

# **LEGISLATIVE DECREE 25 July 1998 n. 286**

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## **SINGLE TEXT OF THE PROVISIONS CONCERNING THE IMMIGRATION RULES AND RULES ON THE CONDITION OF THE FOREIGNER.**

### **TITLE V**

Provisions relating to health, as well as destruction, housing, participation in public life and social integration.

### **CHAPTER I.**

Provisions on health matters

#### **Art. 34**

Assistance for foreigners enrolled in the National Health Service ("Servizio sanitario nazionale") (Law n.40 dated 6 March 1998, art.32)

1. The following are obliged to register with the National Health Service and have equal treatment and full equality of rights and duties with respect to Italian citizens as regards the mandatory contribution, the assistance provided in Italy by the National Health Service and its validity in time:
  - a. Foreigners legally residing in Italy who are regularly employed or self employed or or registered on the job placement lists;
  - b. Foreigners legally residing in Italy or who have requested the renewal of the title of residence, for subordinate work, for self-employment, for family reasons, for political asylum, for humanitarian asylum, for asylum request, for pending adoption, for foster care, for acquisition of citizenship.

Health care is also available to legally residing dependent family members and to minors children of foreigners enrolled in the health service and waiting for their own enrollment in the national health service (the same treatment as registered minors is granted from birth)

2. The legally resident foreigner who does not fall within the categories indicated in paragraph 1. is required to insure against the risk of illness, accident and maternity by stipulation of specific insurance policy with an Italian or foreign insurance institution, valid in the national territory, or through registration with the national health service also valid for dependent family members. To register with the national health service a annual contribution must be paid by way of participation in expenses, of a percentage equal to that foreseen for Italian citizens on the total income earned in the previous year in Italy and abroad. The amount of the contribution is determined by decree of the Minister of Health, in agreement with the Minister of the Treasury, Budget and Economic Planning and cannot be less than the minimum contribution required by current regulations.
3. Voluntary registration with the national health service can also be requested:

- a. by foreigners residing in Italy who hold a residence permit for study reasons;
  - b. by legally resident foreigners placed as au pairs, pursuant to the agreement European Commission on Au Pair Placement, adopted in Strasbourg on 24 November 1969, ratified and made enforceable pursuant to law no. 304.
4. The subjects referred to in paragraph 3 are required to pay for enrollment in the national health service, by way of participation in the expenditure, an annual lump sum contribution in the amounts and according to the procedures provided for by the decree referred to in paragraph 2.
  5. The contribution for foreigners indicated in paragraph 3, letters a) and b) is not valid for dependents
  6. The foreigner insured with the national health service is registered with the local health authority of the municipality in which he lives according to the procedures set out in the implementing regulation.

### **Art. 35**

Health assistance for foreigners not registered with the National Health Service (Law 6 March 1998, n.40, art. 33)

1. For health services provided to foreign citizens not registered with the national health service tariffs must be paid by the subjects required to pay these services, determined by the regions and autonomous provinces pursuant to article 8, paragraphs 5 and 7, of the legislative decree 30 December 1992, n. 502, and subsequent amendments.
2. The rules governing health care for foreign citizens in Italy remain unaffected, based on bilateral or multilateral international treaties and agreements of reciprocity signed by Italy.
3. To foreign citizens present on the national territory, who are not in compliance with entrance and residency regulations, treatment is ensured in public and accredited center in case of urgent hospital services or in any case essential, even if continuous, due to illness and accident, and preventive medicine programs are extended to individual and collective health safeguard. In particular, the following are guaranteed:
  - a. the social protection of pregnancy and maternity, with equal treatment with the Italian citizens, pursuant to the laws of 29 July 1975, n. 405, and 22 May 1978, n. 194, and of the decree of the Minister of Health of 6 March 1995, published in the Official Gazette no. 87 of 13 April 1995, with equal treatment with Italian citizens;
  - b. the protection of the health of the child in execution of the Convention on the rights of child of November 20, 1989, ratified and made executive pursuant to the law of May 27 1991, n. 176;

- c. vaccinations according to the legislation and in the context of campaigns collective prevention authorised by the regions;
  - d. international prophylaxis interventions;
  - e. the prophylaxis, diagnosis and treatment of infectious diseases and possible remediation of related outbreaks.
4. The services referred to in paragraph 3 are provided without charges to be borne by the applicants if lacking sufficient economic resources, without prejudice to the equal participation to the costs as by Italian citizens.
  5. Access to health facilities by foreigners who do not comply with the rules on stay cannot involve any type of reporting to the authority, except in cases where a report is mandatory, on equal terms with the Italian citizen.
  6. Without prejudice to the financing of urgent or essential shipping services borne by the Ministry of the Interior, to the charges incurred by the remaining services contemplated in paragraph 3, with regard to foreigners lacking sufficient economic resources, it is provided as part of the availability of the National Health Fund, with a corresponding reduction in programs related to emergency interventions.