Corrigendum to Decision No 195 (2004/481/EC) of 23 March 2004 on the uniform application of Article 22(1)(a)(i) of Council Regulation (EEC) No 1408/71 as regards healthcare in conjunction with pregnancy and childbirth

(Official Journal of the European Union L 160 of 30 April 2004)

Decision No 195 (2004/481/EC) should read as follows:

DECISION No 195

of 23 March 2004

on the uniform application of Article 22(1)(a)(i) of Council Regulation (EEC) No 1408/71 as regards healthcare in conjunction with pregnancy and childbirth

(Text with relevance to the EEA and to the EU/Switzerland Agreement)

(2004/481/EC)

THE ADMINISTRATIVE COMMISSION ON SOCIAL SECURITY FOR MIGRANT WORKERS,

Having regard to Article 81(a) of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community [1], under the terms of which it is responsible for dealing with any administrative question arising from Regulation (EEC) No 1408/71 and subsequent Regulations,

Having regard to Article 22(1)(a)(i) of Regulation (EEC) No 1408/71 relating to benefits in kind during a temporary stay in a Member State other than the competent State, as amended by Regulation (EC) No 631/2004 amending Regulations (EEC) No 1408/71 and (EEC) No 574/72 as regards the alignment of rights and the simplification of procedures [2],

Having regard to Decision No 183 of 27 June 2001 on the interpretation of Article 22(1)(a) of Regulation (EEC) No 1408/71, concerning health care in conjunction with pregnancy and childbirth [3] and Decision No 194 of 17 December 2003 concerning the uniform application of Article 22(1)(a)(i) of Regulation (EEC) No 1408/71 in the Member State of stay,

Whereas:

(1) Decision No 183 of 27 June 2001 stipulates that health care in conjunction with pregnancy and childbirth provided before the beginning of the 38th week of pregnancy in a Member State other than the competent State must be regarded as immediately necessary care in accordance with the aforementioned provisions if the reasons for this stay are other than medical.

(2) The provisions of Article 22(1)(a)(i) of Regulation (EEC) No 1408/71 were amended by Regulation (EC) No 631/2004 and henceforth stipulate that any insured person staying in a Member State other than the competent State is entitled to the benefits in kind required on medical grounds during the stay, taking account of the nature of the benefits and the expected duration of the stay.

(3) Accordingly, Decision No 183 no longer serves any purpose and must be repealed,

HAS DECIDED AS FOLLOWS:

1. The amount of the benefits in kind provided in conjunction with pregnancy and childbirth and required during a temporary stay in another Member State must be borne by the insured person's competent institution in accordance with Article 22(1)(a)(i) of Regulation (EEC) No 1408/71.

2. The present Decision, which replaces Decision No 183 of 27 June 2001, will be published in the *Official Journal of the European Union*. It will be applicable from 1 June 2004.

The Chairman of the Administrative Commission

Tim QUIRKE

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[1] OJ L 149, 5.7.1971, p. 2. Regulation last amended by Regulation (EC) No 631/2004 of the European Parliament and of the Council.
[2] OJ L 100, 6.4.2004, p. 1.
[3] OJ L 54, 25.2.2002, p. 39.