

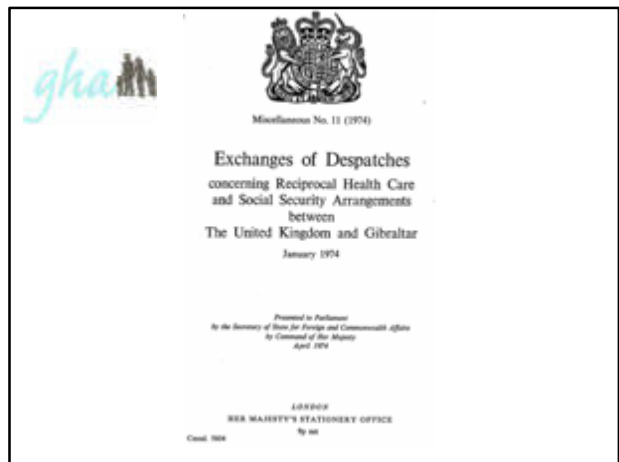


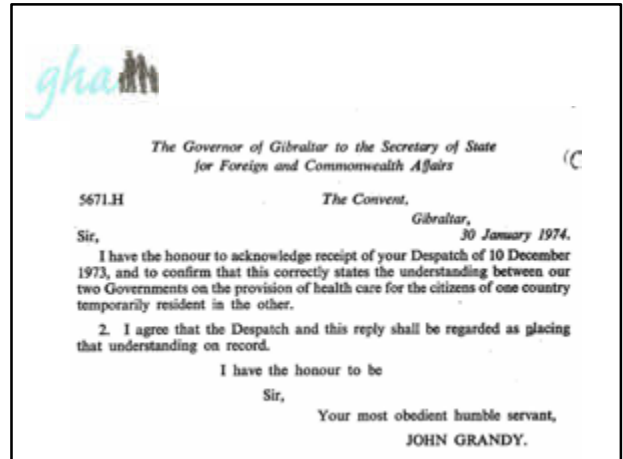

COMMISSIONING TERTIARY SERVICES



INSTRUMENTS

- Reciprocal Agreement with the United Kingdom, **1974** (UKRA)
- EU Regulations 1408/71; 574/72
- Sponsored Patients Policy
- Pensioners' Agreement, 1997
- **TREATY OF ROME!**





UKRA

- Free Treatment (Emergencies ??)
- NET cost of 'Temporary Visitors'
- Formula – (TV's & SP's Average =)
- "THE QUOTA"
- Biennial accounts
- Includes Isle of Man

EU Regulations

- 1408/71
- 574/72
- E111 (EHIC)
- E106; E108; E109; E121&c
- E112 – Pre-Authorised

SP POLICY

- Entitled persons
- Discretion of Medical Practitioner
- Treatment (inc Diagnostics)
- UK / Europe (1982)
- State run Facilities – Private Exceptional
- Dialysis / Scans

SP POLICY

- Medical Costs
- Travel Costs
- Escort
- Means Tested Maintenance Allowance



Pensioners Agreement

- Equivalent of EU E121 - 1408/71 & 574/72
- Provision of healthcare available to pensioners in State of Residence at expense of Competent State
- Reimbursement - Arts 94 & 95
- Average Costs – 80%



His Excellency The Rt Hon Sir Richard Luce PC
Governor and Commander-in-Chief

2 June 1997

The Hon Health Secretary
Ministry for the Environment and Health
City Hall
Gibraltar

Dear Sir,

It has been decided in discussions between the Department of Health and the Gibraltar Health Authority that the Government of the United Kingdom and Gibraltar should consider the present arrangement whereby United Kingdom social security pensioners who reside outside the United Kingdom but within the European Economic Area receive health care under the EEC in the same terms as those of their country of residence at the expense of the United Kingdom authorities, with the sole exception of those social security pensioners resident in Gibraltar.

I am therefore writing on behalf of the Government of the United Kingdom to propose the following arrangements for the provision of health care for United Kingdom social security pensioners resident in Gibraltar:

1. The Government of Gibraltar will provide health care under the health care system in Gibraltar for United Kingdom social security pensioners resident in Gibraltar.
 2. The additional costs thereby incurred by the Government of Gibraltar will be reimbursed by an adjustment to the number of patients of patients from Gibraltar to the United Kingdom in accordance with Article 4 and 5 of the 1974 Protocol of Understanding between the United Kingdom and Gibraltar, or any subsequent protocol which will be entered into by the Government of the United Kingdom.
 3. The number of such patient referrals will be determined annually between the Government of Gibraltar and the United Kingdom in accordance with the protocol set out in the Annex to this letter.
 4. Arrangements for exchange of information and notification of arrangements relating to the interpretation or application of these arrangements will be the same as those set out in Articles 4 and 5 of the 1974 Protocol of Understanding concerning reciprocal health care.
5. Unless otherwise decided, the following definitions will apply for the purposes of these arrangements:
- a) "United Kingdom" means England and Wales, Scotland, Northern Ireland and the Isle of Man;



- b) "social security pensioner" means:
 - i) in relation to the United Kingdom, those persons who are in receipt of a United Kingdom state pension which qualifies them for health care under Regulation (EEC) 1408/71 or a pensioners pension payable under the legislation of the Isle of Man, and their family members, but not those persons who are in addition in receipt of a Gibraltar social security pension;
 - ii) in relation to Gibraltar, those persons who hold a Gibraltar pension which qualifies them for health care under Regulation (EEC) 1408/71, and their family members, but not those persons who are in addition in receipt of a United Kingdom social security pension;
 - c) "health care" means:
 - i) in relation to the United Kingdom, treatment by services provided under health care legislation, administered by health authorities or by the Isle of Man Health Services Board;
 - ii) in relation to Gibraltar, treatment by services provided under Gibraltar health legislation and administered by the Gibraltar Health Authority;
 - d) For the purposes of these arrangements a United Kingdom social security pensioner will be regarded as "resident" in Gibraltar if he is in Gibraltar for more than 183 days in any calendar year, and a Gibraltar social security pensioner will be regarded as "resident" in the United Kingdom if he is taking up permanent residence in the United Kingdom.
 - e) "temporary visitor" means a person undertaking a stay as specified in Article 12 of Regulation (EEC) 1408/71.
- Subject to the approval of the Government of Gibraltar, these arrangements will be deemed to have entered into force on 1 January 1996 and will remain in force unless they are terminated by either the Government of the United Kingdom or the Government of Gibraltar giving three months' written notice to the other.
- I should be grateful for your confirmation that the foregoing arrangements will be the understanding between the Government of the United Kingdom and the Government of Gibraltar for the provision of health care for United Kingdom pensioners resident in Gibraltar.
- The Secretary*
R.L. Luce



GOVERNMENT OF GIBRALTAR
Office of the Minister for the Environment & Health
City Hall
John Mackintosh Square
Gibraltar

Our Ref: MN0501

11 June 1997

His Excellency The Rt Hon Sir Richard Luce PC DL
Governor and Commander in Chief
The Corner
Gibraltar

Your Excellency

Thank you for your letter of 2nd June 1997. I confirm that this correctly states the understanding between the Government of Gibraltar and the United Kingdom Government on the provision of health care for United Kingdom pensioners resident in Gibraltar.

I agree that your letter and this reply shall be regarded as placing that understanding on record.

Yours sincerely

A. A. M. M. M.
Minister for the Environment & Health



Pensioners Agreement

- NET number of pensioners living in Gibraltar for which UK is responsible
- LESS
- NET number of pensioners living in UK for which Gibraltar is responsible



UKRA

- Average Costs = UK average costs
- Latest EU Commission Audited costs 3-4 years behind
- Include in the formula for QUOTA



UKRA

$$E=MC^2$$



UKRA

- Formula for total number of referrals :-

$$\frac{(A \times B) + C - D - E}{F}$$

- A - Net Number of Pensioners that are UK's responsibility as at 31 December of any year (see below)
- B - The latest available average annual cost of treating a pensioner in the UK (CASSTM 321/97) (abated by 20%)
- C - The latest available costs to Gibraltar of treating UK temporary visitors (Gibraltar)
- D - The latest available costs to UK of treating Gibraltar temporary visitors
- E - The adjustment factor determined in appendix 2 (0 for first 2 years)
- F - The latest available average costs to the UK of each Gibraltar referral



UKRA

- Number of UK pensioners resident in Gibraltar
- Number of UK pensioners resident in Gibraltar with local pensions
- Number of pensioners from Gibraltar resident in UK
- Number of pensioners from Gibraltar resident in UK with UK pensions

Therefore **NET** number of pensioners chargeable to UK [(i) - (ii)] - [(iii) - (iv)] =

A



UKRA

$$\frac{(254 \times £1407.16) + £184,101.00 - £65,644.00 - 0}{£4065.95} = 117 (120)$$



UKRA

- Lack of info OK Hospitals – DOH
- Hospitals reporting expensive cases – increased average & reduced QUOTA
- Hospitals credited with funding after 2 years created disincentive



UKRA

- 02/03 consortium Jersey & Guernsey – still QUOTA
- Lambeth PCT paymasters
- Direct allocation of funding to Lambeth from DoH
- Gibraltar tops up difference (Ex_UKRA)



STATISTICS

Financial Year	Number of Patients				Total	Number of Referrals				Total
	U.K.	Spain	Other EEC	Non EEC		U.K.	Spain	Other EEC	Non EEC	
1992/93	295				295	440				440
1993/94	329	3			332	517	3			520
1994/95	372	5			377	560	6			605
1995/96	398	5			391	666	5			671
1996/97	432	11			443	653	11			664
1997/98	490	27			507	763	45			808
1998/99	545	32			577	827	50			877
1999/00	565	58			624	889	70			959
2000/01	573	69			642	1034	115			1149
2001/02	599	117			716	966	206			1172
2002/03	631	185			816	1090	393			1483
2003/04	679	259			938	1164	598			1762
2004/05	753	291			1044	1252	644			1896
2005/06	720	270	1		991	1314	738	4		2056
2006/07	727	323	2	1	1053	1249	802	2	1	2054
2007/08	666	369	1		1036	1351	874	1		2226



STATISTICS

- 02/03 £4.1m + Quota
- 03/04 £3.2m + Quota
- 04/05 £2.1m + £2.75m
- 05/06 £1.9m + £2.50m
- 06/07 £2.6m + £2.50m
- 07/08 £2.0m + £2.65m
- 08/09 £3.4m + £2.65m PROJECTED
- Excludes EU Commitments



OVER TO

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