

EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

Labour Mobility
Social Security Coordination

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Brussels,
EMPL.D2/LV/jeh/s(2017) 3594139
Ares(2017)3084247

Ms Michelle Høj
Danish Patient Safety Authority
E-mail: mich@patientombuddet.dk

Subject: Right to sickness benefits in kind for frontier workers

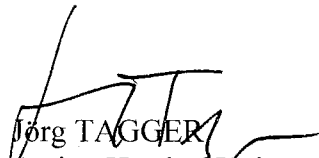
Dear Ms Høj,

Thank you for your email of 19 June in which you enquire about the interpretation of Art. 18 of Regulation (EC) No 883/2004, particularly whether frontier workers enjoy a right to the same kind of sickness benefits both in the Member State of residence and the competent Member State. You give the example of fertility treatment: does a frontier worker have the right to receive state-funded fertility treatment in the competent state after failed fertility treatments in the country of residence?

We understand your question as only referring to the frontier worker and not to the members of their family. We interpret Art. 18(1) of Regulation (EC) No 883/2004 as aiming to grant more rights to frontier workers due to their special status as working in one Member State but residing in another. This is an exception to Art. 17 since the frontier worker may benefit from healthcare not only in the State of residence, but also during their temporary stay in the competent State. This way, they are fully integrated for sickness benefits under the legislation of the competent State.

If the treatment is state-funded under both legislations, based on Art. 18(1) the insured person is entitled to this treatment without any restrictions in the competent Member State as well.

Yours sincerely,


Jörg TAGGER
Acting Head of Unit