Users’ Office News

- Allianz Health Insurance for MPAs
- Health Insurance Cover Certificate + European Health Insurance Card
- Posted workers, A1 certificate
Allianz Health Insurance for MPAs
Allianz Health Insurance for MPAs

- Available since 1 April 2015 for Users (MPAs)
  - Conditions and benefits fulfill CERN’s requirements
  - Regular meetings between stakeholders to review and discuss issues, benefits, prices
- Annual renewal
  - with possible changes of conditions, benefits, prices
  - next period: 1 April 2020 – 31 March 2021
- Renewal preparation meeting on 4 November
  CERN (Carmelo Saitta / CERN-FAP + MH), Allianz, (CERN’s) insurance brokers (Kessler S.A.), ANTAE (service provider)
Allianz Health Insurance for MPAs

Statistics (1 April 2019 to 30 September 2019)

- Average number of lives:
  295 (253 in the same period 2018) = +17%(!)
  32% female, 68% male
  83% MPAs, 17% family members

- Claims spent
  Switzerland: 89%, France: 8%, Italy: 1%,
  all other countries (9): 2%
  number of high claims (>10’000 €): 3 (5 in 2018)
12-Months Scheme

- **Reminder: current scheme**
  - different cover periods: 30, 60, 90, 120, 150, 180 days
  - no automatic renewal, MPA needs to reapply with all documents for extension, new policy number
  - same premiums for adults and children

- **Possible replacement by 12-months scheme (single period)**
  - under discussion, with following proposal as requested by CERN
    - monthly premiums are not higher than in the present 30 - 180 days scheme
    - automatic extension of insurance contract under same policy number
    - monthly payment preferred rather than a single annual payment
    - earlier cancellation with 1 month notice + a pro-rata reimbursement of paid premiums, if needed
    - different premiums for adults (higher) and children (lower)
12-Months Scheme

- **Comments by Allianz**
  - can either have current scheme or new 12-months scheme, not both in parallel
  - change is complex, might be risky, needs to be studied
  - no detailed proposal yet (with price tags)

- **Next steps**
  - insurance brokers will work on detailed specification
  - no deadline, priority is given to work on renewal of current scheme
  - if proposal available + agreed by ACCU, implementation can be done at any time (needs ~2-3 months for preparation)
Current Scheme Renewal

- **Premium as of 1 April 2020 – 31 March 2021**
  - depends entirely on “loss ratio” of past year
    earned premiums of insured MPA community vs claims spent + admin costs
  - favorable development over past year
    more lives/premiums, less claims spent → premium reduction seems likely
    premium until 31 March 2020: **306 € / 30 days**
  - premium proposal by Allianz available by mid-January
    no additional benefits or possible deductions under discussion
    reminder: March 2019 ACCU
    several possible deductions discussed → not accepted
    additional benefits: routine visits for newborn and children + vaccination → accepted
Renewal Policy

- **Premiums rather volatile**
  - based only on one year development
  - small community
  - high fluctuations in claims
- **Under discussion**
  - base premiums on 3-years development
  - define “corridors” in advance
    - e.g. depending on positive/negative development
Health Insurance Cover Certificate + European Health Insurance Card
Heath Insurance Cover Certificate

• Users can consult the CERN Medical Service in case of medical problems or seeking advice
  • no problem in case of small issues
  • sometimes more checks or treatment required → this may include transport to a hospital with additional costs
  • any such additional costs should be covered by the Users’ health insurance

• Users should be aware on their health insurance coverage and have a certificate with them
  • in some cases Users appearing at the Medical Service had no idea on their coverage and had no certificate
**European Health Insurance Card (EHIC)**

- **Not mandatory but very useful**
  - gives access to medically necessary, state-provided healthcare during a temporary stay in any of the EU + EFTA countries (includes Switzerland)
- **Helps for payments at hospitals**
  - hospital contacts insurance company directly
  - also appreciated by CERN Medical Service
- **EHIC is issued by national health insurance provider**
Posted Workers + A1 Certificate
Reminder: Posted Workers (December 2017)

- EU has defined a set of regulations with rights and rules for posted workers: **EU Regulation 883/2004**
  A ‘posted worker’ is an employee who is sent by his employer to carry out a service in another EU or EFTA Member State (includes Switzerland) on a temporary basis
- Posted workers need an A1 certificate certifying the social security situation of the employee
- **After postings longer than 24 months posted workers can either**
  - switch to the social security system of the host country OR
  - apply for an extension and remain covered in the home country
- **Are Users, sent to CERN by their home institutes, ‘posted workers’ in the sense of these EU regulations?**
  - Legal Service was in contact with Swiss Mission in Geneva and with Federal Social insurance Office (OFAS) in Berne
Reminder: Posted Workers (December 2017)

The Federal Social insurance Office (OFAS) in Berne indicated, at a first glance, that the Regulation could possibly not be applicable to CERN’s Users, given their special status as MPAs. However, OFAS will examine the matter further.

A civil servant seconded abroad

If you're a civil servant seconded to work in another EU country (at an embassy, consulate or other official institution abroad), you’ll be covered by the social security system of your home country.

This means your benefits related to sickness, family, pensions, occupational accidents and diseases, early retirement and death will be determined according to your home country's laws.

A different set of rules applies if you become unemployed while on secondment.

From EU information on: Social security cover abroad
**Posted Workers + A1 Certificate**

- No update by OFAS since December 2017
- Recent issues raised
  - institute faculty members are civil servants (no posted workers in the sense of the EU regulation)
  - what about students, Post-Docs etc.?
- Question of A1 certificates raised in September 2019 could be related to question of posted workers
  - do Users need this at all?
  - if no posted workers → no A1 certificate needed???
**Reminder: A1 Certificate (September 2019)**

- CERN Legal Service, at a first glance:
  - Users need an A1 certificate when traveling to CERN!
    - The principle is that CERN Users are not part of the CERN social security coverage and have to comply with the national social security laws that are applicable to them. Therefore, if such laws require Users to carry an A1 certificate whenever travelling outside of their country of social security coverage, then Users must abide by such requirement.
Since September, work continued on these questions. CERN Legal Service + Host State Relations were in contact with Swiss Mission and Swiss Authorities. Swiss Authorities replied yesterday that:

- Users **NEED** an A1 certificate,
- Users **ARE** posted workers (are subject to EU Regulation 883/2004).

In contrast to December 2017 statement (however, was at a first glance):

→ special agreements are needed for Users to not lose their social security in their home country after >2 years at CERN.

Came as a surprise.
**Posted Workers + A1 Certificate**

- The Swiss authorities consider that there is no alternative but to apply Regulation (EC) n° 883/2004 to MPAs at CERN (even for those working more than 50% here and holding a Swiss carte de légitimation) in order to allow them to continue to enjoy social protection from their home State in Switzerland.

- The Regulation is the legal basis for maintaining the MPAs' social protection as they cannot be insured in Switzerland for the AVS (cf. exchanges between CERN and the Swiss Mission in Geneva in 2009) or at CERN.

- The A1 form is required and the national institutions responsible for issuing such form are listed here:
  
  https://europa.eu/youreurope/citizens/work/social-security-forms/contact_points_pd_a1.pdf
Posted Workers + A1 Certificate

• Once the initial period of 24 months (specified in the aforementioned Regulation) has elapsed, an agreement between social security authorities (those of the home State and those of France or Switzerland) is needed to extend the period to a total of 6 years (24 months + 4 years).

• Such an extension is common practice within the EU. For third-country nationals, bilateral agreements are usually concluded.

• Note: No information has been provided by the Swiss authorities regarding possible additional periods (beyond 6 years), therefore the home institutions should seek advice from their national authorities in this regard.
Posted Workers + A1 Certificate

- Also note: The Swiss authorities do not refer to any possible derogations authorized under the Regulation. Therefore, this aspect should also be checked by the home institutions with their national authorities.

- Reminder: CERN is not responsible for MPAs’ social protection, which is the responsibility of home institutions, and that it is therefore their duty to check how to fulfil their obligations resulting from CERN's rules and EU law.

- Swiss Authorities used a pragmatic approach. Legal Service will continue to discuss with Swiss Authorities on the issue of posted workers as this approach is not a satisfactory solution for (long-term) Users. Hopefully, it’s not the final word by the Swiss Authorities!