

## **Patient Choice Scheme and out of area registrations: Key questions**

### **What should GPs do if they don't wish to accept patients from outside their practice boundary?**

Many practices will have concerns about this scheme and its potential impact on them. There is however no obligation to participate; the scheme will be entirely voluntary for both practices accepting such registrations and those seeing patients who are no longer registered locally, but who are unable to travel to their new practice.

Practices must not therefore feel pressured to be involved in this if they don't want to. Practices should make it clear in their patient leaflet, website or other information available to patients whether they are accepting out-of-area registrations or not. If a practice chooses not to do this they can continue, as now, to register patients living outside the area and offer the full range of general medical services to such patients, including visiting them at home when necessary.

### **Should I register out-of-area patients before a home visiting service is in place for them?**

GPC has insisted that NHS England ensures there is a comprehensive service for out-of-area registered patients who are too ill to travel to their new practice. Implementation has already been delayed because this service was not in place. Practices must not register any patient under these new arrangements until they are certain that a safe and adequate service is available if patients are too ill to travel to the practice. GPs have a professional responsibility to ensure this is the case.

### **Does this scheme just apply to practices with commuters in their area?**

No. All practices that choose to will be able to register out-of-area patients. This does not just apply to practices in commuter areas, but to all practices in England when patients living outside their current practice boundary want to register with them.

### **How do I avoid being accused of operating in a discriminatory way?**

This is one of the biggest risks that practice face if they choose to engage in this scheme. The regulations make clear that a practice taking on patients must do so in a non-discriminatory way. They cannot just register patients who appear relatively well. However under the new regulation they are allowed to refuse to register patients when they believe they have care needs which would be better met through registration with a practice near to where they live. These might be, for example, patients who are receiving a package of home or community-based support which would be difficult for the practice to coordinate remotely or where there are safeguarding concerns. The practice will have to clearly explain to the patient why they are not able to register them.

However, practices will, under the new regulation, be able to refuse some patients that request registration without home visiting while accepting others, as long as they can justify their reasons for refusal on clinical and practical grounds. It is very difficult to argue though that a refusal to register in these circumstances could be perceived as discriminatory.

It should also be noted that a practice could not refuse to accept the registration of a patient resident in their practice area who wants to re-register with it when they become ill and can no longer travel to their out of area registered practice. Refusal to accept a patient onto a practice list in these circumstances must be in accordance with the existing regulations and must not be discriminatory.

### **What warnings do I need to give to patients who register as out-of-area?**

If a practice accepts an out-of-area patient they need to make it clear what the terms of the registration are, and how they would obtain urgent care should they not be able to travel to the practice. ***Patients should also be warned that if their health circumstances change, so making out-of-area registration clinically inappropriate in the future, they could be removed from the list.*** A

model letter that could be given to patients can be found in the [NHS England guidance](#) at Annex G. However practices should be aware that as things stand such a removal could be perceived as discriminatory on the grounds of the patient's medical condition and therefore incompatible with the current regulations on patient removal. NHS England and GPC have agreed this needs to be addressed and are working with the Department of Health to consider an amendment to the regulations in this regard. The change is likely to come into force for 1 April 2015.

**Will I be contractually obliged to see out of area registered patients as temporary residents or provide them immediately necessary treatment?**

No, out of area patients are recognised as a distinct category, separate from temporary residents. The obligations on the GP practice are therefore different and there will be no contractual obligation to provide immediately necessary treatment, which should be obtained by the mechanism which has been communicated to the patient, generally involving phoning NHS 111 which will be provided with a directory of which services have been commissioned locally to meet the needs of out of area registered patients.

However the regulations still oblige practices to provide treatment for an accident or emergency whilst in their practice area and there is a risk that out of area registered patients might seek urgent treatment from local practices, placing the practice in a difficult situation of having to assess whether the patient's need for immediately necessary treatment could be construed as an emergency with a requirement to treat them.

**What steps should practices take when registering a patient from outside the area?**

Practices should have a system to ensure they know which patients are registered with an out-of-area status and the arrangements in place for their out of area care. This will help them to give these patients clear information about the consequences and limits of this registration and will also help the practice respond appropriately to requests from these patients in the future, and monitor whether it continues to be clinically appropriate to continue with this registration arrangement.

**How will area teams commission a local urgent care service for patients registered as out-of-area?**

Area teams may commission a variety of different in-hours urgent care services to meet the needs of out-of-area patients who are too ill to travel to their own practice. They may commission this from local practices using the model national enhanced service. Practices are under no obligation to take part in this enhanced service. Alternatively the area team could commission the service from a single practice or group of practices, from a walk-in-centre or an out-of-hours service provider. Local NHS111 providers will have a directory of local arrangements.

**What must the practice do if we take part in the enhanced service to provide services to out-of-area patients unable to travel to their registered practice?**

Practices taking up the enhanced service will have to ensure their details held by NHS 111 are kept up to date, that they have mechanisms in place to ensure patients receive essential medical services either in the practice or at home as clinically appropriate, and they must have a robust system to transfer information about care given to the patient's registered practice within 24 hours of the consultation. A fee is paid for each consultation but practices should consider carefully whether the fee offered is adequate for the work required and the responsibility involved before taking on this enhanced service. In particular they should bear in mind that some of these patients may have have significant medical needs preventing them from travelling to their registered practice, that they will be unknown to the practice taking up the enhanced service and their care will have to be undertaken without access to their medical records.

**Can students register as out of area patients?**

This is not a dual registration system and would not be appropriate for normal student registration. Although in some circumstances there is nothing in the regulations to prevent practices registering students under these arrangements should a student request it, generally speaking students should be registered under normal arrangements with a practice close to where they live at University and if they need care when they return home they should then be seen as temporary residents.

**Can existing registered NHS patients who move out of area be registered as out of area patients without home visits?**

No, as long as they are granted continued registration by the practice there would be no change in their status and therefore the duty to visit them at home would continue. Out of area registration with no home visiting duties under the scheme only applies to new patient registrations.

The only way for an existing patient to come under the scheme would be for them to be removed from the list on the grounds they had moved out of the area and then be re-registered under the new arrangements, but subject to the caveats set out above. Patients will at all times need to make an informed choice, which is the responsibility of the practice to ensure.

**What is a practice's obligation where they have patients registered without home visiting obligations and patients registered with access to home visits in the same area?**

It would depend entirely on the registration status of the individual patient, i.e. whether the patient was registered under pre-existing arrangements with home visiting obligations or under the new regulations with no obligation to visit. The new GMS contract regulation does not place any obligation or duty on practices to visit patients who have been registered without home visiting duties. This is because the decision to register without home visits is made on individual basis, so even if a practice had family members living in the same household outside the practice area, individual patients could be registered with or without a home visiting obligation.

**What about patients who live in Wales, Scotland or Northern Ireland?**

GP practices in England will NOT be able to register patients who live in other countries of the UK as out of area patients without home visiting duties. GP practices will need to decide whether to offer out of area cross border patients the choice of registering with the practice as any other registered patient (i.e. with home visiting obligations) or accessing care as a temporary resident.