

NHS charges to overseas visitors regulations

A statement from the Academy of Medical Royal Colleges

March 2019

Increasing evidence continues to emerge of people being deterred from seeking treatment and being inappropriately denied access to care, due to the implementation of the NHS Charges for Overseas Visitors. These regulations have significant public health consequences, as highlighted in a recent report from the Faculty of Public Health.¹

Research from Doctors of the World demonstrates that 1 in 5 of their service users were affected by healthcare charging, and 1 in 3 of those were deterred from seeking timely healthcare.² Maternity Action also demonstrates the detrimental effects of charging on mothers and children during and after pregnancy in a recent report.³

While the 2015 and 2017 amendments to the charging regulations have made access more difficult for migrants, concerns predate these. There exists ample evidence to support both the public health and economic argument for providing healthcare to all, regardless of immigration status.⁴

The increasing collaboration between the Home Office and health services is of great concern, both in the form of the NHS charging regulations and the sharing of patients' demographic data for immigration enforcement purposes. Such blurring has been shown to cause fear in vulnerable undocumented migrants and subsequently deter them from seeking care. The role of healthcare professionals in this process has the potential to damage the vital trust between them and their patients and is likely to lead to poorer patient outcomes and contribute to already low morale.

Health care should always be a place of safety. Several groups, including human rights charity Liberty,⁵ and EU wide NGO PICUM, have called for a clear separation of the roles of the health care sector and migration authorities.⁶

The government's response to widespread criticism has failed to address these concerns. The refusal to publish the review into the impact of the introduction of the 2017 regulations has added to the unease.

The Academy supports the recommendations of the December 2018 report of the UCL-Lancet Commission on Migration and Health. It demonstrates the need for universal and equitable access to health services for all. It calls on nation states, multilateral agencies, non-governmental organisations, and civil society to positively and effectively address the health of migrants by improving leadership and accountability.⁴

As the coordinating body for the UK and Ireland's 24 medical Royal Colleges and Faculties, the Academy of Medical Royal Colleges supports the suspension of the NHS charging regulations pending a full and independent review of the impact on both individual and public health. We also support the call for a clear separation of roles between immigration enforcement activities and the provision of healthcare.

Appendix 1

The UCL-Lancet Commission on Migration and Health Key recommendations

1. Dedicate political capital, financial, and human resources to fulfil global commitments to secure healthy migration and improve the security and well-being of mobile groups, especially the most marginalised.
2. Re-balance policy making in migration, trade and environment, and foreign affairs to give greater prominence to health. Foster cross-sector, complementary decision making that integrates health considerations across policies and services that determine the health of migrants.
3. Confront urgently, vigorously, and persistently divisive myths and discriminatory rhetoric about migrants.
4. Advocate for and improve the rights of migrants to ensure safe and healthy educational and working conditions that includes freedom of movement with no arbitrary arrest.
5. There is an urgent need to ensure adequate monitoring, evaluation, and research to support the implementation of the Global Compacts.

Background

The National Health Service Charges to Overseas Visitors regulations have drawn widespread criticism from professional bodies, health care professionals, humanitarians and civil society alike. In December 2018, the Royal College of Physicians (RCP), Royal College of Paediatrics and Child Health (RCPCH), Royal College of Obstetricians and Gynaecologists (RCOG) and the Faculty of Public Health (FPH) called upon the Department of Health and Social Care to suspend these charging regulations, pending a full independent review of their impact on individual and public health. Local campaign groups in Brighton, Birmingham, Liverpool, London, and Glasgow and likewise have called for their suspension.

While the 2015 and 2017 amendments to the charging regulations have made access more difficult for migrants, concerns regarding the health of migrants – and the subsequent impact on public health – in the UK are much more longstanding. At present the government has not published its review into the impact of the introduction of the 2017 regulations.

UK public policy has failed over many years to address concerns regarding migrant health. An increasing number of organisations, high-profile health commentators and health policy experts are voicing the need to ensure UK health policy better addresses migrants' needs.

The statement:

- Calls upon the Department of Health and Social Care to suspend the NHS Charging regulations pending a full independent review of their impact on individual and public health.
- Calls upon the government to clearly separate the roles of the health care sector and migration authorities.
- Endorses the 5 Key recommendations put forward by the UCL-Lancet Commission on Migration and Health [appendix 1].

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