

Item 8: Assistive Reproductive Technologies (ART) Policy Review - written update

By: Kay Goldsmith, Scrutiny Research Officer to the Kent Health Overview and Scrutiny Committee

To: Kent and Medway NHS Joint Overview and Scrutiny Committee, 10 September 2019

Subject: Assistive Reproductive Technologies (ART) Policy Review – written update

Summary: This report invites the Kent and Medway NHS Joint Overview and Scrutiny Committee to consider the information provided by NHS Medway CCG.

It provides background information which may prove useful to Members.

It is a written briefing only and no guests will be present to speak on this item.

1. Introduction

- (a) Assistive Reproductive Technologies (ART) are medical procedures that are primarily used to assist infertility. An example is in vitro fertilisation (IVF).
- (b) NICE guidelines (CG156, section 1.11 “Access Criteria for IVF”¹) recommend that the NHS funds up to three full IVF cycles for women aged under 40.
- (c) Across Kent and Medway, there is a single policy relating to ART and it entitles eligible patients two IVF cycles. The lead commissioner for ART services is NHS Medway CCG.²

2. Background

- (a) In order to achieve financial sustainability³, CCGs nationwide have been considering whether to reduce the number of funded IVF cycles available to eligible patients. One such review is underway in Kent & Medway.
- (b) The proposal presented to JHOSC in October 2018 was for a maximum of one full IVF cycle per each eligible patient. It was anticipated this would yield a saving of £650k - £680k per annum across Kent & Medway.⁴
- (c) As at October 2018, East Kent CCGs had advised Medway CCG that they did not wish to progress with a review of the number of IVF cycles available to eligible patients.⁵

¹ <https://www.nice.org.uk/guidance/cg156/chapter/recommendations#access-criteria-for-ivf>

² JHOSC (2018) Assistive Reproductive Technology Services – policy review, 12 Oct 2018

³ *ibid*

⁴ *ibid*

⁵ *ibid*

3. Joint scrutiny

- (a) Regulation 23 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 requires relevant NHS bodies and health service providers to consult a local authority about any proposal which they have under consideration for a substantial development of or variation in the provision of health services in the local authority's area. This obligation requires notification and publication of the date on which it is proposed to make a decision as to whether to proceed with the proposal and the date by which Overview and Scrutiny may comment.
- (b) On 18 January 2018 the Medway Health and Adult Social Care Overview and Scrutiny Committee considered the Assistive Reproductive Technologies (ART) Policy Review and determined it to be a substantial development of or variation in the provision of health services in Medway.
- (c) The Kent Health Overview and Scrutiny Committee deemed the policy review to be a substantial variation on 26 January 2018, in the provision of health services in Kent.
- (d) In line with Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013⁶ the Kent and Medway NHS Joint Overview and Scrutiny Committee (JHOSC) was convened and has met to discuss ART services on one occasion so far (12 October 2018). The JHOSC may:
- make comments on the proposal;
 - require the provision of information about the proposal;
 - require the relevant NHS bodies and health service providers to attend before it to answer questions in connection with the consultation.
- (e) After discussing the ART policy review at their meeting of 12 October 2018, the JHOSC made the following recommendation:

RESOLVED that:

- (a) *the report on Assistive Reproductive Technology Services policy review be noted;*
- (b) *the Committee expresses grave concerns about the potential for different levels of provision for IVF cycles across Kent & Medway and requests that NHS Dartford, Gravesham & Swanley CCG, NHS Medway CCG, NHS Swale CCG and*

⁶ When NHS bodies and health services consult more than one local authority on a proposal which they have under consideration for a substantial development of or variation in the provision of health services in the local authorities' areas, those local authorities must appoint a Joint Overview and Scrutiny Committee (JHOSC) for the purposes of the consultation.

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NHS West Kent CCG, in light of those concerns, reconsider their decision to continue with the review of IVF cycles.

- (f) This written report from Medway CCG provides Members with an update on the Review's progress.

4. Legal Implications

- (a) The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 govern the local authority health scrutiny function. The provisions in the regulations relating to proposals for substantial health service developments or variations are set out in the body of this report.

5. Financial Implications

- (a) There are no direct financial implications arising from this report.

6. Recommendation

The JHOSC is invited to:

- CONSIDER and NOTE the report.

Background Documents

Kent County Council (2017) '*Health Overview and Scrutiny Committee (24/11/2017)*', <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=112&MId=7533&Ver=4>

Kent County Council (2018) '*Health Overview and Scrutiny Committee (26/01/2018)*', <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=112&MId=7639&Ver=4>

Medway Council (2018) '*Health and Adult Social Care Overview and Scrutiny Committee (18/01/2018)*', <https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=131&MId=3727&Ver=4>

Kent County Council (2018) '*Kent and Medway NHS Joint Overview and Scrutiny Committee (12/10/2018)*', <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=8154&Ver=4>

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