

## **Department of Health and Social Care response – health care charging regulations for EU citizens**

- Clarification of DHSC guidance in relation to the health care charging regulations for EU citizens who have obtained pre-settled status by 31st October 2019?
- Clarification of DHSC guidance in relation to the health care charging regulations for EU citizens who have obtained settled status by 31st October 2019?
- Clarification of DHSC guidance in relation to the health care charging regulations for EU citizens who are residents in the UK by 31 October 2019 but have not yet applied for, or secured pre-settled or settled status?

*The existing rights of EU citizens resident in the UK are secure until December 2020 in a no deal Brexit, regardless of whether they have obtained status under the EU Settlement Scheme. EU citizens will be able to access free NHS treatment in all the scenarios outlined, as long they meet the ordinarily resident test (<https://www.gov.uk/government/publications/assessing-ordinary-residence-nationality-policy-guidance>). EU citizens do not require Home Office confirmation of settled or pre-settled status to access NHS care. The EUSS (European Settlement Scheme) is about securing an immigration status and associated residency rights for 2021 onwards for those who know they want to remain the UK.*

- Clarification of DHSC guidance in relation to the health care charging regulations for EU citizens who enter the UK after the 31st October 2019?

*Citizens arriving in the UK after 31 October to settle, live and work will be eligible for free NHS care up to the 31 December 2020 as long as they remain ordinarily resident. After that date they will have the option of applying for 36 months European temporary leave to remain or applying to the new global borders and immigration system that the Home Office will introduce. Those who are granted European temporary leave to remain will be eligible for free NHS care during that 36 month period, again as long as they remain ordinarily resident.*

*EU visitors to the UK who are not covered by a reciprocal health care arrangement will be charged at the standard NHS tariff, unless they are using a service that is free to everyone or an exemption applies. Discussions are ongoing on the UK's offer to continue reciprocal healthcare arrangements with the EU until 31 December, which would cover UK visitors to the EU and EU visitors to the UK.*

*Spanish visitors to the UK will continue to be able to use their EHIC, S1 or S2 form until at least 31 December 2020.*

*Irish nationals and British nationals resident in Ireland are exempt from charging for needs-arising treatment in England when visiting the UK*