

# Equality body issues mental health warning

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PRIVATE HEALTHCARE providers have been warned that they are breaching equality laws by refusing to treat NHS patients with psychiatric conditions.

The EHRC (Equalities and Human Rights Commission) spoke out after *BMA News* reported instances of Spire and BMI Healthcare hospitals being engaged in the practice, which the association condemned as ‘discriminatory and cherry-picking’.

An EHRC spokesperson said: ‘The Disability Discrimination Act makes it illegal to discriminate against a person who is disabled due to a psychiatric condition. This means that the person must not be treated less favourably than others in the same situation.

‘To deny a person access to medical treatment on the basis of an unrelated psychiatric condition may well be discriminatory. All hospitals, both public and private, have a

duty to ensure that they comply with equality laws.’

CCSC psychiatry subcommittee chair JS Bamrah urged the government to review cases involving private firms who had refused to treat NHS patients with well-managed psychiatric conditions.

The BMA has used its Look After Our NHS campaign to express concerns about the independent sector cherry-picking straightforward cases.

Department of Health guidance for Independent Sector Extended Choice Network providers states that only patients with ‘unstable psychiatric disorders who are receiving psychiatric treatment’ should be excluded.

Earlier this month, *BMA News* reported a London consultant psychiatrist’s concerns about his inability to get foot treatment for a patient with a well-managed bipolar condi-

tion at a hospital run by BMI Healthcare.

*BMA News* also highlighted a case involving a north-west GP who was unable to select a Spire hospital via Choose and Book when a patient with a well-controlled psychiatric disorder needed hernia treatment.

The DH has said it is looking into the cases.

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