



THE ROYAL COLLEGE OF OPHTHALMOLOGISTS'

Advice to doctors on treatments not routinely funded by the NHS

The Royal College of Ophthalmologists recognises that treatments may be available for our patients that are not routinely funded by the NHS.

Having taken guidance from the GMC, it is clear that doctors have a duty of care (as set by Good Medical Practice) to inform patients about any treatment option that would **be of significant benefit to them** irrespective of whether that treatment is available on the NHS or not. Members should follow the guidance set out in GMP and the GMC guidance on obtaining informed consent.

If a doctor does not have sufficient knowledge about the alternative options he/she would not be expected to discuss this in detail with the patient but should direct them to where they can obtain appropriate information about these options, even if it means suggesting that patients seek a private referral. It is then up to the individual patient to seek information about the alternative treatment and proceed with that elsewhere or agree to proceed with what is still an appropriate treatment in the NHS.

If the doctor genuinely believes that a treatment not routinely funded in the NHS would be significantly beneficial to the patient, it would also be reasonable to make an individual funding request within local commissioning rules, on his/her behalf (usually via the patient's General Practitioner) before suggesting the patient privately funds it.

Any private treatment must be delivered separately from the NHS element of their care to avoid potential conflicts of interest. At the present time top-up payments are not acceptable.

Members should review the verbal and written information that they give to patients in this situation and ensure it complies with GMC guidance and it would also be sensible to obtain the appropriate local clinical governance advice on this issue.

Useful Links

- 1) http://www.gmc-uk.org/static/documents/content/Consent_-_English_0414.pdf
- 2) http://www.gmc-uk.org/static/documents/content/Good_medical_practice_-_English_0414.pdf
- 3) <http://www.nhs.uk/Conditions/Cataract-surgery/Pages/how-it-is-performed.aspx>

4) DoH document on taking consent

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/138296/dh_103653_1.pdf

5) BMA Interface between NHS and private treatment – a practical guide for doctors in England, Wales and Northern Ireland

<http://bma.org.uk/-/media/files/pdfs/practical%20advice%20at%20work/ethics/interfaceguidanceethicsmay2009.pdf>

6) BMA Interface between NHS and private treatment – a practical guide for doctors in Scotland <http://bma.org.uk/>

[/media/files/pdfs/practical%20advice%20at%20work/ethics/scotlandnhsprivateinterfacesept2009.pdf](http://bma.org.uk/-/media/files/pdfs/practical%20advice%20at%20work/ethics/scotlandnhsprivateinterfacesept2009.pdf)

Professional Standards Committee

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