



## Rights of EU Citizens in Wales

# EU Citizens and Their Right to Free NHS Healthcare

This factsheet provides a brief summary of an EU citizen's rights to access National Health Service (NHS) healthcare in Wales. In this factsheet, 'EU citizens' includes citizens of the EU member states, as well as citizens of the EEA states (Norway, Iceland and Liechtenstein), and citizens of Switzerland. This factsheet also covers the rights of family members who are not themselves EU citizens, and whose right to live in the UK is derived from their relationship with an EU citizen.

Following the UK's exit from the European Union, the rights of EU citizens across the UK have changed in a number of ways. EU citizens and their **family members** who were living in the UK on 31 December 2020 and who wished to stay in Wales, must have applied to the **EU Settlement Scheme (EUSS)** for either **Settled Status** (indefinite leave to remain) or **Pre-Settled Status** (limited leave to remain for 5 years) before the deadline of 30 June 2021. Those who have indefinite leave to remain or enter, or are an Irish citizen, do not need to apply but can if they want to.

EU citizens and their family members who did not apply to the EUSS before the 30 June 2021 deadline, no longer have the right to remain in the UK after 1 July 2021, and should seek legal advice if they now wish to stay in Wales (details of the support available is provided at the end of this factsheet). However, the UK Government has made provision for late applications to be made by EU, EEA and Swiss citizens and their family who can evidence they have reasonable grounds for having missed the EUSS deadline.

EU citizens who arrived in the UK for the first time on or after 1 January 2021 cannot apply for **Settled Status** or **Pre-Settled Status**. Those who wish to remain for more than a short visit, of up to 6 months, must apply for a **Long Term Visa** (for example, to study, or work, or join a family member).

Non-EU family members of EU citizens can only enter the UK after 1 January 2021 if they already have an EUSS family permit, a UK-issued EEA family permit or a UK-issued biometric residence card.

## EU Citizens who have Settled Status or Pre-Settled Status (or who have applied to the EUSS before 30 June 2021)

All EU citizens and their family members with Settled Status or Pre-Settled Status have the right to access free NHS emergency and non-emergency healthcare in Wales. This includes: free primary healthcare (the right to register with a GP), and free secondary healthcare (hospital-based

treatment). They have an equal right to access healthcare on the same basis as a UK citizen living in Wales as well as the right to an interpreter should they need one in order to communicate with NHS staff, and/or understand and consent to medical care.

## **EU Citizens who were living in the UK on 31 December 2020 and did not apply to the EUSS before 30 June 2021**

Patients are encouraged to apply to the EU Settlement Scheme after 30 June 2021 if they have not done so already. If the patient cannot evidence they are an ordinary resident and no other exemption applies, then they are chargeable.

## **EU Citizens who arrived on or after 1 January 2021 for the first time**

The NHS is a residency-based scheme and people must be “ordinarily resident” in Wales to have access to the full range of NHS healthcare at no cost, without restrictions, on the same basis as UK citizens living here. This means they must have legal permission to live in the UK and intend to stay here. People who do not have indefinite leave to remain in the UK are usually regarded as overseas visitors.

### **Short Term Visitors (visits lasting less than 6 months)**

Some NHS healthcare, including primary care provided by a GP, emergency treatment provided in an Accident and Emergency Department and treatment for infectious diseases (like Covid-19), is provided free of charge to everyone. Reciprocal healthcare arrangements between the UK and the EU mean that the European Health Insurance Cards (EHIC) continue to be valid; EU citizens arriving in Wales as Short Term Visitors, must have applied for an EHIC (<https://www.gov.uk/global-health-insurance-card>) in their own country before they travelled to Wales. EU citizens can use their EHIC to access necessary treatment, the need for which arose during their visit to Wales, and to have necessary treatment for a pre-existing or chronic condition, such as kidney dialysis at no charge.

### **Long Term Visa Holders**

EU citizens and their family members on a visit of longer than 6 months arriving with a Long Term Visa must pay the ‘immigration health surcharge’ at the time they apply for their visa. Once they have paid this charge, access to primary and secondary NHS healthcare is free at the point of access on the same basis as that of a UK resident. People who take out private medical insurance must also pay the surcharge.

To access the full range of NHS services available, EU citizens living in Wales should register with a General Practitioner (GP). Short term visitors to Wales can also register with a GP on a temporary basis. It for GP practices to determine whether or not to register a patient. It is open to GP practices to only take short term visitors on a fee-paying private basis.

## Additional Information and Support

Free legal advice on matters relating to the EUSS is available from Welsh Government funded, Immigration Specialist Lawyers, Newfields Law. Their contact details are below:  
+44 (0) 292 169 0049      [info@newfieldslaw.com](mailto:info@newfieldslaw.com)

Newfields  
35 Park Place  
Cardiff, CF10 3RL

## Useful Links

### **I need help with Settled Status – Settled**

<https://settled.org.uk/en/help/>

### **Citizens' rights have changed | the3million**

<https://www.the3million.org.uk/rights-have-changed>

### **Homepage – Independent Monitoring Authority for the Citizens' Rights Agreements**

[ima-citizensrights.org.uk](http://ima-citizensrights.org.uk)

### **EU Settlement Scheme: information for late applicants – GOV.UK**

<https://www.gov.uk/government/publications/eu-settlement-scheme-information-for-late-applicants/eu-settlement-scheme-information-for-late-applicants>

### **EU Settlement Scheme caseworker guidance – GOV.UK**

<https://www.gov.uk/government/publications/eu-settlement-scheme-caseworker-guidance>

### **EU citizens – we want you to stay in Wales | GOV.WALES**

<https://gov.wales/preparing-wales/eu-citizens>

### **The UK's points-based immigration system: information for EU citizens – GOV.UK**

<https://www.gov.uk/guidance/the-uks-points-based-immigration-system-information-for-eu-citizens>

### **Immigration – Citizens Advice**

<https://www.citizensadvice.org.uk/wales/immigration/>

### **EU Citizens Immigration (eusswales.com)**

<https://www.eusswales.com/en/index.html>

### **Health and social services | GOV.WALES**

<https://gov.wales/preparing-wales-brexit/health-and-social-services>

### **Visas and immigration operational guidance: detailed information – GOV.UK**

<https://www.gov.uk/topic/immigration-operational-guidance>

## Frequently Asked Questions Regarding the EU Citizens and access to Healthcare

### The GP is asking me for proof of my Settled Status

You can show then proof of your Settled Status by requesting a share code – View and prove your immigration status - GOV.UK ([www.gov.uk/view-prove-immigration-status](http://www.gov.uk/view-prove-immigration-status))

### The GP is refusing to let me register

If you are having trouble being accepted by a GP surgery, your Local Health Board is able to register you to a surgery.

### Can I get help for an emergency or accident?

If you or a family member has an accident or a sudden serious illness you should go to your nearest hospital with an Accident and Emergency department which is free for everyone.

If it is an extreme emergency call **999** and ask for an ambulance to transport you to a hospital. This service is free of charge and should only be used in an emergency. If you are able to, you may also make your own way to the **Accident and Emergency** department.

Do not use Accident and Emergency for minor medical problems.

If you urgently need medical help or advice but it's not a life-threatening situation call **NHS 111**.

### Do I have to pay for medical treatment?

All EU citizens and their family members with Settled Status or Pre-Settled Status have the right to access free NHS emergency and non-emergency healthcare in Wales. This includes: free primary healthcare (the right to register with a GP), and free secondary healthcare (hospital-based treatment).

### Can I have a Corona Virus vaccine if I do not have an NHS number or am not registered with a GP?

You are eligible for a free COVID-19 vaccination through the NHS. Here are details of how you can book a coronavirus vaccination: [gov.wales/getting-tested-coronavirus-covid-19](http://gov.wales/getting-tested-coronavirus-covid-19)

The vaccine will be offered and made available to everyone living in the UK free of charge. You do not need to be registered at a GP surgery or have an NHS number to receive the vaccine

### Can I register with a dentist and get free treatment?

You do not need to register with a dentist but free dental treatment will only be available at a dentist which accepts NHS Patients. You can find a local NHS dentist by searching in your local area at NHS Wales website (<http://www.wales.nhs.uk/?dest=ourservices/findannhsdentist&&clearCookieNotice=1>).

If you need emergency dental treatment, you can contact the dental help line at NHS 111 Wales (<https://111.wales.nhs.uk/localservices/dentistinformation/>).

### I need help with my mental health

Your GP may be able to find you some expert help. If you want to talk to someone about these problems, the Samaritans ([www.samaritans.org/](http://www.samaritans.org/)) has a free to call service 24 hours a day, 365 days a year, which is confidential. You can call them on 116 123.

Children and young people can also be affected by poor mental health or well-being. Secondary schools have counselling services which can be used pupils if they feel worried, anxious or confused.

### I am pregnant can I get help from the NHS?

You should tell your GP that you are pregnant to receive support during your pregnancy from an NHS midwife.