Social security: employed persons, self-employed persons, and their families (amend. Regulations (EEC) No 1408/71 and (EEC) No 574/72)

2003/0138(COD) - 27/06/2003 - Legislative proposal

PURPOSE : to present a proposal for a Regulation amending Council Regulation 1408/71/EEC on the application of social security schemes to employed persons and their families moving within the Community, and Council Regulation 574/72/EEC fixing the procedure for implementing Regulation 1408 /71/EEC in respect of the alignment of rights and the simplification of procedures. CONTENT : to recall, the Barcelona European Council of 15 and 16 March 2002 concluded that a European Health Insurance Card should replace the current paper forms needed for health treatment in another Member State. The Commission stated that it would present a proposal to that effect before the Spring European Council in 2003. Such a card shall simplify procedures, but will not change existing rights and obligations. In February 2003 the Commission presented a communication on the introduction of a European health insurance card ("European Card") proposing a scenario for the gradual replacement by the European card of the forms currently needed for health treatment during a temporary stay in a Member States other than the competent State. Two measures are recommended in order to enable the replacement of the forms by the European card in order for the introduction of this card to truly simplify procedures: 1) the rights of all groups of insured persons during a temporary stay in a Member State other than the competent State must be brought into line to enable all persons covered by the Regulation to receive any benefits in kind that may become necessary for medical reasons during a stay in another member State; 2) the formalities for patients who need care in the State of stay must be simplified, specifically by doing away with the obligation to contact the social security institution of the place of stay before seeing a care provider, thus allowing them direct access to care providers. Lastly, a provision must be drawn up that defines the relationship between the social security institutions and the users. It should also be noted that the agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part, on the free movement of person, which came into force on 1 June 2002, contains an Article which reinstates the principles listed in Article 42 of the EC Treaty in respect of social security for persons moving within the Community. Consequently, this proposal for a Regulation should, if it is adopted, apply with respect to the Swiss Confederation.