



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 or British Citizen who has exercised free movement rights as a worker, self-employed person, self-sufficient person or student in an EEA host country immediately before returning to the UK¹.

Following the UK's exit from the European Union, the rights of EU citizens across the UK 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, should 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). Irish citizens and people with indefinite leave to remain did not have to apply. EU citizens and their family members who did not apply to the EUSS or have an expired pre-settled status can still apply if you're eligible and can show 'reasonable grounds' for why you could not apply by the deadline or in the time since the deadline passed.

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. They arrive as 'Short Term Visitors'. If they wish to remain for more than a short visit of up to six months, they must apply for an alternative Long Term Visa (for example, to study, or work, or join a family member). Further information on Long Term Visas can be found at: [Browse: Work in the UK – GOV.UK \(www.gov.uk\)](https://www.gov.uk/browse/work-in-the-uk).

Non-EU family members of EU citizens can now only enter the UK if they already have a EUSS family permit. EEA family permits and UK biometric residence cards are no longer valid in the UK. Citizens that have a biometric residence card (BRC) and have been granted status under the EU Settlement Scheme will now have an eVisa.

An eVisa is an online record of someone's immigration status and the conditions of their permission to enter or stay in the UK, it also allows an individual to share their immigration with third parties when required.

¹ 'Family members' can include: your spouse or civil partner, your children, grandchildren and great-grandchildren under age 21, your dependent children over age 21, your dependent parents, grandparents and great-grandparents, and some unmarried partners and other dependent relatives (where the Home Office has issued an 'extended family member' registration certificate).

EU Citizens who have Settled Status or Pre-Settled Status

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 have submitted an application and are awaiting an outcome will be issued with a Certificate of Application (CoA) that they can use to prove they have protected status until their application is determined.

EU Citizens who were living in the UK on 31 December 2020 and have not applied to the EUSS

Patients are encouraged to apply to the EU Settlement Scheme 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 (www.nhs.uk/using-the-nhs/healthcare-abroad/apply-for-a-free-uk-global-health-insurance-card-ghic/) in their own country before they travelled to Wales. EU citizens can use their EHIC to access medically 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.

Short Term Visitors from EFTA States

From 1 January 2021, Norwegian citizens residing in Norway can access medically necessary healthcare when visiting the UK, using a valid Norwegian passport.

From 1 January 2021, most visitors from Iceland and Liechtenstein may need to pay for NHS healthcare (unless an exemption applies). Any treatment will be charged at 100% of the national NHS rate.

From 1 November 2021, reciprocal healthcare arrangements between UK and Switzerland cover Swiss nationals for state healthcare that becomes necessary whilst on a temporary stay in the UK, using the State issued EHIC.

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 is for GP practices to determine whether or not to register a patient. It is also open to GP practices to only take short term visitors on a fee-paying private basis.

Changing the duration of the pre-settled status extension to 5 years

From May 2024, the Home Office will have increased the length of pre-settled status extensions from 2 to 5 years. This will provide additional assurance to pre-settled status holders of their continuing rights, in light of the judgment.

This will not impact anyone who already has settled status or has since become a British citizen.

How will this work for pre-settled status holders?

- Pre-settled status holders do not need to take any action as a result of this change.
- The extension will be reflected in their digital status and the Home Office will contact them directly to let them know this has been done. They do not need to contact the Home Office.
- We continue to encourage EEA citizens and their family members to apply for settled status under the EUSS as soon as they're eligible, to obtain secure confirmation of their right to remain permanently in the UK. You can apply to switch to settled status free of charge at www.gov.uk/settled-status-eu-citizens-families/applying-for-settled-status. A wide range of help and support is available for applicants who need it.

Automatic upgrade to Settled Status

Beginning in 2025, the Home Office will automatically start to upgrade eligible pre-settled status holders to settled status without requiring them to apply. Eligibility will be assessed using data from government bodies like the Department for Work and Pensions and HMRC. If the Home Office cannot automatically upgrade an individual's status, they will inform the resident, requesting a manual application with evidence of five years of residency. However, those with pre-settled status who have lived in the UK continuously for at least five years may still choose to apply for settled status in advance.

Useful Links

I need help with Settled Status – Settled www.settled.org.uk/en/help/

Citizens' rights have changed | the3million www.the3million.org.uk/rights-have-changed

Homepage – Independent Monitoring Authority for the Citizens' Rights Agreements
www.ima-citizensrights.org.uk

EU Settlement Scheme: information for late applicants – GOV.UK
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
www.gov.uk/government/publications/eu-settlement-scheme-caseworker-guidance

EU citizens – we want you to stay in Wales – GOV.WALES
www.gov.wales/preparing-wales/eu-citizens

The UK's points-based immigration system: information for EU citizens – GOV.UK
www.gov.uk/guidance/the-uks-points-based-immigration-system-information-for-eu-citizens

Immigration – Citizens Advice www.citizensadvice.org.uk/wales/immigration/

Health and social services – GOV.WALES
www.gov.wales/preparing-wales-brexit/health-and-social-services

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

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: www.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 (www.nhsdirect.wales.nhs.uk/LocalServices/?s=Dentist). If you need emergency dental treatment, you can contact the dental help line at NHS 111 Wales (www.nhsdirect.wales.nhs.uk/Default.aspx).

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/) 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.