

Free at the point of use NHS dental care for 18-25 year olds inclusive

Business Regulatory Impact Assessment

July 2021



Scottish Government
Riaghaltas na h-Alba
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Business Regulatory Impact Assessment for Free at the Point of Use NHS Dental Care Proposal for Ages 18-25 Inclusive

Title of Proposal

1. Removal of NHS dental charges for 18 to 25 year olds inclusive.

Purpose and intended effect

2. The purpose of this policy is to make NHS dental services free at the point of use for all persons aged between 18 to 25 inclusive.
3. The intended effect of the policy is to ensure that all persons under the age of 26 can access NHS dental services without being charged. This policy will affect NHS treatments only and private dental treatments are not in scope to be provided under public funding arrangements.

Objective

4. The accompanying policy note states that the policy objective is “to provide free at the point of use NHS dental care for young people, aged 18 to 25 years inclusive:
 - As people move from child dental service to young adulthood, this is often a time when this cohort loses touch with their dentist, particularly as they may be leaving home for the first time and living independently;
 - The impact of moving away can have a profound effect on diet, with young people more likely to eat unhealthy foods, with a detrimental impact on oral health;
 - Similarly there may be an increase or significant change in oral health damaging behaviours such as smoking and increased alcohol consumption;
 - This group is also more likely to be impacted by cosmetic improvements to smile and appearance and access tooth whitening products on-line etc.;
 - In summary we have a world-leading Childsmile Programme, and a general move to providing free NHS dental care for 18-25 years of age inclusive builds on the continuity of dental care throughout a person’s lifetime.”

Background

Origins of the proposal

5. This policy originally began as a commitment to care experienced young people aged 18 to 25 inclusive, following consultation with this set of stakeholders; however, Ministers have now indicated a desire to see this policy widened to include all those aged under 26 as a first step towards their commitment for free at the point of use NHS dental care for all.

Patients entitled to Free NHS Dental Care

6. The following groups are already entitled to free NHS dental treatment:
 - children;
 - young people under 18 years of age;
 - young people under 19 years of age and in qualifying full-time education;
 - expectant mothers and those who have given birth in the last 12 months;
 - adults in receipt of the following benefits (and their family members):
 - Income support
 - Universal credit (in some cases, income dependent)
 - Income-related Employment and Support Allowance
 - Income-based Jobseeker's Allowance
 - Pension Credit Guarantee Credit
 - NHS Tax Credit Exemption Certificate;
 - care leavers who are still receiving after care from a local authority;
 - asylum seekers (and their family members);
 - adults who live permanently in accommodation provided by a local authority who are exempt (on grounds of income) from paying for that accommodation.
7. Approximately 40 per cent of all patients, including children, are exempt from paying a contribution towards the cost of their NHS dental care.

NHS Low Income Scheme (Help with Health Costs)

8. The low income scheme is an additional way for those who are eligible to access funding help for associated health costs and this will remain available to those outside the scope of the policy proposal to extend free at the point of use NHS dental treatment to under 26 year olds.

Free Check-Ups for All Patients

9. All patients receive free NHS check-ups, and would continue to do so under this policy.

Patients who pay for their NHS Dental Treatment

10. Currently patients who do not qualify for either free NHS dental treatment, or for help under the Low Income Scheme, are required to pay 80% of the cost of their NHS dental treatment up to a maximum patient charge per course of treatment of £384.
11. As NHS examinations are currently free for all patients in Scotland, these changes will have no effect on patients who attend the dentist and receive an examination only.

Rationale for Government intervention

12. As stated above, this policy began as a commitment (after consultation with those with care experience) to provide free at the point of use NHS dental care to care experienced young adults. The extended policy set out here is now part of the First Minister's 100 days commitment, and is part of a wider commitment from Ministers to make NHS dental services free at the point of use for all patients by the end of the current parliament.

Consultation

13. Public consultation on this policy has not been undertaken. The Cabinet Secretary met with sectoral representation, the British Dental Association, on 8 June to discuss the policy. Business consultation has not been undertaken.

Options

14. Ministers are clear that they wish to extend this policy beyond its original remit for care experienced adults under 26 to the whole population under 26. Therefore non-regulatory and the 'do nothing' option have not been considered.

Sectors and groups affected

15. This policy proposal has the potential to increase the demand on the dental sector (1100 private businesses), which at present is operating within pandemic constraints in terms of volume of patients that can be seen in practice. Savings will likely be made by dental practices, as their administration costs should decrease under the new policy.
16. Up to 620,000 young adults will benefit from free at the point of use NHS dental treatment.

Benefits

17. The business benefits of the approach being taken is that it provides for a smoother implementation of the policy than the original 18 to 25 inclusive care experienced proposal; through this widening, it removes many of the processing, eligibility and fraud concerns that existed with the original proposal.

Costs

18. The policy has the potential to impact approximately 620,000 people aged under 26 and this is likely to cost the government between £7 and £10 million each year based on pre-pandemic activity levels. It is possible that additional costs may arise due to an increase in Item of Service treatments undertaken under a free at the point of use model; however, this is not quantifiable.

Scottish Firms Impact Test

19. No consultation with firms has been undertaken due to time constraints; therefore this aspect of the BRIA has not been undertaken. The Cabinet Secretary raised the proposal with

dental practice representatives (the British Dental Association) on 8th June 2021.

Competition Assessment

20. The policy will only alter who pays the charge to the dentist, moving it from patient to Government; so no competition impacts will occur.

Consumer Assessment

21. The consumer – in this case, the user of NHS dental services – will be either positively or neutrally affected by this policy. Those who will gain access to free-at-the-point of use NHS dental care will benefit from reduced costs; those who will not be covered by this new policy will continue to access services at their usual cost.

Test run of business forms

22. No new forms will be introduced as a result of this policy, just a new box within those forms; so no test run has been completed.

Digital Impact Test

23. This policy will use the administrative systems already in place for dental practices, and will fit within those existing systems, all of which are Cloud-based. Should those systems become either more or less online in the future, this new policy will not be affected.
24. These systems are privately owned and will need updating in order to carry out the new policy – some of these updates may take place after the policy has come into force, but the risk is low.

Legal Aid Impact Test

25. We do not believe access to legal aid will be impacted by this policy.

Enforcement, sanctions and monitoring

26. This will be undertaken in the usual manner, as per all NHS dental charge exemptions. NSS Counter-Fraud are comfortable

that the policy is manageable, unlike the concerns they held for the previous, care experienced, policy.

Implementation and delivery plan

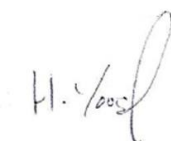
27. This policy is planned to be implemented by Autumn 2021. A review of this exemption will be carried out within ten years.

Summary and recommendation

28. The Cabinet Secretary has indicated a clear preference to undertake the policy of free at the point of use NHS dental care for all under 26. The resource required from Scottish Government will be in the region of £7m to £10m per year, rising as demand and costs increase annually. The benefit will be felt by up to 620,000 18 to 25 year olds inclusive, who will no longer need to pay for dental treatment. Dental practices will have to cope with the increased demand this places on them, but should have no direct costs arising from this.

Declaration and publication

I have read the Business and Regulatory Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs.



Signed:

Date: 15/06/21

Minister's name: Humza Yousaf

Minister's title: Cabinet Secretary Health & Social Care



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