

North Yorkshire County Council

Executive

5 September 2017

NYCC Sexual Health Out of Area Cross Charging Policy

Report of the Corporate Director – Health and Adult Services

1.0	Purpose of report
1.1	To seek approval of the NYCC Sexual Health Out of Area Cross Charging Policy. The Policy is appended to this report.

2.0 Executive Summary

- 2.1 The Public Health team in Health and Adult Services is responsible for commissioning sexual health services for North Yorkshire residents. This includes paying for North Yorkshire residents who attend genitourinary medicine (GUM) services outside of the North Yorkshire area. NYCC is part of a regional Yorkshire and Humber agreement endorsed by the Yorkshire and Humber Directors of Public Health Network (YHDPHN). In order to provide organisational support for this policy NYCC need to ratify the policy through the Council Executive.

3.0 Background

- 3.1 Since 1 April 2013, Local Authorities were mandated to ensure that comprehensive, open access, confidential sexual health services are available to all people who are present in their area (whether resident in that area or not). The requirement for Genito-Urinary Medicine (GUM) and Contraception and Sexual Health (CaSH) services to be provided on an open access basis is stipulated in the *Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013* (“the Regulations”).
- 3.2 Re-charging by the provider of costs back to the area where the individual is resident is recommended for out-of-area use of services. These arrangements support open access integrated sexual health services and patient choice.
- 3.3 Department of Health issued guidance on cross charging in August 2013 outlining principles for Local Authorities regarding payments for residents accessing sexual health services outside the area.
- 3.4 The cross charging guidance suggests that it is for local determination how these arrangements work and solutions that meet the needs of local areas and local populations should be in place. The guidance was developed to encourage a consistent, equitable, fair and transparent approach to cross-charging and billing for out of area service users from both a commissioning and provider perspective.

3.5 Public Health Grant allocations are largely based on resident populations. This means that they do not include an amount for paying for out-of-area users of an authority's open access sexual health services. However, they will include an amount which can be paid to providers in other areas in respect of any residents who choose to use open access services in another authority's area.

3.6 Due to the mandated open access nature of sexual health services, Local Authority residents can attend clinics anywhere in the country and each Council may be billed for the services provided.

4.0 Issues

4.1 Cross charging had been regularly debated across the Yorkshire and Humber region since the responsibility for sexual health was transferred to Local Authorities in April 2013. Local Authorities and Providers have interpreted cross charging guidance differently and there were a number of approaches taken both within region and more widely.

4.2 The Regional Yorkshire and Humber Sexual Health Commissioning Forum has contacted the Department of Health to request further clarity relating to cross charging. The Department of Health responded to say that they had no plans to issue further guidance and that authorities should find local solutions.

4.3 Therefore a regional agreement has been developed and endorsed by the YHDPHN.

4.4 Each local authority across Yorkshire and Humber is now seeking individual organisational approval of this policy.

5.0 Policy Implications

5.1 By approving this policy NYCC are agreeing to the payment terms and conditions, which supports a fair and transparent payment system. This will also assist the Authority to manage the budget, and provides a clear position should the Authority ever face a legal challenge.

6.0 Financial Implications

6.1 There is budgetary provision in place to fund cross charging as part of the ring-fenced public health grant.

7.0 Legal Implications

7.1 By approving this policy NYCC will have a clear documented position on sexual health cross-charging; this is important in case of future legal challenge from Providers who want to charge for activity and rates outside of those set out within this policy.

8.0 Consultation Undertaken and Responses

8.1 Yorkshire and Humber Directors of Public Health Network have already been consulted and endorsed this approach. HAS Executive have reviewed, and recommended for approval. This is no requirement for public consultation.

9.0 Recommendation

9.1 It is recommended that the NYCC Sexual Health Out of Area Cross Charging Policy is approved.

Richard Webb
Corporate Director – Health and Adult Services

County Hall
Northallerton
5 September 2017

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Presenter of report – Cllr Caroline Dickinson

Background Documents – NYCC Sexual Health Out of Area Cross Charging Policy

North Yorkshire County Council
Sexual Health Out Of Area Cross Charging Policy
June 2017

1 Introduction

- 1.1 This document details the council's policy to manage non contracted sexual health out of area activity and provide clarity on the conditions and payment terms for cross charging.

2 Background

- 2.1 Since 1 April 2013, Local Authorities were mandated to ensure that comprehensive, open access, confidential sexual health services are available to all people who are present in their area (whether resident in that area or not). The requirement for Genito-Urinary Medicine (GUM) and Contraception and Sexual Health (CaSH) services to be provided on an open access basis is stipulated in the *Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013* ("the Regulations").
- 2.2 Re-charging by the provider of costs back to the area where the individual is resident is recommended for out-of-area use of services. These arrangements support open access integrated sexual health services and patient choice.
- 2.3 Department of Health issued guidance on cross charging in August 2013 outlining principles for Local Authorities regarding payments for residents accessing sexual health services outside the area.
- 2.4 The cross charging guidance suggests that it is for local determination how these arrangements work and solutions that meet the needs of local areas and local populations should be in place. The guidance was developed to encourage a consistent, equitable, fair and transparent approach to cross-charging and billing for out of area service users from both a commissioning and provider perspective.
- 2.5 Public Health Grant allocations are largely based on resident populations. This means that they do not include an amount for paying for out-of-area users of an authority's open access sexual health services. However, they will include an amount which can be paid to providers in other areas in respect of any residents who choose to use open access services in another authority's area.
- 2.6 Due to the mandated open access nature of sexual health services, Local Authority residents can attend clinics anywhere in the country and each Council may be billed for the services provided. However this creates challenges in budgeting for this activity.

- 2.7 Regionally there are concerns that some cross charging activity relates to university students who are being billed incorrectly, and should be the responsibility of the host local authority.

3 Cross Charging Arrangements

- 3.1 North Yorkshire County Council has adopted the Yorkshire and Humber agreement in managing sexual health out of area cross charging which has been in effect since 2015; which was ratified by the Regional Directors of Public Health Network in May 2017.
- 3.2 Through these arrangements North Yorkshire County Council will maintain confidential open access services and ensure local residents can attend a sexual health service of their choice without geographical boundaries.
- 3.3 The Department of Health no longer publish a non-mandatory GUM tariff. The Yorkshire and Humber Regional Network of the Association of Directors of Public Health have used the previous non-mandatory tariff to set the existing regional tariff that is currently in place. There is a need to make efficiency savings. With effect from 1 April 2018 efficiency savings will be approx. 2% a year from the agreed regional tariff that has been in place from 2015 to the current financial year.
- 3.4 North Yorkshire County Council will reimburse invoices for GUM activity which are within the following rates:

	First Single Professional	First Multi Professional	Follow up
2017/18	£134	£140	£105
2018/19	£131	£137	£103
2019/20	£128	£134	£101
2020/21	£125	£131	£99
2021/22	£123	£128	£97

- 3.5 North Yorkshire County Council will not cover contraception activity. There was no cross charging allowance for contraception activity prior to the transfer of commissioning responsibilities to the local authority on 1 April 2013, in addition there is no recognised national tariff for contraception. Therefore the regional assessment is that this activity should not be cross charged.
- 3.6 North Yorkshire County Council will not reimburse costs relating to market forces factor (MFF), in line with the regional approach to cross charging.
- 3.7 All invoices must include the following information:
- Name of Provider

- Date
- Bank Details
- Invoice Period
- Invoice total

3.8 Supporting Data for each activity claimed must include the following before invoices can be reimbursed:

- LA Code
- LA Name
- GUM Number / Identifier
- Attendance Type – New / Follow Up / Single / Multi Professional
- Activity / Treatment Code
- Partial Postcode / LSOA
- Appointment Date
- Tariff

3.9 If the information required is not included then North Yorkshire County Council will not reimburse this activity.

4 Exclusions to this policy

4.1 If there is a two-way patient flow between North Yorkshire and another area of a similar level, North Yorkshire County Council will explore reciprocal arrangements whereby activity is not invoiced as the administrative burden outweighs the marginal differences in patient flow between the two areas. Any such agreements would be included in an amended version of the Cross Charging Policy.

4.2 An agreement has been reached to York NHS FT, (provider of services to City of York Council as well as NYCC) that instead of cross-charging we will pay a contract uplift figure for them to see NY residents in clinics within CYC. The amount paid will be reviewed annually based on patient flows.

4.3 There are a small percentage of patients who may wish to remain anonymous and decline to provide identifiable information. In these cases these costs will fall to the North Yorkshire County Council commissioned service - YorSexualHealth.

4.4 Attendance by people living outside England including overseas visitors. In these cases these costs will fall to the North Yorkshire County Council commissioned service - YorSexualHealth.

5 Review

5.1 The policy will be reviewed annually to align with the regional approach for cross charging and if required updated to reflect changes to national guidance or recognised efficiencies.