

Prof Sir Michael McBride, Chief Medical Officer  
Mrs Cathy Harrison, Chief Pharmaceutical Officer



## HSS (MD) 45/2021

### For Action:

Chief Executives, Health and Social Care  
Board/PHA HSC Trusts

Family Practitioner Service Leads, Health and  
Social Care Board

GP Medical Advisers, Health and Social Care Board

All General Practitioners and GP Locums  
Medical and Nursing Directors, HSC Trusts (*for  
onward distribution to all independent prescribers*)  
Directors of Pharmaceutical Services, Health and  
Social Care Board/Trusts

### PLEASE SEE ATTACHED FULL CIRCULATION LIST

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Our Ref: HSS (MD) 45/2021

Date: 9 July 2021

Dear Colleague

## EU SETTLEMENT SCHEME – ACCESS TO HEALTHCARE FOR EU, EEA AND SWISS CITIZENS RESIDENT IN NORTHERN IRELAND BY 31 DECEMBER 2020

### Background

The EU Settlement Scheme deadline has now passed as of Wednesday 30 June 2021. This was the deadline for applications from EU, EEA and Swiss citizens and their family members, who were resident in the UK by 31 December 2020 to regularise their stay in the UK and maintain their rights. This includes access to healthcare, under the EU Withdrawal Agreement.

Access to publicly-funded health care services in Northern Ireland is residence-based. The test of residence to determine eligibility for health services is known as 'ordinary residence'. From 01 July 2021 all EU, EEA and Swiss citizens should have an immigration status in the UK to evidence their right to be in the UK and the status and rights to access healthcare.

For those that have been in Northern Ireland by 31 December 2020 this will be a status under the EU Settlement Scheme. However we understand that some people may not apply in time. The Home Office has advised that they will consider late applications in a range of circumstances.

## Discrimination

The EU Withdrawal Agreement protects EU, EEA and Swiss citizens from discrimination, meaning service providers and employers have a duty not to discriminate against EU, EEA and Swiss citizens in light of the UK's decision to leave the EU. There are also duties under domestic equality legislation to ensure no racial discrimination in access to goods facilities and services, including the need to avoid racial profiling.

Therefore action should not be taken to retrospectively determine the nationality or EUSS status of a person that is already registered with a GP and has a HSC number, unless their registration is within the usual initial registration checking period – usually three months from initial application.

Those that have already registered with a GP before 1 July 2021 who wish to change practices and register with a new GP should only be asked to prove ordinary residence in Northern Ireland or an immigration status. However, if someone is discovered not to be registered with the EUSS and believe they have rights under the EU Withdrawal Agreement they should be encouraged to apply.

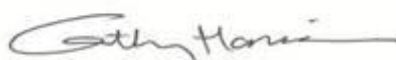
Once an application is accepted to the EUSS scheme the individual maintains their rights under the EU Withdrawal Agreement and can access publicly-funded health care services until the conclusion of the application. This can be evidenced by a certificate of application if necessary.

If you have any questions or queries about this you can contact the EU Exit Transition Team at [eu.exit@health-ni.gov.uk](mailto:eu.exit@health-ni.gov.uk)

Yours sincerely



**Prof Sir Michael McBride**  
**Chief Medical Officer**



**Mrs Cathy Harrison**  
**Chief Pharmaceutical Officer**

## Circulation List

Executive Medical Director/Director of Public Health, Public Health Agency (for onward distribution to all relevant staff)

Director of Nursing, Public Health Agency

Directors of Pharmacy HSC Trusts

Director of Social Care and Children, HSCB

Family Practitioner Service Leads, Health and Social Care Board (for cascade to GP Out of Hours services)

Medical Directors, HSC Trusts (for onward distribution to all Consultants, gynaecology, hepatology, A&E staff, hospital pharmacy, and sexual health/family planning centres)

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Medicines Management Pharmacists, HSC Board (for cascade to prescribing advisers)

Regional Medicines Information Service, Belfast HSC Trust

Regional Pharmaceutical Procurement Service, Northern HSC Trust

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Raymond Curran, Head of Ophthalmic Services, HSCB (*for distribution to Community  
Optometrists*)  
Trade Union Side  
Clinical Advisory Team  
Louise McMahon

This letter is available on the Department of Health website at  
[https://www.health-ni.gov.uk/topics/professional-medical-and-environmental-health-  
advice/hssmd-letters-and-urgent-communications](https://www.health-ni.gov.uk/topics/professional-medical-and-environmental-health-advice/hssmd-letters-and-urgent-communications)