De Sirs

CALL FOR EVIDENCE – TRANSPLANTATION (AUTHORISATION OF REMOVAL OF ORGANS ETC) (SCOTLAND) BILL

Further to your request for evidence relating to the Transplantation (Authorisation of Removal of Organs etc) (Scotland) Bill, please find attached our response to the Finance Committee questionnaire.

Yours faithfully

[Signature]

DR DAVID FARQUHARSON
Medical Director

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Copy to: Mr Tim Davison, Chief Executive, NHS Lothian
Mr Jim Crombie, Chief Officer, NHS Lothian
Finance committee questionnaire
Consultation
1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

NO

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

N/A

3. Did you have sufficient time to contribute to the consultation exercise?

N/A

Costs
4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

The additional costs are not directly articulated in the bill and therefore it is unclear how these will be financed.

The bill outlines an economic benefit from increased donation (and transplantation) which is linked to reduction in dialysis. This model is predicated on the detailed work undertaken in relation to the Welsh bill and for which no similar assessment has been undertaken in Scotland. It is unclear whether the Bill estimates whether there will be an increase in the number of transplant operations in Scotland, which would have financial implications for NHS Lothian.

There are two areas which would require further clarification before a financial impact assessment can be undertaken. Firstly, will savings in reduction in dialysis be releasable in the context of demographic and other factors. Secondly, will savings from dialysis in one region be recoverable for reinvestment in service provision in another region. Transplantation services are undertaken on a national basis by a limited number of providers and the financial impact on service providers will be significant if there is a growth in overall activity.

Organ Retrieval

NHS Lothian is the current contract holder for the North region organ retrieval service, providing retrieval of abdominal organs (kidney, pancreas, liver) with additional input from Golden Jubilee to support cardiac retrieval (lung retrieval is presently supported from outwith Scotland). Any increase in overall donations is likely to require additional investment in retrieval services. This has not been quantified in the bill.
Organ Transplantation

NHS Lothian presently holds the national contracts for Liver and Pancreas transplantation and is one of two (with Glasgow) providers of Kidney transplantation. The National Transplant 2020 strategy prepared in 2014 indicates a projected growth rate for solid organ transplants which current service provision at RIE would be unable to accommodate without step investment.

It is unclear whether the increase in number of donors will amend growth projections outlined within the national strategy.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

The treatment costs identified are based on current expenditure and are an accurate representation of existing service provision.

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

NO

As a service provider of both transplantation and organ retrieval services NHS Lothian will be disproportionately impacted by the bill. The existing national contracting model will support reimbursement of costs, however this will require top-slice from other Health Board allocations in order to fully finance the impact.

In relation to the costs of treatment for the population of Lothian, the top-slice mechanism can only be financed from existing resources if there is a releaseable saving from a reduction in dialysis. Further work will be required to establish whether this is possible.

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?

NO – In particular there is significant uncertainty over the impact on levels of transplantation activity to be undertaken within Scotland; there is no specific reference to costs of increased retrieval activity.
**Wider Issues**

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?

   The bill does not explicitly highlight the additional costs of organ retrieval and transportation.

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs

**NO COMMENT**