

The rights of boat dwellers to registration with a GP and to hospital treatment

Registration with a GP as a permanent patient

The right of patients to choose where and when to get treatment has been enshrined in law since 2009. On that basis a GP practice cannot refuse to register you unless either they are at maximum capacity and cannot safely take on any more patients at that time, or because you have been abusive and pose a threat to staff or other patients. Although GP practices have "catchment areas" and they will not normally register a patient whom they consider to be outside their catchment area, GPs have always had the discretion to register patients out of their catchment area and having no proof of address is not a legitimate reason to refuse your registration.

You can register at any GP surgery even if you do not have an address; if your only postal address is a "care of" address outside the surgery's catchment area, or if your address is within the catchment area but is a "care of" or Poste Restante address. You can use the surgery's address as your address.

Who pays? Determining responsibility for payments to providers: Rules and guidance for clinical commissioning groups published by NHS England states in Paragraph 10:

"Where a patient has "no fixed abode" and they are not registered with a GP practice, the responsible CCG should be determined by the terms of the "usually resident" test (see Annex B). If patients consider themselves to be resident at an address, which is for example a hostel, then this should be accepted. The absence of a permanent address is not a barrier for a person with "no fixed abode" to registering with a GP practice. In many instances practices have used the practice address in order to register a homeless person."

While the guidance does not specifically mention people who live on canals and rivers, it does cover the general term of people with "no fixed abode".

Annex B of *Who pays? Determining responsibility for payments to providers: Rules and guidance for clinical commissioning groups* states:

Defining "usually resident"

1. It is important to note that:

the "usually resident" test must only be used to establish the responsible commissioner when this cannot be established based on the patient's GP practice registration...

2. The main criterion for assessing "usual residence" is the patient's perception of where they are resident in the UK (either currently, or failing that, most recently). The same principles apply in determining usual residence for determining which CCG has responsibility for arranging care for a patient.

3. Where the patient gives an address, they should be treated as usually resident at that address.

4. Certain groups of patients may be reluctant to provide an address. It is sufficient for the purpose of establishing usual residence that a patient is resident in a location (or postal district) within the CCG geographical area, without needing a precise address. Where there is any uncertainty, the provider should ask the patient where they usually live. Individuals remain free to give their perception of where they consider themselves resident. Holiday or second homes should not be considered as "usual" residences.

5. If patients consider themselves to be resident at an address, which is, for example, a hostel, then this should be accepted. If they are unable to give an address at which they consider themselves resident, but can give their most recent address, they should be treated as usually resident at that address.

6. Another person (for example, a parent or carer), may give an address on a patient's behalf.
7. Where a patient cannot or chooses not to, give either a current or recent address, and an address cannot be established by other means, they should be treated as usually resident in the place where they are present.

See <http://www.england.nhs.uk/wp-content/uploads/2014/05/who-pays.pdf>

Temporary registration with a GP

If you are visiting an area for more than 24 hours but less than three months, you can apply to register with a GP surgery as a temporary resident. The application can be made using form GMS3, which can be requested from the GP surgery. A person can register temporarily with a practice near where they are currently staying and still remain a patient of their registered practice.

Walk-in centres

You can also attend a NHS walk-in centre. The contact details are available at: www.nhs.uk/Service-Search

Short-term hospital care

If you require short term hospital care the principles of choice still apply so you can choose which hospital you want to be treated at. You should be seen and treated within 18 weeks of referral for any condition, 2 weeks for suspected cancer.

Emergency care

If you require emergency care you are entitled to this wherever you are. According to Paragraph 3 of *Who pays? Determining responsibility for payments to providers: Rules and guidance for clinical commissioning groups*, "a CCG is responsible for commissioning emergency care for anyone present in its geographic area, regardless of where the person in question is usually resident or which GP practice (if any) they are registered with".

What to do if you are refused GP registration

If the practice refuses to register you and they are currently registering patients, do the following:

1. Ask to talk to the GP or practice manager, if they are not around request that they phone you back and you want them to state the reasons in writing as to why they are refusing to let you register at the practice.
2. If you do not get a call back and they are still refusing to let you register, bring them a copy of the above NHS guidance document which outlines that they should register you and refusing to register you because you are a Traveller IS discrimination.
3. Make sure you write down when you tried to register and any other details such as the name of the person/people you spoke to at the practice and any quotes as this will be useful later.
4. If they are still refusing to register you, (and they might), write an email to NHS England.

Writing to NHS England:

In the email or letter to the practice, state that you live on a boat without a permanent mooring and that the GP practice is refusing to register you as a patient. Attach a copy of the NHS guidance document above and why they shouldn't have refused you.

Contact details for NHS England:

Email: england.contactus@nhs.net

Post: NHS England, PO Box 16738, Redditch, B97 9PT

NHS England should get back to you and say that you should not have been refused registration and to tell you to tell the GP practice that NHS England said they should register you. Then send a letter or email to the GP practice saying you have talked to NHS England and that you shouldn't have been refused registration at this practice and include a copy of the letter/ email from NHS England.

Problems can sometimes be resolved quickly and easily without making a formal complaint by contacting the local Patient Advice and Liaison Service(PALS) manager. See

<http://www.nhs.uk/chq/Pages/1082.aspx>

National Bargee Travellers Association

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