



Changes to NHS charging rules for HIV from October 2012

In February the Government announced that from 1 October 2012, HIV treatment will be freely available to all patients living in England, regardless of their residency status or how long they have been in the UK.

What is the policy change?

At present, HIV is the only sexually transmitted infection (STI) or infectious disease for which treatment is chargeable. The Government will now remove this exception, so that testing and treatment for all STIs, including HIV, is free to everyone in England.

Patients will not have to meet any residency requirement in order to access treatment - it will be freely available regardless of immigration status or how long someone has been in the UK. Contrary to early media reports, someone will not need to have been living in the UK for six months to be eligible for free treatment.

Who is currently charged for HIV treatment?

In England, some migrants may be charged for accessing most NHS secondary care, including HIV treatment.

Key groups who are charged for HIV treatment at present are:

- Undocumented migrants
- Refused asylum seekers who do not receive either Section 4 or Section 95 support
- People on visitor visas
- Visa overstayers
- People with a British passport who do not usually live in the UK

Even if someone is charged for accessing NHS services, they should never be refused HIV treatment because of inability to pay. HIV treatment is considered 'immediately necessary' and should always be provided without delay. However, the patient may receive a bill from the NHS trust afterwards.

For more information on current charging rules and what to do if a service user receives a bill for treatment, read NAT and THT's fact sheet [Will I Have to Pay?](#)

Will people still be charged between now and October?

Until the new rules come into effect on 1 October 2012, the existing charging rules will apply. This means that chargeable patients will still face a bill for their HIV treatment until this time.

People with HIV should not put off accessing the HIV treatment and care they need until the new rules come into effect. Accessing antiretroviral treatment when needed without interruption is crucial to short and long term health outcomes for people with HIV.

Large hospital bills can be intimidating, but if a patient notifies the hospital of their inability to pay, an arrangement can be made. If the patient demonstrates that they have no income (for example, they do not have permission to work), the debt may be written off. If they have a very limited income, they may establish a payment plan of a token amount (for example, a few pounds a month).

Please note that chargeable migrants who accrue NHS debt of £1,000 or more may also be subject to new immigration rules restricting future applications for entry or stay in the UK.

For more information on the new immigration rules, the current charging rules and what to do if a service user receives a bill for treatment, read NAT and THT's fact sheet [Will I Have to Pay?](#)

Charges for secondary care other than HIV treatment

Although treatment for HIV will be exempt from charges from October, some migrants with HIV may still be charged for other secondary care which they need to access. This includes, for example, maternity care, cancer treatment, and dialysis.

Access to A&E and treatment for all STIs as well as TB remains free for all.

For more information on current charging rules and what to do if a service user receives a bill for treatment, read NAT and THT's fact sheet [Will I Have to Pay?](#)

What is the situation in Scotland, Wales and Northern Ireland?

The Government announcement only affects charging in England. This is because health is a devolved responsibility. Scotland, Wales and Northern Ireland can decide independently whether to charge for HIV treatment. On the whole, HIV treatment charges are not levied or actively pursued in these nations. However, NAT is now calling for a formal change in the law in Scotland, Wales and Northern Ireland, to ensure free universal access to HIV treatment is guaranteed for all across the UK.

For more information on HIV and NHS charging rules contact:
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