



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

405200108
HSE South,
Lacken,
Dublin Road,
Kilkenny,
Ireland.

Telephone 353 56 7784100
Fax 353 56 7784388

Deputy Denis Naughten TD,
Dáil Eireann,
Leinster House,
Kildare Street,
Dublin 2.

06th January 2023

PQ62399/22* *“To ask the Minister for Health the reason those who hold a medical card as a result of getting a social security pension from the United Kingdom or working and paying social insurance in the UK have not been informed that they no longer have access to treatment under the cross-Border directive; the options open to those who believed they would have access; and if he will make a statement on the matter.”*

Dear Deputy Naughten,

Thank you for your parliamentary question referenced above, which has been forwarded to me for direct reply relating to UK pensioners living in Ireland and their entitlement to access healthcare under the provisions of the Cross Border Directive (CBD).

The EU and the UK signed the Trade & Cooperation Agreement (TCA) when the UK left the EU. Unfortunately, the TCA specifically excluded the provisions of the CBD. A person for whom the UK is competent (i.e. the UK is responsible for the costs of the healthcare), is if they move to live in Ireland, entitled to a non-means tested medical card if they meet the following requirements:

- ordinarily resident in the Republic of Ireland and,
- insured under the social security legislation of another EU/EEA member state, Switzerland or the UK; i.e. receiving a social security pension from that state or working and paying social insurance in that state,
- not subject to Irish social security legislation. A person is subject to Irish social security legislation if they are receiving a contributory Irish social welfare payment or are subject to PRSI in the Irish State.

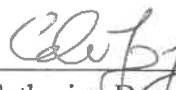
Prior to the 1st January 2021, UK pensioners residing in Ireland who had accessed healthcare under the EU Cross Border Directive were required to have their healthcare costs reimbursed by the UK as this was a requirement of the provisions of the EU Cross Border Directive and specifically EU Regulation 883/2004 for the co-ordination of entitlement. As a result of the UK's withdrawal from the EU, the provisions of the EU Cross Border Directive no longer apply to the UK.

Separately, the Northern Ireland Planned Healthcare Scheme has been in effective operation since 1 January 2021. This Scheme was introduced to mitigate the loss of access to care from private providers in Northern Ireland under the EU Cross Border Directive, which ceased to apply as a result of Brexit. The Northern Ireland Planned Healthcare Scheme enables persons

resident in the State to access and be reimbursed for private healthcare in Northern Ireland by the HSE, provided such healthcare is publicly available within Ireland.

If you have any queries, or would like to discuss further, please do not hesitate to contact me on 0872668759 or via catherinet.donohoe@hse.ie.

Yours sincerely,



Catherine Donohoe
A/Assistant National Director