



EUROPEAN COMMISSION

OFFICE FOR THE ADMINISTRATION AND PAYMENT OF INDIVIDUAL ENTITLEMENTS

The Acting Director

Brussels,

Mrs M. Klann
Struenseegade, 7
DK-2200 København,

E-mail:
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a3e9e5f3@asktheeu.org

Subject: Your application for access to documents under Regulation (EC) No 1049/2001 - GESTDEM 2019/5075

Dear Mrs Klann,

We refer to your email dated 01.09.2019, in which you make a request for access to documents, registered under the above-mentioned reference number.

You request access to the list of contracts or conventions concluded with hospitals and other medical entities and the calls for applications, evaluation, award decisions concerning these contracts or conventions mentioned above

Article 72 of the Staff Regulations of Officials of the European Union provides the legal basis for social security issues. For the purposes of defining the conditions for application of Article 72 of the Staff Regulations, the institutions adopted Joint Rules on sickness insurance for officials of the European Union ('the Joint Rules'). Article 1 of the Joint Rules establishes a Joint Sickness Insurance Scheme of the European Union ('the JSIS'). Article 39(2)(e) of the Joint Rules provides that the Central Office shall, 'in liaison with the Settlements Offices, endeavour to negotiate, wherever possible, with the representatives of the medical profession and/or the competent authorities, associations and establishments, agreements specifying the rates for both medical treatment and hospitalisation applicable to persons covered by this Scheme, account being taken of local conditions and, where appropriate, the scales already in force'.

The objective of these conventions is essentially to clarify the legal basis of the JSIS, which is separate from the national social security schemes, and ensure that the principles of equal treatment and non-discrimination with regard to access to medical treatment and hospitalisation are applied to JSIS members as they are to all migrant workers.

Such conventions would be concluded with hospitals most frequented by JSIS members. This is the list of Belgian hospitals with which a convention has been concluded:

- Saint-Luc
- Cliniques de l'Europe (Sainte-Elisabeth et Saint-Michel)
- CHU Erasme
- Jules Bordet
- UZ Brussel
- CHU Saint-Pierre - César de Paepe
- HUDERF (Hôpital Universitaire des Enfants Reine Fabiola)
- IRIS SUD (Etterbeek-Ixelles, Baron Lambert, Molière-Longchamp, Joseph Bracops)
- CUSL ST LUC
- Lothier Erasme
- Borghi

In annex you will also find the template of these conventions, i.e. the standard text without personal data or data that would otherwise need to be redacted.

Please note that these documents are disclosed for information only and cannot be re-used without the agreement of the originator, who holds a copyright on it.

As regards your request regarding to the calls for tender, we regret to inform you that the Commission does not hold any documents that would correspond to the description given in your application. The Commission concludes the agreements on the basis of Article 39(2)(e) of the Joint Rules, as explained above.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that no such documents, corresponding to the description given in your application, are held by the Commission, the Commission is not in a position to fulfil your request.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position. Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

(e-signed)
Giuseppe Scognamiglio

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