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Revision of the Law on Health Insurance (KVG)

Reviewing the most important points

The new Law on Health Insurance (KVG) has far-reaching consequences both at home and for the Swiss Abroad. This is the case not only for the type of health insurance provided but also for the categories of those insured. The new provisions will also have an impact on the Solidarity Fund's health insurance scheme.

On January 1, 1996, the new Law on Health Insurance came into force (see Swiss Review 1/95, p. 10). In consequence, the following five important changes are now in effect:

1. Insured persons may change their insurance at any time, at any age and (as far as basic insurance is concerned) without incurring any disadvantage. This is based on a new principle: that of free choice of health insurance fund.

2. The new law establishes a clear separation between compulsory basic insurance with comprehensive cover and optional supplementary insurance. Important gaps in basic insurance, which previously had to be covered by private supplementary insurance (post-hospital care, nursing care at home, hospital stays no longer limited in time, accident insurance for those not in gainful employment, e.g. pensioners, housewives and children), are now covered by the law (full basic insurance).

3. The new law for the first time provides genuine competition between health insurance funds and between providers of services (doctors and hospitals). Health insurance funds will receive incentives to conclude favourable premium rate contracts (keeping down costs through increased competition).

4. Health insurance premiums for persons and families on low incomes are reduced. Government subsidies are to be used for those in

real need (targeted premium reduction).

5. In future there will be no circumstances in which women will pay higher premiums for basic insurance than men (equal status for women).

Consequences for those returning home

For Swiss Abroad returning home the old restrictions laid down by Swiss health insurance funds (maximum age for joining, premiums graded according to age, insurance reservations) will no longer apply to compulsory basic insurance. Throughout Switzerland there will be free choice of insurance fund regardless of age or sex. But in-

urance must be taken out within three months of becoming resident or of a birth in Switzerland. Provided a Swiss Abroad returning home joins a health insurance fund within this period, insurance cover will exist from the day of registration in the new municipality of residence.

Who must take out insurance?

The following is a list of those obliged to take out health insurance in Switzerland by category and is taken from Articles 1-6 and 132 of the Ordinance on Health Insurance of June 27, 1995 (KVV):

1. In principle, the obligation to take out health insurance applies to all persons resident in Switzerland including certain categories of foreign national.

2. Some categories of active and retired federal employee who are covered by

the military insurance scheme are exempt from the obligation to take out health insurance, as are persons staying in Switzerland exclusively for medical treatment or health cures.

3. On request the following other categories of person may be exempted from the obligation to take out health insurance: a) those who are subject to compulsory health insurance under foreign law in so far as their inclusion in the Swiss compulsory scheme would mean double insurance and the insurance cover is equivalent to it for treatment in Switzerland; b) those who possess insurance cover equivalent to that of the Swiss compulsory scheme in the context of an international health insurance arrangement.

4. Cross-frontier workers engaged in gainful employment in Switzerland and members of their families may join the Swiss insurance scheme on request provided the latter are not engaged in gainful employment abroad by virtue of which they would be obliged to take out health insurance. It is important to note that this applies only to cross-frontier workers in gainful employment. Those who have retired or are no longer employed, e.g. are unemployed, are not entitled to cover under the insurance scheme. They must obtain any cover they require from a private insurance company.

5. Employed persons who are sent abroad and family members accompanying them (spouse, children aged 18 or under, or aged 25 or under who have not completed their education) remain under the obligation to take out health insurance in Switzerland provided a) they were under such obligation in Switzerland immediately before being sent abroad and b) their employer is resident or domiciled in Switzerland. The obligation to take out insurance does not apply to family members if these

Swiss Abroad voting rights

Renewal of registration

The Federal Law and the Ordinance on the Political Rights of the Swiss Abroad state that your name will be struck off the voting register of your Swiss voting municipality if you do not renew your registration within four years of your previous registration. With this provision the Federal Council intended to avoid a situation in which Swiss Abroad registered only out of principle, remained on the register for years and never exercised their right to vote. In such event the voting municipality or the respective central cantonal office would be obliged to spend precious time and money sending them voting material indefinitely.

Renewal of registration confirms continued interest in Swiss political life. According to the above-mentioned law, this may be done in the following ways: 1. by informing your voting municipality either in writing or in person; 2. by registering in good time a change of residence at your Swiss diplomatic post (embassy or consulate); 3. by signing an initiative or a referendum demand.

We recommend that you inform your voting municipality within the specified period by means of a brief letter that you wish to continue exercising your voting rights.

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exercise gainful employment abroad by virtue of which they are obliged to take out compulsory health insurance. In the above circumstances the obligation to take out Swiss health insurance lasts for two years, but insurance cover may on request be extended by the insurer for a maximum period of six years. For those persons sent abroad who fall under the provisions of an international agreement on social security the duration of the insurance is that stated in the agreement. This also applies to any other person who is subject to Swiss legislation during a temporary stay abroad and falls under the provisions of such an agreement.

6. The following categories of person engaged in public service which may require them to work outside Switzerland are also obliged to take out health insurance (together with family members accompanying them as defined above): a) federal employees working outside Switzerland; b) persons resident outside Switzerland as a result of their work for any Swiss government or public corporation or body. The obligation to take out insurance does not apply to family members if these exercise gainful employment abroad by virtue of which they are obliged to take out compulsory health insurance.

7. Persons with special privileges according to international law (diplomats, international civil servants, etc.) may be covered by the Swiss insurance scheme, but only on request.

Those excluded

Persons who are not subject to the obligation to take out health insurance cover according to the above criteria – and who cannot obtain such cover on request – can no longer be insured by health insurance funds pursuant to the KVG. These must in

future obtain any cover they require from a private health insurance company. Special provisions cover the transition period until the end of 1996.

Transitional provisions

Although the revised law is now in force, health insurance funds may on request continue covering persons who are not obliged to take out health insurance and who cannot obtain such cover until December 31, 1996, at the latest. The cover is that defined in the old law. New insurance cover may be taken out only if the continued cover until December 31, 1996, is provided by an insurer which has forgone the health insurance subsidy. This means that persons who wish to take out «new» health insurance cover according to the old system in the course of 1996 may do so only if the insurer forgoes the health insurance subsidy.

The Solidarity Fund

The new law also affects the Solidarity Fund's health insurance scheme. The insurance range offered by the Solidarity Fund/Grutli scheme can no longer be maintained in its present form.

However, the intention is to replace the old «dormant» health insurance scheme with a three-variant model. This should enable members at any time to activate (private) insurance cover for a stay in Switzerland – but in future also for travel in other European countries. In the case of definitive return to Switzerland Swiss Abroad will have the opportunity to continue their previous semi-private or private cover.

The old comprehensive insurance scheme for benefits in Switzerland will be allowed to lapse. But from January 1, 1996, full insurance cover round the globe

Current popular initiatives

The following popular initiatives are still open for signature:

To reduce by half motorised road traffic in order to maintain and improve living space (traffic reduction initiative) – until March 20, 1996
Beat Schweingruber, Seefeldstr. 102, P.O. Box, CH-8034 Zurich

For a flexible state pension scheme (AHV) – against raising the pensionable age for women – until May 15, 1996
Rita Schmid Göldi, Hans-Huber-Strasse 4, P.O. Box 687, CH-8027 Zurich

For a flexible pensionable age for men and women after 62 – until May 22, 1996
Green Party of Switzerland, Waisenhausplatz 21, CH-3011 Berne

For guaranteeing the state pension scheme (AHV) – to tax energy instead of work – until May 22, 1996
Green Party of Switzerland, Waisenhausplatz 21, CH-3011 Berne

Halt to the debt economy! – until July 31, 1996
National Association of Independents (LdU), Rudolf Hofer, Gutenbergstrasse 9, CH-3011 Berne

Yes to Europe! – until August 21, 1996
Reto Wiesli, P.O. Box 22, CH-3000 Berne 15

Not all details of the new system are known. Many open questions will probably only be decided in the course of time and in the light of experience. Decisions already taken may well be changed or supplemented as the need arises.

Further information may be obtained from:

The Federal Social Insurance Office, Effingerstrasse 43, CH-3003 Berne, or the Solidarity Fund for the Swiss Abroad, Gutenbergstrasse 26, CH-3011 Berne, Tel.: 41 31 381 04 94, Fax: 41 31 381 60 28.

will be offered for the first time. This worldwide private insurance will cover both hospital and out-patient treatment in the event of sickness or accident.

For those already insured under the Fund/Grutli scheme there exist transitional provisions giving favourable opportunities for transferring to the new individual types of insurance during 1996.

Conclusion

The revision of the health insurance scheme is highly complex. As we go to press

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