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**HIV INFECTED BLOOD TRANSFUSION RECIPIENTS**

I attach briefing for No 10 to cover the Swedish position, as requested. This supplements the briefing which was submitted on 11 June.

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## BACKGROUND NOTE

### HIV INFECTED BLOOD TRANSFUSION RECIPIENTS - SWEDEN

Sweden has a no fault compensation scheme which applies to HIV infected haemophiliacs and blood transfusion recipients alike. The following payments have applied since 1985:-

- lump sum which varied with age. Highest amount was 75,000 kroner (approx £7,500) for children up to 15 years old. Amount decreased with age so that a 75 year old received the lowest payment of 28,000 kroner (approx £2,800). Since 1988 lump sum increased to 145,000 kroner (approx £14,500) irrespective of age.
- when HIV infected person falls ill can claim compensation for pain and suffering, loss of income and other extra costs incurred. A typical amount per month is 2,000 kroner (approx £200) Upon death compensation can be claimed for burial costs etc.

These arrangements do not preclude legal action.

On 21 February 1991 the Swedish Ministry of Health and Social affairs announced that a further 26 million kroner in compensation would be given to those infected with HIV within the health and medical service. Details of this "top up" for HIV infected haemophiliacs and blood transfusion recipients were as follows:-

- infected persons to receive a lump sum of of 100,000 kroner each.
- in parallel the patients' insurance and pharmaceutical insurance authorities to pay the same amount, so that each infected person would receive 200,000 (approx £20,000 in total).
- payments to be in addition to damages already paid.
- the payments to apply to a little more than 130 people in Sweden infected with HIV within the medical service through blood transfusions or Factor VIII.

Compensation from the insurance funds (from which the general no fault compensation payments were made) was calculated on the basis of principles governing the law of damages and included economic as well as indirect compensation. A person aged about 30 received 250,000 Kroner (around £25,000) from the insurance fund. With the "top up" amounting to around £20,000, the total amount received in this example would be around £45,000. If all 130 were paid this amount, the total cost would be around £6 million (This compares with total payments of 76 million representing on average £63,000 per haemophiliac in UK).

We have no details of the total cost of Sweden's no fault compensation scheme, but it is worth noting that New Zealand's scheme costs 1.4% of national income, which in this country would represent an extra 4p on income tax.

\* We have already made a very substantial provision for haemophiliacs. Although some countries have decided to make provision which includes infected blood transfusion recipients, other countries have made no provision at all for any of those infected with HIV as a result of medical treatment.

\* Countries differ in their approach to social benefits, health care and other matters.