

**INFORMATION ABOUT TRAVEL INSURANCE
AND OTHER ISSUES FOR
PROSTATE CANCER PATIENTS**

**A brief guide to travel insurance after a prostate cancer
diagnosis, the European Health Insurance Card and
planning medical treatment in another EEA country**

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September 2008 (Revised)

INTRODUCTION

I was diagnosed with locally advanced prostate cancer in September 2000 after a random PSA test when I did not have any symptoms. The diagnosis was completely unexpected at a time when I knew very little about prostate cancer; but my ignorance did not last long. Nine months later, after my hormone treatment and radiotherapy, my wife and I booked a holiday - that was the easy bit. Arranging travel insurance for the holiday took a little longer.

My working background was in domestic and international social security, which included European healthcare. This made it relatively easy for me to research my diagnosis and since then the other topics in this information note. I chose three topics which can cause problems even though the principles are relatively simple.

You will see in Part 1 that arranging travel insurance after treatment for prostate cancer can be time consuming and expensive unless you can find an insurance company which understands the disease and will offer you a policy. This is because you have a pre-existing medical condition - prostate cancer - so you no longer have the profile of a good risk to some insurance companies.

The European Health Insurance Card (EHIC) is covered in Part 2. The EHIC confirms the right to state healthcare for medical treatment which is necessary when visiting another EEA country. The principle is simple but things can sometimes go wrong when you try to use the EHIC.

The third topic in Part 3 is about planning medical treatment in another EEA country; this is referred to as “cross border healthcare”. This may be of limited interest to most people but if you cannot receive treatment in the UK which is considered best for you, using the Free Choice of Referral Programme if necessary, then going to another EEA country for treatment may be an option. This is not without problems because the rules for cross border healthcare are still developing.

There is a financial cost involved with the situations covered in this guide. For travel insurance I do not recommend, suggest or imply travel insurance “best buys”. The aim is to give you sufficient information to do your research and ask questions so that you can decide which is the best policy for you. The information is not intended to replace advice from an insurance broker or any other professional adviser concerned with travel insurance. Similarly, you need to be guided by the information provided by the Department of Health about the European Health Insurance Card and cross border healthcare on their website at www.dh.gov.uk/travellers or in their leaflets. In addition if you are considering arranging medical treatment in another EEA country you need to speak first to your Primary Care Trust.

Much of the information in this note is basic but I hope it is useful to other men and their families.

Alan Taylor

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This part outlines the importance of travel insurance and why it can sometimes be difficult to arrange after treatment for prostate cancer. The reasons why some insurance companies do not cover certain pre-existing conditions, or do so only with increased premiums, and why they can do this are explained. Why a man who already has a travel insurance policy should still contact his insurance company if he is diagnosed with prostate cancer is also covered.

Other topics are how an insurance company decides a request for a travel insurance policy, what information will be requested and how a policy may be offered on restricted terms and how to arrange travel insurance cover when travelling with family or a friend.

Contact points for charities and some insurance companies are provided so a man can obtain information and compare quotes. The note does not recommend “best buy” policies.

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This part explains how to apply for a European Health Insurance Card. Information about how to access state healthcare in another EEA country and obtain a refund of costs when in the other country is provided. There are tips on what to do to give yourself the best chance of using the state healthcare system and so avoid private medical treatment costs. Comments on a few situations in certain countries are included. The role of the Department for Work and Pensions in dealing with refund claims on return to the UK is explained.

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This part covers the options under the EU rules for planning medical treatment in another EEA country. The background to the judgements of the European Court of Justice are outlined. Also explained is how Primary Care Trusts deal with a request to go to another EEA country for treatment and which costs are refundable. The policy and practice for this are still evolving.

There is a summary of the aims of a draft Directive about cross border healthcare from the European Commission. The Directive is intended to clarify the rules and provide detailed information and support to anyone who wishes to go to another EEA country for medical treatment.

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TRAVEL INSURANCE FOR PROSTATE CANCER PATIENTS

PART 1 ARRANGING A TRAVEL INSURANCE POLICY

Taking a holiday after having treatment for cancer

After completing your treatment for prostate cancer you may think about making plans for a holiday abroad. If your Consultant is satisfied with the outcome of your treatment and confirms that it is medically safe for you to travel abroad there is no reason why you should not go ahead with your holiday. However, because you have been treated for prostate cancer you now have what travel insurers call a **pre-existing medical condition**. Men who have a prostate cancer diagnosis but have their condition monitored without receiving any treatment, this is called active surveillance, or watchful waiting which is slightly different, also have a pre-existing condition. Your diagnosis could affect an application for travel insurance and it should be declared if you apply for a travel insurance policy.

Although this information is aimed at prostate cancer patients the principles apply to any type of cancer or medical condition.

Arranging travel insurance after receiving treatment for prostate cancer or any other cancer or serious medical condition is not always straightforward. This can be a frustrating experience unless you have an idea how travel insurers assess the risk for travel policies. This information should help you to avoid the pitfalls when arranging your travel insurance. One point, check that any policy offered covers the country or countries you intend to visit.

Travel insurance and a medical condition are not a good combination but the situation may be worse if you are in your 70s or older. Many insurance companies are not really interested in providing a travel policy to someone who has received treatment for cancer even though the cancer may be said to be cured or will be kept under control for a number of years. As treatment techniques develop many men may be at no greater risk of making a claim on a policy than they would have been if they had not been diagnosed with prostate cancer. Unfortunately not all insurance companies accept that this is the case and if they are prepared to offer you a travel insurance policy it may be very expensive or it may not cover your medical condition.

Why can it be difficult to arrange a travel insurance policy?

The basis on which a travel insurance policy is issued, the cover provided and the cost of the policy depends on how the company assesses the risk of you making a claim because of your pre-existing medical condition. Since 5 December 2005 anyone who is diagnosed with cancer, or one of a few other specified illnesses, is treated from the date of their diagnosis as being disabled under the Disability Discrimination Act 2005 (DDA). The DDA sets out the rules to make sure that you are not treated unfairly because of your disability. This disabled status protects you from discrimination by companies which provide goods, services, facilities or have premises which you need to use. This means that companies cannot use your disability as a reason to treat you less favourably than other customers who are not disabled. However, the law allows insurance companies to charge higher premiums or include special provisions, such as excluding cover for a specific condition, where they can show that the risk of a claim from a disabled person with a pre-existing medical condition is greater than the risk from someone who is not disabled.

A higher premium for a policy to cover a person with a pre-existing condition, whether or not the person is treated as disabled under the DDA, must be justified. This means that a decision to charge a higher premium or exclude a medical condition, must be taken using information which is relevant to the risk and the information, either from the applicant or in the form of a medical report, can be relied on. The final consideration is that the decision to offer a policy on terms less favourable than

otherwise would be the case must take account of the information available and all other relevant factors.

At the time of updating this information the Government introduced their Equality Bill. It will be some time before we see the Bill introduced as an Act. Travel insurance is related to the justifiable risk of the customer to the insurance company. This is a well established principle of insurance underwriting but we must wait and see what effect, if any, the Equality Act will have on the right of insurance companies to offer travel insurance policies on terms which take account of the risk of a claim due to a pre-existing medical condition.

Do I need travel insurance?

If you go abroad you should take out travel insurance. If you are going to another EEA country on holiday or for a visit you can apply for a European Health Insurance Card but this is not a substitute for travel insurance and there are a number of reasons for this. The EHIC covers any medical treatment which becomes necessary due to illness or an accident during your visit. In some countries the treatment may be limited or different to what you may expect in the UK. The EHIC does not cover cancellation charges, lost property, ambulances in some countries, unexpected accommodation costs if you have to overstay your holiday or repatriation for yourself and your family.

Travel insurance is advisable even if you are in good health and you have not received cancer treatment or a cancer diagnosis. If you go abroad without travel insurance you could risk exposing yourself to massive and crippling medical bills and other costs, for example, repatriation costs, if you fall sick abroad. Clearly the costs involved will depend on your medical condition and the country in which you take your holiday.

If I have a European Health Insurance Card why do I still need travel insurance?

Many people do everything right and have a European Health Insurance Card (EHIC) and try to follow the rules but still end up paying for private treatment with a doctor or at a private hospital. How many of you will push your EHIC in your bag where it will remain until you need medical treatment? Travelling or holidaying abroad comes with risks and one of them is being ill when you are away. This is especially so if you visit a country where you do not speak the language or whose healthcare system is different from the NHS. The reality is that healthcare is a business and if you don't get it right you pay the price.

If you become ill in your hotel you have some support, at least in theory, because the hotel reception staff, or your holiday rep, will call a doctor for you. Show your EHIC to the reception staff and make it clear that you want a state healthcare doctor. However, although you may insist on seeing a state healthcare doctor they may call a private doctor who is not interested in your EHIC. .

If you become ill or have an accident away from your hotel, or you are in self catering accommodation, you may need to know quickly how to obtain medical treatment. Your first thought may be to see a doctor or go to hospital for treatment and then sort out the detail of payment. A quick decision may be needed but if you don't get this right and you are treated privately by a doctor or by a private hospital instead of by a doctor or hospital which are part of the state health service you will have to pay the costs which will not be covered by your EHIC.

Since 1973 thousands of people have paid for private medical treatment when on holiday in an EEA country which cannot be recovered under the EU rules. Many have received private treatment for which they had to pay because they didn't have an EHIC or if they had an EHIC they didn't follow the rules and received private treatment. Others who had an EHIC will have done their best to receive state healthcare but were misdirected one way or another into private treatment - there is not much they can do about this. This is one of the reasons why the Department of Health recommend that you have private insurance covering your trip.

If I have a travel insurance policy must I have an EHIC?

It is advisable to have an EHIC if you are going to an EEA country. Information about the EHIC is given in Part 2. Some insurance companies may require you to have an EHIC as a condition of your policy when you go abroad. If you should make a claim for medical costs under your travel policy the insurance company then has the option to reclaim the cost, or part of the cost, of your medical treatment from the Department for Work and Pensions on behalf of the Department of Health. Check this with your travel insurance company or in the terms and conditions for your policy.

I already have a travel insurance policy so will I have to contact my insurance company if I am diagnosed with prostate cancer?

If you have a travel insurance policy arranged when you are diagnosed with prostate cancer you should contact your insurance company and tell them about your diagnosis. You should do this whether or not you will receive treatment or if you will not be starting your treatment for some time. The point is that you have a prostate cancer diagnosis which may or may not affect your travel insurance policy. You will find something in the Terms and Conditions of your policy about telling your insurance company about changes in your circumstances. Generally, if you have a single trip policy you will be asked to tell your insurance company about any change relevant to your policy which happens between the date on which you arranged the policy and your date of travel. If you have an annual policy you will find that you should tell your insurance company about any change of circumstances during the term of the policy. Your insurance company may then wish to change the terms of the policy.

If you do not tell the insurance company about your diagnosis and you make a claim on the policy before or during your holiday for something unconnected with your prostate cancer, and it comes out that you have not declared your prostate cancer when you arranged your insurance, or before you travel, or during the year if you have an annual policy, the company is likely to cancel your policy and not pay out on your claim.

How will the insurance company decide my application for travel insurance?

Different insurance companies and brokers may assess your risk to them in different ways. Very much depends on the company's attitude to a cancer diagnosis and the possible related risks after treatment. Some companies use staff without any medical experience to screen insurance applications and they work through a standard script. They may decline your application or exclude you condition from any policy they offer to you without asking relevant details of your present circumstances. Other companies may use their own trained or medically qualified staff to screen your application. Ideally, your individual circumstances, including your present condition, the treatment you have received or may receive and the prognosis should be taken into account.

Some companies may refer you to a specialist medical assessment company (a health screening company) which will be more familiar with the risks related to your condition and may not be put off by the word "cancer". You could be asked to provide a statement from your GP or hospital consultant to confirm that you are fit to travel and that there is no reason why you should not travel abroad.

A variation on this, and a good option, is the specialist medical assessment company which is associated with a travel insurance company. These companies are probably more familiar with the risks which may arise during a holiday following treatment for cancer. They may accept your condition as not having a significant risk whereas on the other hand a non-specialist company may be reluctant to provide cover for your condition.

What will I be asked when I apply for a travel insurance policy?

When you contact a company to arrange travel insurance you will be asked whether you have received advice on any medical condition and then, generally, whether you have received or are receiving treatment. If you have been diagnosed with prostate cancer tell the insurance company or

broker about your diagnosis and treatment. If you have not received any treatment following your diagnosis but you are being actively monitored, this could be active surveillance or watchful waiting tell the insurance company about this. You may then be asked to provide further information about your condition and treatment so the company can decide whether or not to offer you a travel insurance policy and if so how your medical condition will affect what is covered and the cost of the policy.

What information will I need to hand when I ask about travel insurance?

When you contact a company for a travel insurance policy you should have a note of your diagnosis and details of your treatment; for example:

- the diagnosis: this must be in the precise terms used by your consultant to describe your condition;
- the date on which you were diagnosed;
- details of all treatment received, and the dates, for example, surgery, radiotherapy, hormone manipulation therapy, chemotherapy etc.
- details of any medication you are taking;
- whether or not any further treatment is planned, and if so what the treatment will be and when you will receive it;
- the date on which you last saw your Consultant and whether you have a review appointment.

If you do not tell the insurer that you have been diagnosed with prostate cancer whether or not you have received treatment, and you later make a claim for the cost of medical treatment related to your prostate cancer during your holiday the insurer may cancel your policy.

If you make a claim for the cost of medical treatment for a condition not related to your pre-existing condition and it is discovered that you did not tell the insurance company about your prostate cancer your policy may also be cancelled.

If the insurance company cancels your policy you will have to meet the cost of any medical treatment you have received and any other related costs such as getting back to the UK.

Could my insurance cover be limited?

After considering your circumstances the insurer may:

- offer insurance cover on normal terms to include your pre-existing condition; or
- offer insurance cover but with an additional premium, which may be expensive, to cover your condition; or
- offer insurance cover but exclude your medical condition from the policy cover, along with any condition caused by any side effects from your condition or the treatment; or
- refuse to issue a travel insurance policy.

When you receive the offer of a travel policy make sure you understand the cover which is being offered to you and how much you will have to pay if you make a claim. This is called the “excess amount” and it is the fixed amount you will pay if you make a claim.

If you are going to an EEA country and you are offered a policy which excludes cover for your pre-existing condition or the extra premium to cover your condition is too much and you decline the offer, then for your condition which is not insured:

- you can use your EHIC for state health service treatment. But you must know how to use your EHIC and understand that it can sometimes be difficult to access the state healthcare system in the country you are visiting.
- if you do not receive state medical treatment for whatever reason and you receive private treatment you will have to pay for it, unless you are covered by one of the few exceptions in which private treatment costs, or part of the costs, may be covered from the state healthcare authorities as explained in Part 2.

Is it important to know who is liable to pay the cost of any claim on my travel policy?

Although you may have arranged a travel policy with a company or broker do you know who is ultimately responsible for the costs of any claim you may make? For example, if you take out a travel policy with an insurance broker he will generally act for an insurance company which in turn may arrange for another financial company to underwrite the cost of the policy. Alternatively, the broker may be the middleman for the underwriter. If you use the internet to arrange travel insurance you should find out who is responsible for the liability under your travel policy.

It is possible although very rare that when you come to make a claim the policy may be invalid if the company which underwrites the policy is no longer in business. If this happens whether or not you will be covered for the costs you wish to claim will depend on whether the broker, the insurance company and the underwriter are regulated in the UK by the Financial Services Authority (FSA). If they are all based in the UK you will have the option of contacting the Financial Ombudsman Service to recover your costs. In certain circumstances some offshore companies may be regulated by the FSA and this adds a further complication for you.

Things become more difficult if your broker and/or insurance company are based in the UK but the underwriter is a foreign company which is not regulated in the UK. If the underwriter goes out of business you will have to rely on the financial protection under the rules of the country where the underwriter is or was based. There is minimal protection in some countries and none at all in others. The point here is that if you use a broker or you arrange a travel policy through a company on the internet you should ask whether or not all parties involved in your policy are based in the UK and covered by the FSA rules. You may choose not to do this but it is a point worth thinking about, especially if you are arranging an expensive holiday.

Is there a “best buy” policy?

I cannot say which company would offer the most favourable terms for cost or cover. If someone with a condition similar to yours can recommend a company which they have used this is often a good starting point. However, one way to be sure that you get a good deal is to ask for a quotation from a few companies which have screening by specialist staff or uses a specialist screening company. In this way you will be treated as an individual and your particular circumstances will be considered when they decide what cover can be offered to you.

There are often details in the press about insurance companies which will cover people who have a pre-existing medical condition. I do not recommend any particular company because travel insurance companies can be restructured or taken over. You may also not wish to deal with a call centre outside the UK. Insurance companies may have a UK call centres but at busy times overflow calls can be switched to a call centre abroad. If you find yourself speaking to a call centre outside the UK you can make a further call later when you might be connected to their UK call centre. To start you off it may be worth contacting the following companies to get an idea of what is on offer for you:

- **Medici Travel Insurance**
Tel 0845 8800168
www.medicitravel.com

Medici Travel Insurance is part of the same insurance group as Mediquote which was shown in previous prints of this note as a company which issued its own travel insurance policies as

well as being a specialist medical assessment company (a health screening company). Mediquote is now only a screening company and carries out screening for Medici as well as other UK clients. The Mediquote website at www.mediquote.com shows a phone number for travel insurance quotes which puts you in touch with Medici Travel Insurance.

- **Easy Travel Insurance**
Tel: 0845 222 4205
www.itssoeasytravelinsurance.com
- **Medi Travelcover**
Tel: 01252 782392
www.insurecancer.com
- **Age Concern Insurance Services**
Tel: 0845 601 2234
www.ageconcern.org.uk

Another option is to look at the websites of cancer charities and see what they have to say about travel insurance. A phone call to the Helpline of one or more charities could also be helpful for you. Contacts for the main charities are shown below:

The Prostate Cancer Charity

Tel. 0800 074 8383

www.prostate-cancer.org.uk On the Home page, click on “information” then “travel insurance”.

Cancerbackup

Tel: 0808 800 1234

www.cancerbackup.org.uk On the Home page enter “travel insurance” in the search facility.

Macmillan Cancer Support

Tel: 020 7840 7840

www.macmillan.org.uk On the Home page enter “travel insurance” in the search facility.

Travelling with your family or friends

If you are travelling with your wife, partner or a friend it is best if they arrange their travel insurance with the company you use, preferably on the same policy. The reason for this is that:

- if your condition unexpectedly worsens before you go and you have to cancel your holiday then the other person will also be covered for the cost of the cancelled holiday; or
- if your condition unexpectedly worsens when you are away and you have to cut short your holiday those named on the policy should be able to claim for whatever additional costs are covered by your policy.

In both cases your travelling companion will be covered because your condition was declared when the insurance was arranged with your company. If the person going with you arranges travel insurance with a different insurance company without telling them about your condition and you have to cancel or cut short your holiday because you fall ill it is likely that they will not be covered for having to cancel or shorten the holiday due to your medical condition. This is because your pre-existing condition will not have been declared to the other company. If your travelling companion wishes to use a different insurance company your medical condition should be declared when your companion arranges his/her insurance. This may not be as straightforward as keeping all the insurance with the same company.

Finally

This information should help you when you are seeking quotations for a travel insurance policy. however, very often a personal recommendation from someone with a similar medical condition as yours who has arranged a policy with a company on favourable terms may be the best option for you.

PART 2 USING THE EUROPEAN HEALTH INSURANCE CARD FOR MEDICAL TREATMENT WHEN VISITING ANOTHER EEA COUNTRY

This outline of the rules for the European Health Insurance Card (EHIC) does not replace the information provided by the Department of Health about medical treatment which becomes necessary when staying in another EU country.

The rules may change over time and you can find up-to-date information on the Department of Health's website at www.dh.gov.uk/travellers then "EHIC and information for travellers".

General

The European Union's social security rules provide certain healthcare rights to those who move between EEA countries and Switzerland. Similarly, the Department of Health has arranged healthcare agreements with certain non EEA countries which provide urgent medical treatment. These arrangements do not replace the need for a travel insurance policy for medical treatment and related costs.

Travelling to a European Union country - the European Health Insurance Card

If you fall sick or have an accident when on holiday in an EEA country how do you obtain medical treatment? Many of you will know the message that has been put across for years that under the EU social security rules you can receive medical treatment which becomes necessary during a holiday or a temporary stay in another EU country. But are you up to date on how to do this and to claim any refund which may be due to you? If you fall sick don't reach for your old form E111 because this became obsolete in January 2006. What you now need is a European Health Insurance Card. The EHIC serves the same purpose as the old E111 but unlike the E111 each member of your family should have their own card.

How do I to apply for a EHIC?

Information about the EHIC is on the Department of Health's website at www.dh.gov.uk/travellers.

For many years the information pack to apply for an EHIC has been available from any post office. The pack contained booklet T7 "Health advice for travellers". The booklet included information about applying for an EHIC online, by phone or by post. It also provided essential information about the general rules for using the EHIC and an explanation of the healthcare arrangements in the other EEA countries. Without this information your chances of being treated in the state healthcare system in the other country are reduced and you may have to pay for private medical treatment.

At the time of writing the Department of Health has withdrawn the T7 booklet and changed the arrangements for obtaining the information needed about the other countries and how to use the EHIC. The current EHIC information pack with the T7 will continue to be available from any post office until stocks at individual post offices are used up.

The new information pack, which includes an application form and a single sheet leaflet "Access to healthcare abroad", will be available from post offices which process passport applications. These are generally main post offices and those which operate the "Check and Send" passport service. You can find your nearest office which operates the "Check and Send" service on the Post Office website www.postoffice.co.uk or by phoning the Post Office on 08457 22 33 44.

You can apply for a European Health Insurance Card :

- online on the Department of Health’s website;
- by phone on 0845 606 2030;
- by post using the application form which is in the application pack.

Applying online is the quickest way to obtain a card, generally seven days. Applying by phone takes about ten days and by post up to three weeks.

How do I obtain the information I need to use the EHIC?

However you apply for an EHIC you must download the essential information you need about the EHIC and information about the country or countries you will be visiting from the “Country by country guide” on the Department of Health’s website. If you apply for the EHIC online you can download the information when you apply for your card. If you apply by phone or by post you must at some time before you go away download the information from the Department of Health’s website.

If you do not download this information you will not know how to use the card to access state healthcare under the EU rules when you are away. You may then have to pay for private medical treatment.

Remember that the EHIC is not a substitute for a travel insurance policy which will cover costs which are not for medical treatment.

Where can I use the EHIC?

The EHIC applies to all EU countries and also to Iceland, Liechtenstein and Norway. The EU rules also apply to Switzerland although Switzerland is not a member of the EU. Collectively these are referred to as EEA countries and covered by the EHIC. The countries are:

| | | | | |
|----------------|---------|---------------|-------------|-------------|
| Austria | Estonia | Iceland | Luxembourg | Romania |
| Belgium | Finland | Ireland | Malta | Slovakia |
| Bulgaria | France | Italy | Netherlands | Slovenia |
| Cyprus | Germany | Latvia | Norway | Spain |
| Czech Republic | Greece | Liechtenstein | Poland | Sweden |
| Denmark | Hungary | Lithuania | Portugal | Switzerland |

What treatment can I receive and how do I obtain it?

The EHIC is your passport to healthcare under the EU rules but you must know how to use it. So, you have your EHIC and you fall sick or have an accident but what treatment will be available and how do you get it? If medical treatment becomes necessary during your holiday due to illness or an accident you should contact the health authority shown in the information provided by the Department of Health for the country in which you are staying. If you show your EHIC you should receive medical treatment provided by the state health authorities under the same rules that apply to residents of that country. You may receive free treatment or you may have to pay all or part of the cost then claim a refund of the cost or part of it later. Treatment for a pre-existing condition is covered provided you did not go specifically to the other country for treatment.

The system works only if you follow the rules and contact a doctor or hospital linked to the state health system. Full details are given in the “Country by country guide” mentioned earlier. Before you start your holiday make sure you obtain and read the information for the country where you will be on holiday.

Treatment which is provided in the UK may not be available in other EU countries. If you do not follow the rules and mistakenly go to a private doctor, clinic or hospital you cannot use your EHIC and you may have to pay for any treatment received. Private medical costs are not refunded by the state health service although there are exceptions to this in Greece and Madeira as explained later.

What else should I do?

So, what can you do to help yourself once you have your EHIC? There are a number of basic things you can do which will help you to access state healthcare when on holiday and so avoid paying for private medical treatment:

- Take a copy of the information about medical treatment in the country you are visiting which can be downloaded from the “Country-by-country guide” on the Department of Health’s website mentioned earlier. If you do not or cannot do this you will have difficulty understanding the rules for accessing state healthcare when you are away.
- Make sure everyone in your party knows the rules.
- Keep this information and the EHICs for all your family with you all the time you are on holiday.
- If you can find the state healthcare office or contact point for medical treatment in the area where you are staying when you get there that could be helpful if you need treatment later.
- If you need medical treatment try to follow the rules to obtain state healthcare and show your EHIC and the information about medical treatment to whoever you contact about treatment.
- Language is often a problem and you may end up with private treatment but at least if you persist in saying that you want state healthcare and keep showing your EHIC you will have done all you could do to avoid paying for private treatment.
- In some countries a doctor may see private and state health service patients in the same clinic or surgery but at different times. When you book an appointment or go along to see a doctor make sure you ask to be seen when the doctor is treating state healthcare patients.

It is worth repeating that it is possible that you may end up with private treatment instead of state healthcare so it is important to take out a travel insurance policy to cover medical costs.

What can go wrong even if I follow the rules?

How many of you will push your EHIC in your bag where it will remain until you need medical treatment? Travelling or holidaying abroad comes with risks and one of them is being ill when you are away. This is especially so if you visit a country where you do not speak the language or whose healthcare system is different from the NHS as is the case in most European member states. State healthcare and private treatment is not a comfortable combination to deal with when you are away from home. The reality is that private healthcare is a business and if you don’t make the right decision about where to access treatment, or someone makes a wrong decision for you, and you receive private treatment then you pay the price.

The two most common scenarios are:

- If you become ill in your hotel you have some support, at least in theory, because the hotel reception staff, or your holiday rep, will call a doctor for you. Show your EHIC to the reception staff and make it clear that you want a state healthcare doctor. Whatever you tell them they may call a private doctor who is not interested in your EHIC. This is one of the reasons why the Department of Health recommend that you have private insurance covering your trip.
- If you become ill or have an accident away from your hotel, or you are in self catering accommodation, you may need know quickly how to obtain medical treatment. Your first thought will be to see a doctor or go to hospital for treatment and then sort out the detail of payment. A quick decision may be needed but if you don't get this right and you are treated privately by a doctor or by a private hospital instead of by a doctor or hospital which are part of the state health service you will have to pay the costs which will not be covered by your EHIC.

Since 1973 thousands of people have paid for private medical treatment when on holiday in an EEA country which cannot be recovered under the EU rules. Many have received private treatment for which they had to pay because they didn't have an EHIC or if they had an EHIC they didn't follow the rules and received private treatment. Others who had an EHIC will have done their best to receive state healthcare but were misdirected one way or another into private treatment - there is not much they can do about this. But the financial pain can be helped by having a travel insurance policy.

Will I have to pay for medical treatment which becomes necessary during my holiday and can I claim a refund of the cost?

As already mentioned, if medical treatment becomes necessary during your holiday and you show your EHIC to a state healthcare doctor or hospital the treatment should be provided by the state health authorities under the same rules that apply to residents of that country. This means you may receive free treatment or you may have to pay all or part of the cost then claim a refund of the cost or part of it later. If you have to pay the full cost of state treatment from a doctor or as an out-patient at a hospital you may be able to claim a refund of the part of the cost which is refundable under the rules of the country in which you receive treatment. You can apply for a refund when you are in the other country. If any part of the cost is not refundable this is called a "patient contribution" or a "co payment".

The general advice from the Department of Health is that it is often possible to contact the authorities in whichever member state is being visited, to enquire about any reimbursement to which you may be entitled, before you return to the UK. This is the quickest way to get your money back.

Can you give me an example of how the arrangements work?

Each country has different rules but it may be useful, as an example, to look at what happens in France. If you see a doctor in France who works within the French state health system or you receive treatment as an out-patient at a hospital you will be charged the cost of the treatment and you can claim a refund of about 70% of the cost. The other 30% of the cost is a patient contribution and this amount will not be refunded under the French rules. For hospital in patient treatment the respective figures are 75% and 25% and the hospital receive the 75% amount from the sickness authority. It is better to claim your refund when you are still in France. However, if you cannot make a claim in France or you choose to wait until you return to the UK you can either:

- make a claim through your travel insurance policy. You will lose the amount of any excess on the policy but you may receive a refund of the balance of the costs including the amount of any patient contribution you have made; or

- make a claim to the Department for Work and Pensions (DWP) by phoning their call centre on 0191 218 1999 and they will tell you what to do. This will take longer than the insurance company route because the DWP will contact the French health authorities who will decide the amount of any refund; this will be paid to you on their behalf by the DWP. If you claim in this way you cannot receive a refund under French rules of the 30% of the cost which is the amount of the patient contribution for the cost of treatment from a doctor or as an in-patient or out-patient at a French hospital.

Are there any countries which will refund the cost of private treatment?

There are a few exceptions to the rule that the cost of private medical treatment will not be refunded.

- In Greece state healthcare is run by the Social Insurance Institute - known as the IKA, and consultations with a doctor or dentist are free. If you receive treatment privately you must pay the full cost then claim a refund from the IKA office within one month. The amount of the refund will be limited to the cost of the treatment if it had been provided by IKA. If there is no IKA office within easy reach, because you are in a remote area or on a small island, you can claim a refund from the DWP when you return to the UK; phone them on 0191 218 1999 for advice.
- In Austria if you receive treatment from a private doctor or at a private hospital you may receive a refund of part of the cost of the private treatment costs from the Regional Health Insurance Office.
- In Madeira, an autonomous region of Portugal, (but not elsewhere in Portugal) you can receive private treatment but you will receive a refund of only a small part of the cost.

Free prescription medicines for state pensioners visiting Spain

The rules for pensioners receiving prescription medicines in Spain is worth mentioning. In Spain the general rule is that medicines prescribed by a health service practitioner under the state healthcare system are obtained from a pharmacy - you will pay 40% of the cost. If you are treated in an emergency department at a hospital and you need medicines when you are discharged you will be given a "medical report" form. Take this to a state health service doctor who will give you a prescription form, either red or green, which you take to the pharmacy to obtain the medicines.

If you are receiving a state pension from the UK or any other EEA country prescription medicines are free of charge if you have proof that you are a state pensioner. A passport will prove your age but it is not always sufficient because of the different pension ages throughout the EEA. The Department of Health has contacted the authorities in Spain to find out what their pharmacists will accept as proof that someone is a state pensioner. They are still seeking a resolution to this issue and further information will be published on the Department of Health's website when it is available.

There is a way in which you may be able to prove you are a state pensioner but there is no guarantee that this will work for you. Take a copy of your pension award letter or the latest letter that you received from the Pension Service which told you about the annual increase to your pension. This confirms you are a pensioner but it will be in English so it may not be accepted - but it is worth a try.

If you cannot prove your pensioner status to the pharmacist when you are in Spain it is important that you keep your receipts. The Department of Health has suggested that you try to claim a refund from the authorities in Spain when you are there. However, this is easier said than done and if you cannot get a refund when you are in Spain contact the DWP when you return home.

Will the NHS refund any of the patient contribution which I paid?

Under a recent revised interpretation of the EU healthcare rules for unexpected medical costs paid when on holiday the NHS may be able to refund the patient contribution or part of it, which you paid for hospital in-patient treatment in the other country and which is not refundable under the other country's rules. This refund rule does not apply where you have received treatment from a doctor or as an out-patient at a hospital in the other country or if you went there for planned medical treatment.

Where the cost of the hospital treatment in the other country minus any amount which you have to pay as your contribution towards the cost of the treatment under that country's rules is less than what would have been the cost for the same treatment in an NHS hospital you can claim a refund of the amount you have paid as your contribution to the cost of the treatment. However, the refund will be limited to the difference between the cost of treating you in an NHS hospital and the cost of the treatment in the other country minus your contribution to that cost. The most you can get back is the amount you paid but depending on the difference in costs you may not receive a refund or it may only be part of the amount you paid. If you need advice about this type of refund speak to the DWP's call centre mentioned earlier.

Here are some examples based on treatment as an in-patient in a hospital in France which cost £1,000. The hospital will be paid 75% of the cost (£750) by the French sickness insurance fund and you will have to pay 25% (£250) as the patient contribution which is not refundable under French law. The NHS will now consider a refund application for the patient contribution as follow:

Example 1

If the treatment you received in France would have cost the NHS £700 you will not receive a refund because the cost to the NHS is less than £750 which is the cost of the treatment in France minus the amount of your contribution.

Example 2

If the treatment you received in France would have cost the NHS £950 you will receive a refund of £200 which is the difference between the cost to the NHS treatment and the cost of the treatment in France minus the amount of your contribution, that is, £750.

Example 3

If the treatment you received in France would have cost the NHS £1,100 the difference between the cost to the NHS and the cost of the treatment in France minus your contribution is £350. You will receive a refund of £250 which is the amount you paid in France as your contribution to the cost of the treatment.

How should I make a claim for a refund of medical costs?

Deciding on the best way to claim a refund is not straightforward because much depends on the amount of the hospital costs, whether the costs include a non refundable patient contribution, the amount of the excess on your travel policy and whether you paid a patient contribution for hospital in-patient treatment, part of which may be refunded by the NHS rather than the French authorities as mentioned earlier.

What if I have paid for private medical treatment because I could not download the information about using the EHIC from the Department of Health's website?

The cost of private medical treatment is not generally refunded. However, if you paid for private medical treatment when you were on holiday because under the new arrangements you could not obtain the information you needed to use the EHIC you may wish to contact the DWP. This may be the case because:

- it was impossible for you to download the information about the EHIC from the Department of Health's website;
- it was not possible for someone to download the information for you;
- it was not possible for you to find out locally when you were away how to use the EHIC;
- medical treatment was needed quickly and you had no option but to obtain private treatment.

You can contact the DWP on 0191 218 1999. Explain why it was not possible for you to obtain the information about using the EHIC and whether or not you tried to find out how to use the EHIC when you were away. Make the point that in your circumstances the arrangements were so unreasonable that you had to go on holiday without the information you needed to access state healthcare. Explain that you had to pay for your private medical treatment which would have been provided free or at reduced cost if the information from the Department of Health had been accessible for you. In the circumstances it is reasonable to ask the DWP to consider making a special ex gratia payment to reimburse you for the cost of medical treatment which resulted from the Department of Health only providing information on their website.

If you have a travel insurance policy it should cover the cost of private treatment but it will not cover the amount of the excess payment on your policy. A further complication is that some travel insurance companies require you to have and to use an EHIC. The reason for this is that if you have to pay for state medical treatment in the other country which may later be refunded the insurance company may refund the cost of your treatment to you. They would then claim the amount which is refundable from the DWP, who act on behalf of the Department of Health in this situation. If you did not manage to receive state medical treatment because you did not have the information you need this may possibly invalidate your insurance claim. You should speak with your travel insurance company about this.

What if I lose my EHIC?

If you lose your EHIC when you are in the UK you can apply for a replacement card by phoning the DWP on 0845 605 0707.

If you lose your EHIC when you are abroad you can apply for an EHIC Provisional Replacement Certificate from DWP on +44 191 218 1999. Someone in the UK can apply on your behalf and the phone number to contact is 0191 218 1999.

PART 3 PLANNING MEDICAL TREATMENT IN AN EEA COUNTRY

Information about the NHS's Free Choice of Referral Programme in England is available on the NHS website at www.nhs.uk. Other options are available to arrange to have your treatment in another EEA country in circumstances where your PCT may pay the cost or part of the cost of your treatment.

Over the years the options for pre arranged medical treatment in another EEA country have increased so there are now a number of ways by which you can receive treatment in this way. First a word of warning if you are thinking of going abroad to receive planned medical treatment. All the options which follow need to be explored fully before you arrange your treatment. If you decide to choose an option where the NHS may pay for the cost of your treatment, or part of it, you must speak to your PCT before you go for treatment so you understand your liability for the cost of the medical treatment.

Private treatment

Arrangements can be made privately with a hospital or clinic in another EEA country either directly or through a company which sells a medical package to include travel, accommodation and treatment costs.

Private treatment through a health insurance policy

If you have private health insurance which covers the cost of pre arranged treatment in a hospital in an EEA country, or part of the cost, then you will be guided by your insurance company about the cost, payment and any excess payment.

Form E112

It may be possible for you to be authorised by the Department of Health to go to another EEA country specifically for medical treatment under the EU social security healthcare rules. The treatment must be available under the other country's state health insurance scheme and it must be recommended by your consultant to the PCT. If your PCT agrees to pay for the treatment they will refer your request to the Department of Health and if they authorise the treatment they will issue a form E112. The form E112 will confirm to the hospital authorities in the other country that the UK health authorities will cover the cost of the treatment.

Depending on the country you are going to for treatment, you may have to pay a "co payment" charge for part of the costs which may or may not be refundable by your PCT. Information about being authorised to go abroad for specific pre-arranged medical treatment is available on the Department of Health's website at www.dh.gov.uk/travellers. The leaflet "Access to healthcare abroad" which is available from post offices which process passport applications, as mentioned earlier, gives background information for the E112 procedure.

Article 49 route

Under what is called the Article 49 of the EC Treaty route, if you live in the UK and you are covered by the EU rules, you may go to another EEA country, except Switzerland, specifically for medical treatment under either the state healthcare system or under private arrangements. On return to the UK you can apply to the NHS for a refund of the cost of the treatment as if it had been provided by the NHS. The Article 49 route is based on European case law and the last judgement of the court on this was in Case C-372/04 *The Queen, on the application of Yvonne Watts v Bedford Primary Care Trust, Secretary of State for Health*.

This method of having treatment in another EEA country is based on the freedom to provide services in Article 49 of the EC Treaty. It has been confirmed by the courts that providing medical

treatment is a supply of services under Article 49. This means that a state health authority in one Member State may not prevent a person living there from receiving medical treatment in a state or private treatment centre in another Member State.

This option for receiving treatment is not covered by the EU social security healthcare provision. This is a very complex area of EU and UK law which is still developing and it is not simply a question of going to another EEA country for treatment which will be paid for by the NHS. There are a number of conditions to be satisfied and your PCT can advise you about these, for example:

- The treatment you will receive in the other country must also be available under the NHS.
- You must pay the hospital costs in full before a refund claim will be considered. Your PCT will not refund you more than the amount the treatment would have cost the NHS if the treatment had been provided in the UK.
- If the cost of your treatment in the other country is less than what it would have been if you had been treated under the NHS you will receive only the amount you paid in the other country.
- The PCT has to exercise clinical judgements on priority of treatment and the management of resources.
- You must also be aware that the NHS cannot assure you of the quality of treatment in the other country.

If you face “undue delay” in getting treatment in the UK your PCT must agree, subject to certain circumstances, to your request to go abroad for treatment. Your NHS doctor will have to decide initially whether or not you face undue delay in getting treatment.

I have not explained the considerations in detail because they can only be decided by your PCT. If you wish to seek treatment under the article 49 route you are strongly advised to speak to your PCT before you arrange treatment to find out whether or not they will refund the cost of your treatment. If you do this you will know whether or not they are prepared to fund your treatment, how much of the cost they will refund to you, and have a clearer understanding of how you will be treated abroad and when you return home.

If you have a private health insurance policy which allows you to receive treatment in a hospital outside the UK you may wish to find out if that policy would cover your medical costs. Your insurance company may be prepared to cover the whole of the cost of the treatment which may be better for you than your PCT making a refund of the amount the treatment would have cost if it had been provided under the NHS.

NHS arrangements

Your PCT may have made arrangements with health authorities in an EEA country for them to treat UK NHS patients. Under these arrangements they may be prepared to refer you for treatment at a hospital in the other country.

There is more information about these arrangements on the Department of Health’s website.

Is there anything else I should do?

In all cases you will need travel insurance so as well as declaring any pre-existing medical conditions you should tell the insurance company exactly what treatment you expect to receive in the other country. It may be very difficult to arrange medical insurance with an insurance company to cover the medical condition for which you are seeking treatment. If necessary speak with a specialist broker to find out what travel insurance policies, if any, are on offer.

If you are going to another EU country for planned medical treatment you should also take your European Health Insurance Card (EHIC) with you. Information about the EHIC is given in Part 2 and on the Department of Health's website.

All of these arrangements need to be considered very carefully and you should check the information for the E112 and the Article 49 route for treatment on the Department of Health's website. Speak to your PCT before you arrange treatment to make sure you understand the rules which apply to your treatment abroad and whether you will have pay for any part of the costs.

There is a lot to consider when making arrangements for planned treatment. If you do not get it right before you commit yourself to treatment outside the UK you may be liable for significant medical costs.

European Commission's draft Directive on cross border healthcare and "eHealth"

As I was finishing this information note the European Commission proposed a draft Directive to extend and simplify the arrangements for cross border healthcare. The draft Directive will build on the present arrangements which came from ECJ decisions which produced the Article 49 route for cross border healthcare. The aim of the Directive is to set out the detail and practicalities for cross border healthcare and this will:

- clarify a person's right to cross border healthcare, how to obtain treatment and the limits of reimbursement of costs;
- confirm that prior permission is not required before treatment but leaves the door open for a Member State to require prior authorisation for treatment in certain situations;
- give a guarantee on fair and quick procedures on any administrative decisions affecting cross border healthcare, and assurances on the quality and safety of any healthcare provided;
- provide for equal rights to access treatment and a guarantee on redress and compensation, with assistance if necessary, to deal with such issues if things go wrong.
- instigate National contact points to be set up by Member States to provide full information on all essential points of cross border healthcare. Follow up healthcare on return to their home state will be assured by having prescriptions issued in one EEA country made up in the person's home country. Specialist European reference networks will be developed so that specialised centres across the EEA are accessible to all. Throughout all this an individual will have guaranteed access to their medical records and their personal information will be protected.

Alongside the proposed Directive on cross border healthcare the European Commission has been supporting what is called "eHealth". This is based on information and communication technologies to improve cross border co-ordination on healthcare. There has already been progress to improve for communications between hospitals. The aim now is to develop formats and standards to facilitate

communications between different systems and different countries based on cross border interoperability of electronic health record (EHR) systems and Smart Open Services (SOS). The bottom line is to allow health professionals to access specified medical information about a patient from another country in their own language by using different technologies and systems. Participation in the electronic record systems will be voluntary and must be requested by the patient.

The UK and eleven other countries are involved in this at present. All of this is jaw dropping stuff when considered alongside the UK's record of introducing information technology in the public sector. In this context look no further than the NHS's The National Programme for IT in the NHS, which includes the NHS Electronic Care Records. Alongside this is the ongoing concern about protecting personal information of individuals across the Governments computer networks and in large organisations.

PART 4 GENERAL INFORMATION ABOUT TRAVELLING ABROAD

Travelling to a non EU country with which the UK has a reciprocal health agreement

You may have the right to a limited amount of healthcare if you visit a country with which the UK has a reciprocal agreement on healthcare. These arrangements provide cover for UK nationals who live in the UK. Some arrangements extend the cover to non UK nationals who live in the UK. Under these arrangements you can receive urgently needed treatment in a public hospital under the same rules that apply to a resident of the other country. There is more information about treatment in non EEA countries on the Department of Health's website.

Taking medication with you on holiday

Certain types of over the counter medication in the UK are illegal in some countries. To avoid contravening the drug laws in other countries check with the Embassy or High Commission of the country where you are going to see if any medicine you are taking will contravene their laws. You may also contact the Home Office Drugs Branch on 020 7035 0472 or their website at www.homeoffice.gov.uk/drugs for information about taking medicines abroad.

You may be asked to get a letter from your doctor to provide details of your medicines. For example, the painkiller codeine is an illegal substance in Greece. Similarly, some over the counter medicines in the UK, for example, codeine and temazepam, are classed as narcotics in Dubai and certain other Arab states.

It is also sensible to take a copy of your latest prescription with you to show that your medication was prescribed by a doctor in the UK. This will also be helpful to obtain a supply of medicines if you lose your medication during your holiday. Photocopy both parts of your latest prescription. The part of the prescription you give to the Chemist shows your doctor's contact details and the medicines last prescribed to you. The part of the prescription that you keep for a repeat prescription request shows all the medicines prescribed for you and this may be useful if you take medicines abroad which were prescribed some time ago.

If your doctor cannot prescribe sufficient medicines for your whole trip you may have to meet the cost of any shortfall.

General information about travelling abroad

You may also wish to have a look at the Foreign and Commonwealth Office's website at www.fco.org.uk which gives important information for travellers.

Notes