

RIGHTS OF EU CITIZENS IN SCOTLAND

EU Citizens and Your Right to NHS Healthcare

This factsheet provides a brief summary of your right to access NHS healthcare as an **EU citizen** in Scotland. In this factsheet, 'EU citizens' includes citizens of the EU member states, as well as citizens of the EEA states (Norway, Iceland and Liechtenstein), and citizens of Switzerland.

This factsheet also covers the rights of your **family members**. A 'family member' is someone who is a member of your family and not an EU citizen, and whose right to live in the UK is derived in EU law from their relationship with you and your EU citizenship.¹

This factsheet covers your rights now (during the **Brexit transition period**) and also after the transition period ends. The transition period is due to end on 31 December 2020, but this date may change if the transition period is extended.

EU citizens have the right to live in Scotland under EU law during the Brexit transition period. After the end of the transition period, EU law will no longer apply. EU citizens and their family members who wish to stay in Scotland after the end of the transition period must apply under the EU Settlement Scheme for either **Settled Status** (indefinite leave to remain) or **Pre-Settled Status** (limited leave to remain for 5 years), before 30 June 2021.

Do I have the right to access NHS healthcare in Scotland?

All EU Citizens

All EU citizens in Scotland and their family members have the right to access free NHS emergency and non-emergency healthcare.

This includes:

- ▶ free primary healthcare (the right to register with a GP), and
- ▶ free secondary healthcare (hospital-based treatment)

You have an **equal right to access healthcare** on the same basis as a UK citizen living in Scotland.

You also have the **right to an interpreter** if you need one in order to communicate with NHS staff, and understand and consent to medical care.

You have the right to access healthcare as an EU citizen or family member of an EU citizen, regardless of whether you hold Settled Status, or Pre-Settled Status, or neither form of status.

1. 'Family members' can include: your spouse or civil partner, your children, grandchildren and great-grandchildren under age 21, your dependent children over age 21, your dependent parents, grandparents and great-grandparents, and some unmarried partners and other dependent relatives. (where the Home Office has issued an 'extended family member' registration certificate).

EU Citizens and Your Right to NHS Healthcare continued

How do I register with the NHS?

You can prove your right to access NHS healthcare by showing a valid EU passport or national identity card and evidence of your Settled Status or Pre-Settled Status, or that you entered the UK before the end of the transition period.

During the transition period, if you are a visitor or have only recently arrived in Scotland you may be asked to show a European Health Insurance Card (EHIC), but even if you do not have one, you still have the right to register with the NHS and receive medical treatment.

However, if you are a visitor and do not have an EHIC (or cannot obtain a Provisional Replacement Certificate from your home state), you may later be charged a fee for any hospital healthcare you receive. The UK Government is in discussions with the EU about the future of the EHIC scheme following the end of the transition period.

Does my right change after the Brexit transition period?

For all EU citizens living in Scotland at the end of the transition period, your right to access NHS healthcare in Scotland will not change.

Your right will remain the same, regardless of whether you hold Settled Status, Pre-Settled Status, or neither form of status.

Where can I get more help or advice?

If you have questions about your right to access NHS healthcare, or if you think you have been discriminated against in accessing healthcare, you can seek help and advice from:

- ▶ **NHS Inform Helpline** on 0800 22 44 88 (textphone 18001 0800 22 44 88; the helpline also provides a free interpreting service). The helpline is open every day between 8am and 10pm.
- ▶ **Patient Advice & Support Service (PASS)** at your local Citizen's Advice Bureau (<https://www.cas.org.uk/pass>). PASS is independent and provides free, confidential information, advice and support to anyone who uses the NHS in Scotland.

More resources

NHS Inform – Accessing and Using NHS Services in Scotland:

- ▶ <https://www.nhsinform.scot/care-support-and-rights/health-rights/access/accessing-and-using-the-nhs-in-scotland>

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