

From the Office of David Nicholson CBE
Chief Executive of the NHS in England



To: Chief Executives of all Strategic Health Authorities
Chief Executives of all Primary Care Trusts
Chief Executives of all NHS and independent sector
providers of NHS secondary and specialist care

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Dear Chief Executive,

Final guidance on patients who wish to pay for additional private care

I am writing to alert you to the publication today of the final guidance on patients who wish to pay for additional private care, following a 12 week consultation, and the publication alongside this of the Department's response to the consultation.

This follows the publication on 4th November 2008 of Professor Mike Richards's report *Improving Access to Medicines for NHS Patients*, and the Secretary of State's announcement of a package of measures in response, designed to make more drugs available to NHS patients free of charge on the NHS. These measures, such as the National Institute for Health and Clinical Excellence's introduction of greater flexibility into its appraisal of more expensive drugs for end of life conditions, should significantly reduce the number of patients who will ever want to pay for additional private care.

For those few patients who may still wish to pay for additional private care, the Department published guidance for consultation which made clear that NHS patients should not lose their entitlement to NHS care as a result of choosing to buy additional private care, and that any private care must be delivered separately from NHS care.

The Department received 146 consultation responses on the guidance, and was pleased to note the broad support for Professor Richards' recommendations and the aims of the guidance. In response to specific issues raised in consultation, such as a request for more detail about what separation means in practice, the final version of the guidance includes a number of changes which are explained in the accompanying Government response.

I wrote to you on this topic on 4th November, when I alerted you to the publication of Professor Richards' report and the guidance published for consultation. In this letter, I asked you to implement the principles in the guidance immediately because of the level of concern and distress the variation in policies across the country on additional private care was causing for patients and their families. Now that the final guidance is in place, I would ask that you revisit this to ensure that your organisation has a detailed policy in place which reflects the national principles we have set out in the guidance. I would also emphasise the importance of ensuring that staff are aware of the national guidance and your organisation's detailed policy, and would ask that you put arrangements in place to make sure this is the case.

The final guidance can be found at the following link:

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_096428

A handwritten signature in black ink, appearing to read 'D Nicholson', with a long horizontal flourish extending to the right.

David Nicholson CBE
NHS Chief Executive

Celebrating the 60th anniversary of the NHS

NHS 60