



Overcharged hospital costs in Luxembourg

The Convention of our Sickness insurance fund with the Luxembourg Federation of Hospitals terminated on January 1, 2020. It became illegal following the judgement of Court of Justice in 2019 regarding the case Wattiau - which was not the only one in this matter. Earlier September 1, 2018, the Convention with the Association of Physicians and Dentists of Luxembourg was also terminated for similar reasons.

According to this judgement as well as previous ones all insured by JSIS should pay for hospital care in Luxembourg according to CNS tariffs, i. e. tariffs applied for Luxembourg inhabitants, and not according to higher discriminatory tariffs as was practised up until the termination of the Convention. All arguments put by Luxembourg hospitals or Luxembourg authorities that JSIS insured need to pay higher prices to contribute to hospitals infrastructure or fixed costs are no longer valid.

Since January 1, 2020, the direct billing for hospitals in Luxembourg is performed by PMO according to the legal norms applied to any other hospitals in any other countries where there is no agreement with them. This created legal uncertainty and needs solution at political level as soon as possible. However, Luxembourg authorities as well as the hospitals themselves have not agreed yet to change the pricing of their services and to apply Luxembourg health insurance tariffs applied for their population, despite some limited positive signs from some hospitals towards this direction. Despite the enormous efforts of our colleagues, the PMO as well as DG HR negotiated with them more than 2 years only with limited success. A political solution is necessary immediately!

This issue is very important also from the point of view of attractiveness of the Luxembourg site. The actual pricing uncertainty does not contribute to this. An additional Commission intervention at political level is needed as soon as possible to demand Luxembourg authorities to establish the new legal framework and a fair non-discriminatory pricing for hospital services according to the judgements of Court of Justice. In waiting of this outcome, the Commission should in the meantime adjust so the transitional extra costs are not borne by the personnel where JSIS payment ceilings have not been temporarily adjusted to remedy this injustice while a political solution with the Luxembourgish authorities that safeguards the interest of the staff has yet to be found.

We will continue to defend the fair non-discriminatory prices for Luxembourg hospital services to all Commission staff based in Luxembourg and call for proper solutions for this issue as soon as possible.

We will keep you informed.

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