

NHS Cost Recovery Team  
Department of Health and Social Care  
E: [Rosamond.Ettridge@dhsc.gov.uk](mailto:Rosamond.Ettridge@dhsc.gov.uk)

1<sup>st</sup> September 2020

Dear Rosamond Ettridge,

### **Internal Policy Assessment - National Health Service (Charges to Overseas Visitors) Regulations**

The BMA is a professional association and trade union representing and negotiating on behalf of all doctors and medical students in the UK. It is a leading voice advocating for outstanding health care and a healthy population. It is an association providing members with excellent individual services and support throughout their lives.

The Association welcomes the opportunity to respond to the internal policy assessment on the overseas visitors charging regulations, given our significant engagement with the Department of Health and Social Care on this issue. It is important that the DHSC is taking further evidence into account and that the regulations continue to be scrutinised. We are also pleased to note that our report *Delayed, Deterred, Distressed* is being taken into account as part of the assessment.

However, we have significant concerns regarding both the manner in which this assessment is being conducted – several of which were highlighted in a recent joint letter co-ordinated by Maternity Action, to which the BMA was a signatory.

This submission reflects these concerns, which include:

- the timing and timescales of the assessment
- the small cohort of organisations invited to contribute to the assessment
- the scope of the assessment and how the evidence submitted to the assessment will be utilised; and
- what further examination of the regulations and their impact is planned.



**Timing and timescales**

The BMA received formal notice of the policy assessment on 10<sup>th</sup> August 2020 - with the deadline for submissions set as 28<sup>th</sup> August. This left the Association and other invited stakeholders with less than 15 full working days to respond. This lack of time has unfortunately precluded the BMA and others from providing any new evidence. As a result, we believe that it is essential that additional time is provided – to allow for up-to-date evidence to be submitted and also to ensure that this aspect of the assessment is meaningful.

We are, however, currently undertaking further research with our members that is relevant to this assessment and which we hope to be able to share with the Department and other stakeholders soon.

**Invited contributors**

While we appreciate the invitation to contribute to the assessment and our continued engagement with the DHSC on this issue, we are disappointed that such a small number of stakeholders have been asked to participate in this exercise. To ensure that the evidence submitted to the review is as comprehensive and impactful as possible, and includes the findings and views of frontline organisations, we believe it is essential that a public call for evidence is issued.

**The scope of the assessment**

Although we welcome the focus of the assessment on the impact the regulations have on vulnerable groups, we remain uncertain of its full scope as no terms of reference have been made public. This limits our confidence in the assessment and our understanding of how any evidence submitted will be used.

Therefore, the BMA believes that full terms of reference for the assessment should be published, including clear information on what the intended outcomes and outputs of it are. Further, we feel that it is essential that the findings of this assessment are published publicly too, to reassure those submitting evidence that their evidence has been fully considered.

**Further examination of the regulations**

The BMA has for some time called for a full, independent review into the impact of the overseas charging regulations. While we welcome this assessment, we note that the DHSC is clear that it does not constitute such a review.

It is vitally important that the regulations are examined and assessed on an ongoing basis. However, we continue to believe that only a comprehensive review will provide the analysis needed to address the issues posed by the current charging system. Therefore, I reiterate our call for a full, independent review and hope that this assessment is a precursor to one.

Finally, I would like to reiterate the requests set out in the joint letter of 18<sup>th</sup> August 2020, that:

1. The full terms of reference of the review are made public
2. The opportunity to provide evidence to the review be open to all interested stakeholders
3. The timescale for stakeholders to contribute to the review be extended to the end of September
4. The full report be publicly released

We hope that these requests are met and that our submission is useful – though please do not hesitate to contact us for more information if required.

Yours sincerely,

A handwritten signature in blue ink that reads "John Chisholm". The signature is written in a cursive style with a horizontal line underneath the name.

**Dr John Chisholm CBE**  
Chair, BMA Medical Ethics Committee