



Chapter 5

The Right to Health





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What is the right to health?

Health is defined by the World Health Organisation as a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity. The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

What is the National Health Service (SSN)?

The **SSN** is a universalist public service that guarantees healthcare to all citizens and to those who are equalled to Italian citizens. It is financed through the general taxation system (taxes), direct incomes (medical prescriptions) and services for a fee.

What rights are entailed when registering with the SSN?

Personal healthcare cards give the right to receive the following services:

- a family doctor or paediatrician
- free hospitalisation in public hospitals and in those operating under the National Health Service
- pharmaceutical assistance
- general medical examinations in surgeries
- specialist examinations
- medical examinations at home
- vaccinations
- blood tests
- X-rays
- ultrasound scans
- medication
- rehabilitative assistance and prosthesis assistance
- other services provided for by essential assistance



Which Non-EU citizens are required to register with the SSN?

Registration is required for all foreign citizens regularly residing who carry out subordinate or autonomous work, who are registered in the employment lists and who have applied for the renewal of a residence permit.

Citizens of which residence permits are required to register with the SSN?

- subordinate work (also seasonal)
- autonomous work
- family reasons
- political asylum and asylum seekers (international protection)
- humanitarian reasons (Art. 20 par. 1 of the Consolidated Act on Immigration with regard to extraordinary reception measures for exceptional events; Art. 40 par. 1 of the Consolidated Act on Immigration with regard to foreign citizens hosted in reception centres, if they have no other title to receive healthcare)
- social protection, pursuant to Art. 18 par. 1 of the Consolidated Act on Immigration;
- medical treatments, if issued pursuant to Art. 19 par. 2 let. d) of the Consolidated Act on Immigration with regard to the prohibition to deport women while pregnant and up to six months after the child's birth;
- for medical treatment if issued pursuant to art. 19 c. 2 lett. d-bis) T.U. immigration in case of prohibition of expulsion for foreign citizens who are in serious pathological conditions ascertained through suitable documentation issued by a public health facility or by an approved doctor affiliated to the National Health Service such as to cause significant damage to health of the subject in case of return to the country of origin or provenance.
- under-age children, if issued pursuant to Art. 19, par. 2 let. a) of the Consolidated Act on Immigration with regard to the prohibition to deport minors;
- holders of the EU Blue Card, granted to highly qualified workers pursuant to Art. 27c of the Consolidated Act on Immigration
- awaiting adoption, foster care, citizenship acquisition
- assistance to minors
- elective residence, only if holding an Italian contributory pension plan.



Are dependant family members of foreign citizens who are mandatorily registered with the SSN registered as well?

Yes, they are. Dependant family members of foreign citizens who are required to register with the SSN are registered as well.

Are under-age children of foreign citizens who are registered with the SSN registered as well?

Yes, they are. Under-age children are mandatorily registered. In any case, while waiting for registration, under-age children of foreign citizens who are registered with the SSN are granted from birth the same treatment granted to registered minors.

Are regular Non-EU citizens who are not obliged to register with the SSN required to have a health insurance cover?

Yes, they are. Foreign citizens who are not obliged to register with the SSN must be covered by an insurance policy for healthcare expenses or can voluntarily register with the SSN.

Which Non-EU citizens can voluntarily register with the SSN?

Voluntary registration can be carried out by holders of a residence permit for study reasons; by au pair foreign citizens (only in this case, also for periods lasting less than three months); parents over 65 years old of foreign citizens regularly residing.

How do foreign citizens voluntarily register with the SSN?

Foreign citizens can register by paying a contribution which is calculated on the basis of a percentage of their income and can never be less than the minimum amount of € 387.34. This is valid also for dependant family members. Students lacking an income and without dependant family members and au pair foreign citizens are required to pay an amount equal to € 149.77.



Which regular Non-EU citizens are not required to register with the SSN although working in Italy?

Registration with the SSN is not mandatory for foreign citizens that hold a residence permit issued pursuant to Art. 27 of the Consolidated Act on Immigration in particular letter a) (managers or highly specialised personnel of companies with premises or branches in Italy...); letter i) (employees regularly paid by employers residing or with premises abroad and directly paid by the same) and letter q) (correspondents officially accredited in Italy) if they are not required to submit their income-tax return in Italy.

Of course, if said subjects and their dependant family members are not registered with the SSN, they are required to have an insurance cover (health insurance) for themselves and for their dependant family members. Registration is not mandatory also for foreign citizens holding a residence permit for business reasons.

Can the holder of a residence permit for voluntary work register with the SSN?

Holders of a residence permit for voluntary work are required to be covered by health insurance.

Can the holder of a residence permit for scientific research register with the SSN?

Holders of a residence permit for scientific research can choose if to take out a health policy or if to be registered with the SSN by the body with which they signed an agreement.

Can the holder of a residence permit for elective residence register with the SSN?

Holders of a residence permit for elective residence on the basis of an entry visa for elective residence are required to take out a health policy.

Foreign citizens holding a residence permit for elective residence because recipients of a pension received in Italy are required to register with the SSN.



Are there any regular foreign citizens not allowed to register with the SSN?

Yes, there are. Foreign citizens that stay for a short period, that is less than 3 months (with the exception of the so-called au pair subjects) and those who hold a residence permit for medical treatments cannot register with the SSN. It is hereby reminded that women while pregnant and up to six months after the child's birth are issued a permit for "medical treatments" which instead allows to register with the SSN.

To whom are residence permits for medical treatments granted?

There are three types of residence permit for medical treatment:

- 1) Residence permits for medical treatments are granted to foreign citizens holding an entry visa for medical treatments as well as to the possible accompanying person. In order to be granted an entry visa and consequent residence permit for medical treatments, foreign citizens must submit: a statement specifying the Italian structure chosen, the type of treatment that will be carried out, the scheduled date for hospitalisation and its assumable duration; a document proving to have deposited caution money on the basis of the assumed cost of the treatment requested (at least 30%); the availability in Italy of the resources necessary to cover all expenses with regard to healthcare, board and lodging, and return to the Country of provenance both for the subject needing treatment and for the possible accompanying person; a medical certificate certifying the pathology, issued by the Country of origin, translated and legalised at the Italian Consulate.
- 2) The residence permit for medical treatment issued to foreign citizens who are already in national territory in case of prohibition of expulsion to foreign citizen who are in serious psychological conditions deriving from serious pathologies, ascertained through suitable documentation issued by a public facility or a doctor affiliated with the National Health Service such as to cause significant damage to their health in the event of their return to the country on origin. The permit lasts one year and can be renewed if the conditions persist.
- 3) Residence permits for medical treatments are granted to women while pregnant and after the baby's birth, up to the child's six month of life. This permit is granted also to the cohabiting husband and the child's father.



Does a foreign citizen irregularly present on the territory have the right to healthcare?

Foreign citizens present on the national territory not compliant with the regulations on entry and stay are guaranteed, in public hospitals and in structures operating under the National Health Service, urgent or anyway essential hospital and surgery treatments, even continuative, for diseases and accidents. Besides, they are allowed access to preventive medicine programmes safeguarding individual and collective health. In particular, the following services are guaranteed:

- a) social protection relating to pregnancy and maternity, equally to what offered to Italian citizens, pursuant to Law No. 405 of 29 July 1975, and of Law No. 194 of 22 May 1978, and to Decree of 6 March 1995 of the Ministry of Health, published in the Official Journal No. 87 of 13 April 1995, equally to what offered to Italian citizens;
- b) safeguard of minors' health implementing the Convention on the Rights of the Child of 20 November 1989, ratified and made executive pursuant to Law No. 176 of 27 May 1991;
- c) vaccinations according to laws and within the scope of campaigns for collective precautionary measures authorised by the regions;
- d) international preventive treatments;
- e) preventive treatments, diagnosis and treatment of infective diseases and reclamations of centres of infection.

What are urgent and essential treatments?

Urgent treatments are those that cannot be postponed without putting a person's life at risk or damaging the person's health. Essential treatments are healthcare, diagnostic and therapeutic services that if not supplied over time could cause greater damage to a person's health or put a person's life at risk.

When accessing medical structures, is a foreign citizen irregularly present on the territory required to be reported to the public security authorities?

Access to medical structures by a foreign citizen irregularly present on the territory cannot entail any reporting to the administrative authority, with the exclusion of cases of mandatory report (e.g. wounds caused by firearms). In said cases the judicial authority must be informed.



What does a foreign citizen have to do in order to obtain healthcare when registration with the SSN is not possible?

In order to obtain healthcare, foreign citizens irregularly present on the territory have to refer to the I.S.I. centres established at the A.S.L. and ask for the STP code (Straniero Temporaneamente Presente - Temporarily Present Foreigner).

What is the STP code (Straniero Temporaneamente Presente - Temporarily Present Foreigner)?

The STP code is the regional code issued to irregular foreign citizens by A.S.L.s, Hospitals, University General Hospitals, IRCCS and by the I.S.I. centres. It is valid for six months and it is renewable. The code gives right to healthcare (urgent and essential) and allows foreign citizens to access health services.

How is the STP code issued?

The ASL/medical structure issuing the code asks for foreign citizens' personal data and nationality. If foreign citizens do not show an identity document, it is sufficient to provide said information through a personal statement.

The data filed by the ASL are confidential and can be communicated only upon the judicial authority's written request.

Foreign citizens may also make a statement concerning their state of need.

What is the STP code for?

The STP code is necessary to obtain direct access to first level health services, without any reservation and authorisation for free medical treatments (e.g. general medicine, drug addiction services (SERT), mental disorders (DSM), family counselling);

It also gives direct access to:

- urgent First Aid services;
- services aimed at protecting pregnancy and maternity;
- mandatory vaccines;
- services free of charge in the presence of chronic pathologies.



Does the foreign citizen have to pay a prescription charge with the STP code?

Health services are provided free of charge, with the exception of the amounts due for participating in healthcare expenses equally to Italian citizens.

Is an EU citizen required to register with the SSN?

EU citizens residing in Italy for less than 90 days can make use of free health assistance by showing their TEAM card (European Card for Medical Assistance) issued by their Country of origin.

Which EU citizens are required to register with the SSN?

Registration with the SSN is mandatory for: EU citizens who are employed, also with a fixed-term contract; self-employed EU citizens; dependent EU family members; dependent Non-EU family members, regularly residing, otherwise not registered; EU seasonal workers.

Does an unemployed EU citizen residing on the territory for more than 90 days entitled to register with the SSN?

EU citizens have the right to healthcare and are registered with the SSN if they are unemployed, registered in the lists of Employment Centres, or enrolled in a vocational training course.

Is a EU citizen who is registered in the temporary population list also registered with the SSN?

Said citizens are not registered with the SSN. Therefore, in order to access healthcare they must use the TEAM Card issued by the Country of origin (e.g. students, outsourced workers).

Is a needy EU citizen without a TEAM Card entitled to healthcare?

EU citizens not registered with any municipal Registry Office, not assisted by the National Health Service in their Country of origin, in a situation of



social frailty and indigence, and not meeting the requirements to register with the SSN have the right to urgent and essential healthcare.

What does a needy EU citizen without a TEAM card have to do in order to obtain healthcare?

Said EU citizens must hold an ENI card (non-registered European citizen). EU citizens can apply for the ENI card at the ASL where they have to self-certify the fact of not meeting healthcare requirements in their Country of origin and their situation of need.

Is a detained foreign citizen entitled to register with the SSN?

In Italy, all detainees are mandatorily registered with the SSN, regardless of their nationality or their holding of a residence permit.

Foreign citizens under part-time detention or release on probation (not only with social services; home detention or serving an alternative measure because affected by evident AIDS or serious immune deficiency) are mandatorily registered with the SSN for the whole period in which they are serving the sentence.

Is an unaccompanied foreign minor entitled to register with the SSN?

Unaccompanied foreign minors are required to be registered with the SSN, also while awaiting the issue of a residence permit, upon their identification on the national territory on the basis of the authorities' report.

How does an unaccompanied foreign minor register with the SSN?

In Italy, whoever registers with the SSN must have a tax code.

If minors have a tax code, the registration is carried out immediately.

If minors do not have a tax code, they can register with the STP code (Temporary Present Foreigner) or with the ENI code (non-registered European citizen).

According to a regional circular in Piedmont, of 28 May 2015, file No. 10717, minors irregularly present on the territory can submit application for a tax code directly to the A.S.L.