

23 July 2002

Tracy Morton
Department of Health
4W10, Quarry House
Quarry Hill
Leeds
LS2 7UE

Dear Ms Morton

**The Recovery of NHS Hospital Treatment Following Road Traffic Accidents:
Increasing the Level of Charges**

I am writing on behalf of the Association of Personal Injury Lawyers (APIL) in response to the Department of Health's consultation on the above. APIL supports fully the principles underpinning the Road Traffic (NHS Charges) Act 1999. If that Act is to be meaningful, the charges levied by the NHS must reflect, as closely as possible, the actual costs of treatment provided. For this reason, we agree with the Department that:

- The NHS should be able to recover its costs at current prices and that, therefore, the tariff of charges should rise in line with Hospital and Community Health Service (HCHS) inflation;
- The ceiling of charges in any one case should rise from its current rate of £10,000 to enable the NHS to recover the majority of its costs;
- The increases should be introduced as outlined in the table below:

	Current	1/10/2002	1/04/2003
Flat rate fee for treatment without admission	£354	£440	£452
Daily rate fee for treatment with admission	£435	£541	£556
Cap in any one case	£10,000	£30,000	£33,000

- Once the above increases have taken place, they should be revised annually on 1 April in line with rises in HCHS inflation.

Please do not hesitate to contact me if you would like any further information in respect of our position or have any other queries.

Yours sincerely

Lorraine Gwinnutt
Press & Parliamentary Manager