During the hearing on the NHS Charges to Overseas Visitors Regulations ("the Charging Regulations") on 24 June 2019, you asked about the extent to which the Department had asked the respondents to the review of the 2017 amendments to the Charging Regulations whether it was the right time to do such a review given that those amendments had not been in force very long.

As I outlined to you at the hearing, Ministers agreed to conduct an internal review in November 2017 in response to concerns raised by stakeholders at the time. While undertaking the review, the Department received feedback from stakeholders that they needed more time to collect evidence and that a longer timeframe would give a more accurate picture of the impact of the changes to the regulations. We therefore extended the period in which stakeholders were able to submit evidence to the review from 31 January 2018 until 1 June 2018. The Department also responded to stakeholders by assuring them that, following the conclusion of the review, the Department would continue to engage with stakeholders and remain open to new evidence. This has been the case since the end of the review and I am pleased to confirm that this commitment remains.

The Committee requested that the Government consider undertaking a full review into the charging regime, including the policy and application. After careful consideration, the Government does not feel that it is necessary to conduct such a review at this time. A review of the impacts of the 2017 amendment regulations has
recently been carried out and actions to improve their implementation have been taken, including:

- Amending national Guidance and e-learning modules to ensure the NHS understands that only non-urgent treatment, i.e. that which clinicians think should wait until the patient can reasonably be expected to depart the UK, can be withheld until payment is received; and,
- NHS Improvement ensuring that their work to promote improved application of the Regulations includes measures to ensure that the patient protection safeguards within both the Regulations and Guidance are applied correctly and consistently.

As I have already stated, we are committed to considering emerging evidence in relation to the Charging Regulations, including the impacts on those with protected characteristics under the Public Sector Equality Duty, to ensure that they continue to deliver the policy intent. However, should the Committee consider that it ought to investigate the Charging Regulations my Department will, of course, fully cooperate with that in the usual way.

Yours,

STEPHEN HAMMOND