

L.N. 473 of 2014

HEALTH ACT
(CAP. 528)

Cross-Border Healthcare (Amendment) Regulations, 2014

IN exercise of the powers conferred by article 30 of the Health Act, the Parliamentary Secretary for Health has made the following regulations:-

Citation.

1. The title of these regulations is the Cross-Border Healthcare (Amendment) Regulations, 2014, and these regulations shall be read and construed as one with the Cross-Border Healthcare Regulations, hereinafter referred to as "the principal regulations".

S.L. 528.03

Amends
regulation 2 of
the principal
regulations.

2. In the definition "prescription", in regulation 2 of the principal regulations, for the words "of a regulated health profession." there shall be substituted the words "of a regulated health profession;" and immediately thereafter there shall be added the following new definition:

" "Register" means the register established by article 25 of the Health Act."

Amends
regulation 7 of
the principal
regulations.

3. Regulation 7 of the principal regulations shall be amended as follows:

(a) in sub-paragraph (viii) of paragraph (d) of sub-regulation (1) thereof, for the words "persons with disabilities." there shall be substituted the words "persons with disabilities;" and immediately thereafter there shall be added the following new definition:

" "(ix) the elements to be included in prescriptions issued in a Member State other than the Member State where they are dispensed, as provided for in the Prescription and Dispensing Requirement Rules."; and

(b) in sub-regulation (2) thereof, for the words "available to the public." there shall be substituted the words "available to the public, including by electronic means and in formats accessible to persons with a disability, as appropriate."

Amends
regulation 8 of
the principal
regulations.

4. Regulation 8 of the principal regulations shall be amended as follows:

(a) sub-regulation (2) thereof shall be renumbered as sub-regulation (3); and

(b) immediately after sub-regulation (1) thereof, there shall be added the following new sub-regulation:

"(2) An insured person who is resident in a Member State other than in Malta, and for whom Malta is the competent Member State under Regulation (EC) No. 883/2004, shall be entitled to the services offered by the Maltese public healthcare system at the same conditions of other insured persons residing in Malta, if such a service:

(a) is not a service requiring prior authorisation in the Member State where the insured person resides; and

(b) is not provided in accordance with Chapter 1 of Title III of Regulation (EC) No 883/2004."

5. Regulation 9 of the principal regulations shall be amended as follows:

Amends regulation 9 of the principal regulations.

(a) sub-regulation (3) thereof shall be renumbered as sub-regulation (4); and

(b) immediately after sub-regulation (2) thereof, there shall be added the following new sub-regulation:

"(3) Notwithstanding anything contained in these regulations, any cross-border healthcare for which a prior authorisation has already been granted, even before the entry into force of these regulations, shall be reimbursed in accordance with that same authorisation."

6. Immediately after regulation 11 of the principal regulations, there shall be added the following new regulation:

Adds new regulation 12 to the principal regulations.

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"Information
to patients.

12. Healthcare providers shall provide relevant information to help individual patients to make an informed choice, including on treatment options, on the availability, quality and safety of the healthcare they provide in Malta. They shall also provide clear invoices and clear information on prices, as well as on their authorisation or registration status, their insurance cover or other means of personal or collective protection with regard to professional liability."

Adds new
regulation 13 to
the principal
regulations.

7. Immediately after regulation 12 of the principal regulations, there shall be added the following new regulation:

"Medical
follow-ups.

13. A person receiving cross-border healthcare shall be entitled to the medical follow-up in Malta, as prescribed, but only insofar as such a follow-up is provided for in the Register and insofar as it forms part of the Government Formulary List. Such a medical follow-up shall also be subject to the same access criteria required for similar follow-ups for healthcare provided in Malta."