemed exempt at a later point pursuant to Regulation 6 of the 2015 Regulations) from charges pursuant to:
  - a. Regulation 15 of the 2015 Regulations in total
  - b. Regulation 15 (a) and (aa) (those granted asylum and humanitarian protection and their dependents)
  - c. Regulation 15 (b) and (ba) (those who have applied for asylum or humanitarian protection and their dependents)
  - d. Regulation 15 (c) (those supported under s.95 Immigration and Asylum Act 1999)
  - e. Regulation 15 (d) (i) (those supported under s.4 (2) Immigration and Asylum Act 1999)
  - f. Regulation 15 (d) (iii) (those supported under Part 1 of the Care Act)
  - g. Regulation 15 (e) (a child looked after by the local authority)
5. For the years 2016 and 2017 (separately) the number of individuals deemed exempt from charges pursuant to Regulation 16 (1) of the 2015 Regulations in total (please include those who were deemed exempt at a later point pursuant to Regulation 6).

## NHS Debts for charges for overseas visitors

6. For the years 2016 and 2017 (separately) the number of invoices for NHS debts for overseas visitors' charges which have been written off for accounting purposes.
7. For the years 2016 and 2017 (separately) what was the total sum of the debt for overseas visitors' charges that was written off for accounting purposes for each year within the Trust (at the rate charged to the Trust, that is, 75%)?
8. Of the debts written off for accounting purposes at question 6 above, what was the average debt?

### **Response**

- 1-5 NHS Borders does not record the number of individuals who are exempt from charges under the National Health Service (Charges to Overseas Visitors) Regulations 2015 (the '2015 Regulations'), amended most recently by the National Health Service (Charges to Overseas Visitors) (Amendment) Regulations 2017.

The Board does complete assessments of eligibility for free NHS care and records where an individual is not eligible for free NHS care and therefore charged for all non emergency healthcare which is provided.

- 6-8 The Board has not written off any debt relating to Overseas visitors' charges in 2016/17 or 2017/18.

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or [foi.enquiries@borders.scot.nhs.uk](mailto:foi.enquiries@borders.scot.nhs.uk).

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **645-18** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.