

General Dental Services Memorandum

**To all Dental Contractors
Providing General Dental Services**

Guidance on Patient Charge Exemption

The Probity Services Exemptions Team carries out thousands of routine checks each year where patients have claimed to be exempt from paying relevant statutory Health Service Dental or Ophthalmic Charges. The loss due to patient fraud and error, (i.e. patients claiming exemption who are not actually eligible for help with health costs), in 2018/19 was estimated to be in the region of £4.0million. This has a significant impact on health service resources.

Exemption Checking Process

For General Dental Services the exemption checking process involves selecting a sample of claims and cross matching these against social security and tax credit databases to verify that the patient was in receipt of the qualifying benefit at the time of treatment as indicated on the claim form. If the patient's exemption cannot be confirmed through initial checks a letter is issued to them seeking further information or repayment of the health charge. Penalty charges may also apply.

The Exemptions Team have reported that in a number of cases recently when the patients have received a letter from the team querying their exemption status, they have complained that they were given incorrect advice by the practice with regard to their eligibility status.

Role of Practice Staff

Dental contractors and their staff can play a key role in protecting health service resources by ensuring as far as possible that patients who claim help with health costs are properly entitled to do so.

Please be aware that it is the patient's responsibility to declare that they are in receipt of a benefit that makes them eligible for *Help with Health Costs by ticking and signing the claim forms and showing proof of eligibility. It is not the responsibility of the practice to determine whether a patient's circumstances qualify them for charge abatement or charge exemption. As stated above, this is the responsibility of the patient. Practice staff should not provide advice to the patient on specific benefits they may be receiving but should make the patient aware of which benefits qualify for help and of their responsibility to determine the accuracy of the declaration that they make. If the patient is unsure of the type of benefit they are receiving, then they should be advised to contact their local Social Security Office or Tax Credit Office.

Please note below a list of recommendations in terms of 'what to do' and 'what not to do' when completing the HS45/HS45PR form.

DO ...

- Ensure that point of service checks are carried out and that staff carrying out these checks are familiar with the exemption criteria.
- Request supporting evidence from the patient as this acts as a deterrent to those who are trying to avoid payment e.g. an entitlement letter from Jobs and Benefits Office, a HC2 certificate etc. If proof is **not** provided put a cross in the "Evidence Not Seen" box and ask the patient to bring the evidence to the next visit.
- Ensure patients or their representatives read the declaration(s) and complete the form, signing the appropriate box once other sections have been completed.
- Ensure that exemption details are accurately recorded on the claim form.
- Display the "Help with Health Costs" materials e.g. leaflets, poster, in the practice and direct any patient who is unsure about their eligibility to these materials.

DO NOT ...

- Do not provide advice to patients on which benefits they may be receiving. Patients should only be advised as to which benefits qualify for help with health costs e.g. show them the Help with Health Costs leaflet.
- Do not sign the form on behalf of the patient.
- Do not assume that a patient who was previously exempt from charges is still entitled – circumstances change.
- Do not assume that someone who does not work is automatically entitled.
- Do not assume that a person with a disability is automatically entitled.

Universal Credit – Additional Advice

Universal Credit on its own is currently **NOT** a qualifying benefit for full or partial charge exemption.

To be eligible for help, patients who are in receipt of Universal Credit must hold a Low Income Scheme (LIS) certificate. This will either be a HC2 certificate (full help) or a HC3 certificate (partial help). The certificate must be valid on the date that the dental treatment is being provided and cannot be applied retrospectively. These certificates can be applied for by completing a HC1 form (See **MDS 735** for further guidance).

Where a patient cannot produce evidence of their entitlement in the form of either a HC2 or HC3 certificate when presenting for HS care and treatment, the practitioner should still provide the HS care the patient needs and, as with other benefits, should tick the “Evidence Not Seen” option. The responsibility is on the patient to declare that they are in receipt of a HC2 or HC3 certificate, by ticking and signing the appropriate claim forms.

Supporting materials

An updated range of Help with Health Costs materials to assist patients and contractors is being issued to all practices. Please display these in your practice and use them to assist your patients in determining their eligibility to exemption from health service charges.

If you have any queries please contact BSO Counter Fraud & Probity Services Exemptions Team on Tel 028 95361645 for further guidance.

* For more information on help with health charges please go to:
<https://www.nidirect.gov.uk/articles/help-health-costs>