

WRITTEN QUESTION E-0824/00
by Ieke van den Burg (PSE)
to the Commission

Subject: Access to Social Insurance (Additional Categories of Persons) Decree 1999 (Royal Decree of 24 December 1998): Exceptional Medical Expenses Act

1. Is the Commission aware that since 1 January 2000 the Netherlands Exceptional Medical Expenses Act (AWBZ) has no longer applied to Dutch retired people who reside abroad and have private medical insurance? One consequence of this is that the AWBZ scheme no longer meets expenses, for example, of care in a residential care home or of home care or rehabilitation. People belonging to this category, who are now in effect excluded without any transition period, have contributed to the AWBZ scheme for decades. It is impossible to obtain private insurance to cover the risks hitherto covered by the AWBZ, particularly in the case of those who are medically at risk. People insured with health insurance funds, on the other hand, are still covered by the AWBZ.
2. Does not this treatment of people with private insurance violate the principle of free movement of persons within the European Union, freedom of residence for citizens and patients (cf. the judgment of the Court of Justice of 28 April 1998 in case C-158/96) in other Member States and Article 10(1) of Regulation No 1408/71¹?
3. Will the Commission take any measures against this step by the Netherlands Government, and if so, what?

¹ OJ L 149, 5.7.1971, p. 2