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## UPDATE FOR FOREIGNERS REGARDING THE FRENCH HEALTHC

Posted by wickham - 2007/12/13 22:48

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### UPDATE FOR FOREIGNERS REGARDING THE FRENCH HEALTHCARE SYSTEM

Stephen Grover who came to give a talk and advice on this issue at September's RDV has provided some update to this issue.

Essentially, any foreigner in France below standard retirement age, but who has been a resident in France for 5 years or more is fully entitled to the full benefits of the French Healthcare system as before.

Further details on this can be found at [www.connexionfrance.com](http://www.connexionfrance.com)

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## UPDATE FOR FOREIGNERS REGARDING THE FRENCH HEALTHC

Posted by wickham - 2007/12/15 10:44

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### FRENCH HEALTHCARE UPDATE

Stephen Grover of Financial Expat ([steve@financialexpat.com](mailto:steve@financialexpat.com)) who has regularly advised Burgundy Friends and its members on the ongoing saga has advised the following from the British Embassy in Paris:-

"Following representations made to the French Government, we can confirm that the French Health Ministry has modified its decision regarding access to the French Healthcare system for inactive citizens from EU countries already residing in France.

According to the French Health Ministry's official revised statement and Q&A factsheet which can be found at [http://securite-sociale.fr/comprendre/europe/europe/cmu\\_inactifs.htm](http://securite-sociale.fr/comprendre/europe/europe/cmu_inactifs.htm)

The position is:

Inactive EU citizens already living in France and already registered and accessing healthcare via the CMU before 23/11/07 will now be allowed to continue to do so.

After 5 years of 'regular, uninterrupted residence' in France an EU citizen qualifies as a permanent French resident and therefore will have access to healthcare via the CMU.

The position remains that all inactive EU citizens under retirement age living in France now or in future who are not entitled to healthcare reimbursement (through E106 or E109 forms) or to access to the French health system will be required to have their own personal healthcare insurance until they reach UK state pension age ( and therefore qualify for entitlement to the E121 form), or until they qualify as a French resident ( the 5 year rule).

We have ensured that the French authorities are fully aware of the special circumstances of E106 holders already resident in France who do not have existing access to CMU and who may not be able to secure private health insurance for various reasons when their E106 expires. Following discussions to highlight the need for urgent clarification in cases where the E106 is due to expire imminently, we have been told that people will have the safeguard of immediate essential healthcare provision. We are expecting a response in the next few days from the Health Ministry to give further details for people in these circumstances.

As previously, people already over retirement age who are holders of an E121 which is registered with the French authorities will remain unaffected.

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## Re:UPDATE FOR FOREIGNERS REGARDING THE FRENCH HEALTHC

Posted by Steve - 2008/01/08 14:43

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This is the latest update from the 20/12/07...

Important healthcare change for Inactive expatriates affiliated to the CMU prior to the 23rd November 2007

After many months of discussion between the French Ministry of Health and the British embassy the rumoured amendments to the changes brought into place in September 2007 have finally been officially confirmed by the French authorities and the British Embassy via the following statements:

[http://www.securite-sociale.fr/comprendre/europe/europe/cmu\\_inactifs.htm](http://www.securite-sociale.fr/comprendre/europe/europe/cmu_inactifs.htm)

<http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1064572873553#SSHC>

What does this change from the last official statement in September 2007?

- Inactive EU citizens already living in France and already registered and accessing healthcare via the CMU before 23

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November 2007 will now be allowed to continue to do so.

- After 5 years of "regular, uninterrupted residence" in France, an EU citizen qualifies as a permanent French resident and will therefore have access to healthcare via the CMU.
- The position remains that all inactive EU citizens under retirement age living in France now or in future who are not entitled to healthcare reimbursement (through the E106 or E109 forms) or to access to the French health system will be required to have their own personal health insurance until they reach UK state pension age (and therefore qualify for entitlement to the E121 form), or until they qualify as a French resident (after 5 years of "regular, uninterrupted residence"). And also as previously, people already over retirement age who are holders of an E121 which is registered with the French authorities will remain unaffected.
- The situation also remains unchanged for Inactive newcomers to France, in that those without cover from an E121 or E106/E109 will be required to have their own personal health insurance until they reach UK state pension age (and therefore qualify for entitlement to the E121 form), or until they qualify as a French resident (after 5 years of "regular, uninterrupted residence").
- Those who are currently being covered by an E106 will also be required to have their own personal health insurance until they reach UK state pension age (and therefore qualify for entitlement to the E121 form), or until they qualify as a French resident (after 5 years of "regular, uninterrupted residence"). Although the British Embassy does state the following on its website "We welcome and appreciate the French government's decision, following our representations, to allow inactive EU citizens living in France who already have access to healthcare via the CMU to continue to do so. This is good news which will bring relief to many British people living in France. However, we are aware that there are also British expatriates in France who are holders of E106 forms and therefore not in the CMU system. The Embassy has been in intensive discussions with the French Health Ministry about their situation. We have been told that this group will have the safeguard of essential immediate healthcare provision, and we hope that this information will be confirmed in the next few days."
- There do however remain alternative options for those on very low incomes who fall ill as they may be able to apply for a benefit called the Aide Médicale d'Etat. And those who are facing a sudden life change – such as an illness which hinders them taking out private health insurance or possibly a marriage separation making it hard for them to pay for may be allowed to join the CMU although this would be strictly dealt with on a case by case basis.

And below is a translation of the Q & A factsheet on the Securite Sociale website, the French version of which can be found on the following link -

[http://www.securite-sociale.fr/comprendre/europe/europe/q\\_r\\_cmu\\_inactifs.htm](http://www.securite-sociale.fr/comprendre/europe/europe/q_r_cmu_inactifs.htm)

In order to facilitate understanding of the circular, we are offering a list of likely questions and answers:

## Q&A

Why are the rules being modified?

Like other EU countries, France is obliged to conform to the EU directive no. 2004/38/CE of April 29, 2004, which fixes rules relating to residence rights for EU citizens.

These rules have a direct bearing on CMU affiliation in France. This directive was transposed into French law by the July 24, 2006 law on immigration and integration, then by the March 5, 2007 decree. This transposition was also completed by the March 5, 2007 law on lodging rights in order to address the situation of those who have come to France to seek work. Finally, the November 23 Social Security Directorate circular no. DSS/DACI/2007/418 completes the transposition of the directive by clarifying certain points concerning access to the CMU. This takes effect from November 23, 2007.

How does this impact on right to the CMU?

By fixing new conditions to residence rights, the EU directive has direct consequences on access to certain kinds of social security in France. This is notably the case both for the basic CMU and the complementary CMU, to which access is based on a condition of stable and legal residence in France.

What are the new conditions which the EU directive fixes for residence rights?

Under the directive there are two conditions covering the legal right of EU citizens to live in France:

- having comprehensive health insurance, and
- having sufficient resources so as not to become an unreasonable burden on the finances of the host state.

In other words, an inactive EU citizen who comes to live in France cannot legally become a French resident if he or she does not already have health insurance.

What happens if an EU citizen doesn't fulfil these criteria and becomes ill?

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If these conditions are not, or no longer, fulfilled, this person is no longer living legally in France. If this person becomes ill and has been living in France for less than three months, they can benefit from the dispositif soins urgents (urgent healthcare measure). If they have been living in France for longer than this, they can benefit from Aide Médicale d'Etat (State Medical Aid), or AME, on certain conditions (in particular they must have a low income).

Who is affected?

EU citizens, EEA citizens and Swiss citizens, and their family members.

In particular, those concerned include inactive residents and jobseekers who have recently come to France, and who were not in the CMU on November 23. In future all people in these categories wanting to come and live in France will be concerned.

“Inactive” refers to people who do not work – workers gain healthcare rights through their work.

Can E106 holders join the CMU automatically when it expires?

No. These people, who have never benefited from the CMU, do not have an automatic right to join it.

Who is not affected?

Those who were in the CMU on November 23 can stay in it because at the time they joined it, the requirement for residents to be in France legally was considered to be fulfilled without conditions.

These people can stay in the CMU after their cases have been studied by their local CPAM.

What about students and retired people?

These people also come under the directive and must have health cover. In practice, students will either benefit from healthcare cover from their home country or, if they are under 28, from French student social security.

In the vast majority of cases retired people will benefit from healthcare cover from their original country if they get a state pension, and this pension has healthcare rights attached.

How long does an EU citizen have to be in France to obtain to automatic right to the CMU?

The 2004 directive states that after five years of legal and uninterrupted residence a permanent residence right is obtained. This right allows people to benefit from the CMU.

This right should be verified by the foreigners' department (service des étrangers) of the prefecture of the department concerned.

Under what circumstances can inactive EU citizens gain access to the CMU before five years have elapsed?

If an inactive EU citizen no longer fulfils one of the conditions of legal residence (sufficient resources or health insurance) they do not automatically lose their right to live in France.

If certain circumstances are present – in particular, if the person is confronted by an unforeseeable change in life circumstances, the person and their family will be allowed to remain resident, and access to the CMU will be possible.

Examples of this are when the person is faced by unexpected circumstances making it problematic for them to access to health insurance for financial or health reasons such as separation from, or death of, a spouse; divorce; or being refused health insurance because of a serious existing illness which could not have been predicted when the person came to France.

For more information contact: CPAMS' English-speaking helpline (the national umbrella body for the CPAMs) on 08 20 90 42 12 or CLEISS (the international social security helpline) on 01 45 26 33 41 – End of document.

Please keep in mind that the majority of the statement released on the Securite Sociale website is intended for the CPAM offices, so it would be advisable to refrain from contacting them for a few day to make sure all of the information has been taken on board so that the advice you receive is based on the current information.

If this affects me what should I do now?

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First of all if you have not already done so you should contact the English speaking CPAM service mentioned above or the DWP Overseas Medical Benefits line +44 191 218 1999 if you are currently being covered by an E106 to confirm exactly when your current cover expires.

You will then need to source a Private Healthcare policy to cover you from when you current cover expires until you reach UK state pension age (and therefore qualify for entitlement to the E121 form), or until they qualify as a French resident (after 5 years of "regular, uninterrupted residence").

If I need a Private Healthcare Policy what advice can you give?

Rebecca Gaywood of the Exeter Friendly Society who have been providing and underwriting private healthcare policies for eighty years gives the following words for consideration:

- Make sure the Insurance provider you choose is fully regulated, if they are UK based this would be the FSA
- Read all of the small print in the policy wording paying particular attention to standard rules, benefits and exclusions
- Check any benefit limits/restrictions, especially when 'full refund' applies to benefits, also if there are any compulsory excesses and whether these excesses apply per claim or per year.
- Some policies include 'no claims discounts' and so it is best to check how these affect your initial premium and premiums payable in the future as and when a claim is made.
- Ensure any personal exclusions imposed are clear and concise so you know what you are covered for and what you are not covered for before making any claims.
- It is always useful to check claims procedures and whether direct settlement to medical providers is available.

This information is only provided as a guide and, if you need assistance in this area you are strongly advised to seek the help of a specialist in this field as each individual case is different.

If you have a question, want to arrange for a free financial review or just want further information I can be contacted on +33 (0)325461631, via my website [www.financialexpat.com](http://www.financialexpat.com) or via e-mail [steven.grover@spectrum-ifa.com](mailto:steven.grover@spectrum-ifa.com)

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