

Ms Lara Date  
European and External Affairs Committee  
The National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

20 March 2009

Dear Ms Date,

**Re: Inquiry into Patients' Rights in Cross-Border Healthcare**

Thank you for the opportunity to submit evidence to the ongoing inquiry of the European and External Affairs Committee on the European Commission's proposals for a Directive on the application of patients' rights in cross-border healthcare.

Which? is an independent, not-for-profit UK consumer organisation with around 700,000 members and is the largest consumer organisation in Europe. We campaign on a range of consumer issues, one of which is health. We are entirely independent of Government and industry, and are funded through our membership and the sale of our Which? range of consumer magazines and books.

In this submission we give details of new research<sup>1</sup> which we commissioned about the general public's attitudes to, and expectations of a system in which they could receive treatment abroad paid for by the NHS.

Which? supports the principle of access to cross-border medical treatment, provided it is counter-balanced with consumer protection and does not undermine Member States' commitment to provide a range of quality healthcare services to their citizens at home. We support systems that are accessible, easy to understand, efficient, effective and inexpensive for patients, providing there are safeguards about the quality standards of treatment and care.

Which? research shows that consumers' over-riding preference is for treatment close to home. 68 per cent (two thirds) of UK adults in our survey said they would

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<sup>1</sup> A telephone omnibus survey of 1036 adults aged 16+ and weighted to be representative of the UK population was carried out between 14 and 16 November 2008.

prefer not to go to another EU country for non-urgent NHS treatment. However, for those that do go abroad clear information and adequate protection is essential.

### **Prior authorisation schemes**

In our research, three quarters of UK adults agreed that if people go abroad for treatment paid for by the NHS this should always be authorised by their local health authority in advance. Only 11 per cent disagreed. Our evidence shows that the majority of consumers would not be concerned if prior authorisation schemes were the norm, no matter what the treatment.

However, prior authorisation mechanisms must be patient-centred and avoid off-putting unnecessary bureaucracy. They should include clear information on how the process of authorisation works and time limits within which patients can expect a decision, thus giving them greater certainty. An independent appeals mechanism for prior authorisation requests which have been rejected is necessary.

### **Volume of patients who may wish to access cross-border healthcare**

We do not see a likelihood of very significant cross-border patient mobility from the UK, at least in the short term, unless there is a dramatic change in NHS provision. Our research reveals that half of those in the UK would not consider going abroad for non-urgent NHS medical treatment in the future, and two thirds would prefer not to do so. Both social class and age have a significant impact upon people's willingness to consider going to another EU country for non-urgent treatment. Resistance to going abroad for treatment increases consistently with age, and those aged 65 or more are significantly less likely to consider having NHS treatment in another EU country in the future than those aged 16-24.

### **Importance of information provision**

There is a great need for good quality information if people are to seek cross-border treatment. In our survey we asked respondents about how important they thought information on a range of aspects would be to them if they were deciding whether or not to take up the option of going to another EU state for medical treatment. What emerged from the results was a clear need and desire for comprehensive information before making this important decision.

Over 90 per cent of all UK adults thought that information about the following was important:

- > standards of care at clinics or hospitals (97 per cent)
- > after care arrangements (95 per cent)
- > transport/language/accommodation (95 per cent)
- > the practitioner undertaking the treatment (94 per cent)
- > financial arrangements (94 per cent)
- > timescales (91 per cent)

Our research shows that UK adults think that information on a range of aspects of travelling abroad for treatment is important. The information national contact points should be required to provide, or obtain on behalf of a patient from the UK if they request it, includes information about:

- > the process of going abroad
- > what to do if something goes wrong
- > standards of care at clinics or hospitals
- > arrangements and responsibility for necessary after care
- > transport/language and accommodation
- > the practitioner undertaking the treatment
- > financial arrangements
- > expected timescales

We believe the existing provisions for the availability of information in the draft directive are not sufficient to help consumers make an informed choice whether to seek cross-border treatment and we would like to see those provisions strengthened.

### Redress

Our research shows that in case things go wrong, 9 out of 10 people in the UK would prefer to pursue their complaint at home rather than in the country where the treatment took place. 97 per cent of consumers believe it would be important to have information on the redress process when deciding whether to go abroad.

We believe consumers should have easy access to redress and assistance must be in place for consumers in the home country to help with the process irrespective of which country is dealing with it.

## Conclusion

Our research shows that consumers' over-riding preference is for treatment close to home but for those that do go abroad clear information and adequate protection is essential. Which? is calling for the UK Government to amend the Commission's proposals to ensure all UK consumers seeking NHS funded treatments abroad will be provided with adequate information and have easy access to redress in case things go wrong.