

## Processing of requests for treatment abroad algorithm

Request for treatment abroad



| Treatment not available in Malta & falls under the bilateral agreements |                               | Treatment available in Malta (within healthcare package)              |   |                                     |  |
|---|-------------------------------|---|---|-------------------------------------|--|
| ↓   |                               | Prior authorisation necessary   |   |                                     | Healthcare not needing prior authorisation |
|   |                               | ↓   |   |                                     |  |
| Consultant requests & Clinical Chair endorses                           |                               | Determination of route - Regulation or Directive - by applicant & NCP | ↔                                       | Consultant & Clinical Chair request | Consultant request not necessary           |
|   |                               | ↓   |   |                                     |  |
| TAC decides on medical grounds  |                               | CBHC considers clinical condition and merits for treatment abroad     |   |                                     |  |
| ↓   |                               | ↓   |   |                                     |  |
| Approved  | Not approved                  | Approved S2 form (Regulation 883/2004)                                | Approved (Directive 2011/24/EU)         | Not approved                        |  |
| ↓   | Stop or propose other options | ↓   | ↓                                       | Stop                                | ↓  |
| Travel abroad for treatment   |                               | Travel abroad for treatment   | Travel abroad for treatment             |                                     | Travel abroad for treatment                |
| ↓   |                               | ↓   | ↓                                       |                                     | ↓  |
| Payment to competent authority  |                               | Payment to competent authority  | Reimbursement                           |                                     | Reimbursement                              |
| TAC = Treatment Abroad Committee  |                               |   | CBHC= Cross-border Healthcare Committee |                                     |  |

**The treatment of patients abroad can be divided principally into three main categories as per algorithm above.**

**1. Treatment not available in Malta.**

For a number of medical and surgical conditions treatment expertise is not available in Malta because of economy of scale. These cases are directed to other centres under bilateral agreements through the Clinical Consultants and Clinical Chairs. The Treatment Abroad Committee's (TAC) role is to evaluate each case and give the necessary approval while the Treatment Abroad Unit makes the required arrangements with the clinical centres and the travel arrangements.

**2. Treatment that is available in Malta**

*For treatment that is available within the healthcare package the option to choose the Cross-border Healthcare Directive 2011/24 and Regulation 883/2004 is offered.*

*The person seeking healthcare abroad must be covered by the National Insurance scheme in Malta. The requested treatment must also be provided on the National Healthcare Package of Malta. A full clinical assessment by a local consultant is necessary except for ii (b) below.*

*Both routes cannot be supported if the treatment is emergency healthcare or experimental treatment or treatment that is on trial.*

**i. Regulation 883/2004**

The applicant indicates the centre of his/her choice. Following consideration of the available data, the NCP may recommend to the applicant an alternative route for cross-border healthcare, with the underlying reasons, for the applicant's consideration and final decision on which route the application should pursue. The applicant consults the NCP as well as the Clinical Consultant and Clinical Chair.

If the choice is healthcare through the Regulation route prior authorisation is necessary and a referral note from the local clinician is required. The clinician's statement must clearly state why the treatment being sought is necessary by giving objective reasons.

Those directed through the Regulation would be issued with the S2 form and health related fees would be directed to the competent institution.

Treatment under the Regulation can only be supported if the treating centre is a public entity. The requested treatment must be available under the treating country's state healthcare.

Taking into consideration the information provided by the clinicians, it should also be determined if the same or equivalent treatment cannot be provided to the person on the National Healthcare Package of Malta within a time period that is medically justifiable and of sufficient quality.

When the patient applies and following authorisation, seeks treatment in a Member State in which the insured persons of the Member State of Treatment are charged with co-payment for the treatment applied for, the patient shall pay his share of the treatment according to the applicable rules of the Member State of treatment.

**ii. Treatment that is available in Malta but patient chooses CBHC.**

Under the directive reimbursement is only limited to costs equivalent on the National Healthcare Package while ancillary costs such as travel are not included. Both private and public healthcare service centres are allowed. Prior authorisation is required for (a) below.

- a) Treatment must be available on the National Healthcare Package as per Directive 2011/24/EU. Where the necessary clinical procedure or care requires at least a one night hospitalisation or the use of complex highly specialised and cost-intensive medical equipment (see prior authorisation list) prior-authorisation is required with the direction of the Clinical Consultant caring for the patient.

Applications are considered by the Treatment Abroad Committee and the necessary approval or refusal is given as indicated. Reimbursement here is given according to the Directive 2011/24/EU.

- b) Where treatment does not require prior-authorisation clients can choose Directive 2011/24/EU and can access healthcare in centres of their choice.
- c) Where applicable the patient shall pay his share of the copayment requested by the MS of treatment

### **Refusal of Cross Border Healthcare Application**

Prior authorisation may be refused if the patient or the general public will be exposed with reasonable certainty to a patient-safety risk that cannot be regarded as acceptable, taking into account the potential benefit for the patient of the sought cross-border healthcare.

Similarly refusal may also be applied where the healthcare provider in the Member State of treatment raises serious and specific concerns relating to the respect of standards and guidelines on quality of care and patient safety, including provisions on supervision.

Prior authorisation may be declined if the treatment that is applied for does not conform with Maltese legislation.

Ref: Legislations

Regulation 883/2004

Directive 2011/24/EU

Health Act of the Laws of Malta, ACT XI, Cross-Border Healthcare Regulations, 2013, LN 389/2013

Health Act of the Laws of Malta, CAP 528, Cross-Border Healthcare Regulations (Amendment), 2014, LN 473/2014

Health Act of the Laws of Malta, CAP 528, Cross-Border Healthcare Regulations, 2013, SL 528.03