Payment scheme for Hepatitis C announced

Details of an ex-gratia payment scheme for people infected with Hepatitis C from NHS blood or blood products was announced today by Health Minister Jane Hutt. The scheme has been agreed on a UK wide basis, and will apply fully in Wales.

Every person in the UK who was alive on 29 August 2003 and whose Hepatitis C infection is found to be attributable to NHS treatment with blood or blood products before September 1991 will be eligible for a payment of up to £45,000.

The scheme means that:

- People infected with Hepatitis C will receive initial lump payments of £20,000;
- Those developing more advanced stages of the illness – such as cirrhosis or liver cancer – will get a further £25,000; and
- People who contracted Hepatitis C through someone infected with the disease will also qualify for payment.

Jane Hutt said: "I am very glad that it has been possible to establish this payment scheme. It is important that patients infected with hepatitis C via blood or blood products should receive these payments on compassionate grounds and I hope this will alleviate some of the problems of those who have been affected. It is also good news that those who receive the payments will not lose their social security benefits as a result."

In addition to people currently infected with Hepatitis C the scheme will also include people who have cleared the virus as a result of treatment. Those infected as a result of the virus being transmitted from someone who was infected from blood or blood products will also be eligible to receive payment as will people infected with HIV as well as Hepatitis C.

The Welsh Assembly Government is working with the other UK Health Departments to set up the independent body that will administer the scheme. It is hoped the scheme will start operating from April this year across the UK.

Notes

1. On the 29 August 2003, Jane Hutt AM, Minister for health and Social Services announced that she had decided to establish a financial assistance scheme in Wales.
2. The scheme will be administered on a UK wide basis by a new independent operation which will be called the Skipton Fund. The scheme will be uniform across the UK and will not differentiate between people depending on the source of their infection.
3. The ‘advanced stage’ of illness that triggers eligibility for the £25,000 has now been defined as when a patient develops cirrhosis, liver cancer or if they have received a liver transplant. A team of medical experts is currently developing a protocol that will enable the existence of cirrhosis to be assessed using only existing biopsy data or the results of non-invasive tests.
4. Legislation affecting social security benefits will be amended at the first opportunity to ensure that people receiving payments from the scheme are not penalised as a result.
5. General eligibility for payments is defined in terms of having received blood, blood
products or tissue from the NHS before September 1991. No payments will be made in respect of those who have died before 29 August, 2003 when the original announcement was made or to people who have cleared of the virus spontaneously. In the case of eligible people who die between 29 August, 2003 and the time when the scheme is in a position to make payments, then the payments will be made to their dependants.

6. People who have been infected with HIV through blood, blood products or tissue on in the past, and have in addition contracted Hepatitis C in the same way, will be eligible for payments from the scheme in the same way as those who have only been infected with Hepatitis C.

7. It will be assumed that people who have developed Hepatitis C after being treated with Factor VIII or Factor IX blood clotting factor concentrates were infected as a result of that treatment. Virtually all haemophiliacs will fall into this category.

8. Where people have received compensation from other sources in connection with their infection, this will be deducted from any award they are entitled to under the scheme. The scheme will not reimburse legal costs incurred in obtaining that compensation, in unsuccessfully attempting to obtain compensation or in preparing a claim for payment from the scheme itself.

9. A further announcement will be made once the position is reached where claims can be processed through the scheme. This will make clear exactly what claimants need to do in order to make an application. People in Wales who have not already registered an interest with the Welsh Assembly Government and who would like information on making a claim when this becomes available should leave their contact details on 029 20 821538 or e-mail skipton.mail@wales.gsi.gov.uk.

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