



# Will I have to pay?

## Advice on getting NHS sexual health and HIV services for recent migrants and those of uncertain immigration status

Although the National Health Service is free to anyone who is “ordinarily resident”, some people who have moved to the UK may be asked to pay for most services. This leaflet is a brief guide to the most common questions and concerns that people have about NHS charges. If you want to read the NHS charging regulations in full, you can find them at [www.dh.gov.uk/overseasvisitors](http://www.dh.gov.uk/overseasvisitors).

### **I think I may have a sexually transmitted infection. Can I use the NHS?**

Everyone can use the NHS, and for most STIs (sexually transmitted infections), the service is completely free. You should not be charged for any tests in a GUM (genito-urinary medicine) clinic, nor for any treatment you need for most STIs.

For HIV, however, the situation is different. The HIV test is free, but you may be charged for any other HIV treatment and hospital care if you do not meet the criteria for free treatment.

### **Who gets free NHS treatment, and who has to pay?**

You will get free NHS treatment for everything if you are in the following categories:

- You have been lawfully living in the UK for the last 12 months before treatment
- You are a refugee, or an asylum seeker with a current application ongoing
- You are a member of the UK armed forces
- You have come to live in the UK permanently (if you are currently applying for permanent residence, you will be charged until it is granted)
- You are in prison, or in immigration detention

- You are from one of the countries with a bilateral healthcare agreement with the UK, and your condition arose after you arrived (broadly speaking, this includes the countries of the European Economic Area, a number of Central European and Central Asian republics and some British dependencies and Commonwealth countries; the full list is included in the charging regulations)

You may be charged for HIV treatment if you are in the following categories:

- You are undocumented (entered the country without proper papers or permission)
- Your asylum appeal has had a final refusal and you are awaiting deportation
- You are here on a visitor visa
- You have overstayed any kind of visa
- You have a British passport but do not usually live in the UK

If you are in a category that is not covered above, you can get further advice from THT Direct on 0845 12 21 200. In particular, the status of applicants for leave to remain under the Articles of the European Convention on Human Rights may be subject to change.

### **If I cannot pay for treatment, will I be refused even though I need it?**

If you need any treatment for a life-threatening condition, or to prevent a condition from becoming life-threatening, you should not be refused. The decision is officially up to the doctor, but this means that if you have HIV, you should be able to use NHS care for HIV regardless of your ability to pay. If your CD4 count and viral load are within British HIV Association guidelines, you should also get medicines immediately regardless of your ability to pay.



Anyone who is completely refused HIV or maternity treatment because they cannot pay should contact THT Direct or a local HIV support service immediately and get help in explaining to the hospital that they have made a bad decision. It is very important if you have HIV that you get proper care. Remember, with modern treatments people can stay well for decades, but the treatments may not work if you start on them too late.

### What happens if I am chargeable?

If staff at the hospital think you may be liable for charges, you will be interviewed by an administrator. In some hospitals this is a dedicated Overseas Payments Officer, but in others it may be someone untrained. If you feel they have made the wrong decision about whether you are liable to pay, you should get help immediately in arguing your case from a local HIV support organisation, or from THT Direct. Sometimes, wrong decisions have been made and we can get them changed. If you are chargeable, then after you begin your treatment you will start to receive bills for it.

### What about if I am pregnant?

If you are pregnant and have HIV, it is very important that you get the right care to prevent passing on the virus to your unborn child. No hospital should refuse to treat you, though they may bill you. Sometimes, this frightens women into not getting medical treatment until the baby is already on the way, but this can seriously damage both the mother and the baby's health.

### What happens if I get the treatment, but cannot pay the bills?

It's extremely important that you tell the hospital honestly that you will have trouble paying, as soon as you are told you must pay or you get the first bill. Hospitals have the ability to write off debt if they realise that someone simply cannot pay (for example, if they have no right to work and thus no income). If you are working, but not earning very much, they may settle for a "token" amount of a few pounds a month. But if you ignore the bills and don't talk to the hospital, they are much more likely to hand the debt over to debt collectors who will pursue you for the debt and who are much harder to deter.

### Will my details be passed to the immigration authorities if I am not in the UK legally?

This should not happen – the NHS is supposed to treat you in confidence. Sometimes, if you say you are an asylum seeker or otherwise here legally, but cannot provide proof, the hospital may ask you if they can contact the Home Office to get proof that you should not pay. You can refuse to let them do that, but if you refuse and cannot provide any proof that you are in one of the categories entitled to free treatment, the hospital may charge you anyway. If anyone threatens to pass your details to anyone outside the NHS without your permission, get advice immediately from THT Direct or your local support agency.

### What happens if my asylum claim fails or my visa expires while I am receiving free treatment?

If you are already getting free NHS care for HIV, or any other condition, but your right to residence in the UK comes to an end, you still have a right while in the UK to continue to get treatment for that condition free of charge. Some NHS staff sometimes misunderstand this rule. Ring THT Direct or a local HIV support organisation for assistance if you have any difficulties.

## The HIV and sexual health charity for life

Website: [www.tht.org.uk](http://www.tht.org.uk) THT Direct: 0845 12 21 200

Registered office: 314-320 Gray's Inn Road, London WC1X 8DP

Tel: 020 7812 1600 Email: [info@tht.org.uk](mailto:info@tht.org.uk)

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## Speaking out, changing lives.

National AIDS Trust, New City Cloisters, 196 Old Street, London, EC1V 9FR

Tel: 020 7814 6767 Fax: 020 7216 0111 Website: [www.nat.org.uk](http://www.nat.org.uk)

Email: [info@nat.org.uk](mailto:info@nat.org.uk)

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