Corrigendum to Decision No 196 (2004/482/EC) of 23 March 2004 on the interpretation of Article 22(1a) of Council Regulation (EEC) No. 1408/71 for persons undergoing dialysis and persons undergoing oxygen therapy

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

Decision No 196 (2004/482/EC) should read as follows:

Decision No 196

of 23 March 2004

on the interpretation of Article 22(1a) of Council Regulation (EEC) No 1408/71 for persons undergoing dialysis and persons undergoing oxygen therapy

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

(2004/482/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(1a) of Regulation (EEC) No 1408/71 as amended by Regulation (EC) No 631/2004 of the European Parliament and of the Council [2],

Having regard to Decision No 163 of 31 May 1996 concerning the interpretation of Article 22(1)(a) of Council Regulation (EEC) No 1408/71 for persons undergoing dialysis and persons undergoing oxygen therapy [3],

Whereas:

(1) Pursuant to Article 22(1a) of Regulation (EEC) No 1408/71 as amended by Regulation (EC) No 631/2004 of 31 March 2004, the Administrative Commission has been instructed to draw up a list of the benefits in kind which, for practical reasons, require a prior agreement between the patient and the unit providing the treatment in question, so that these benefits can be provided during a temporary stay in a Member State other than the competent State. The purpose of this agreement is to facilitate the free movement of the persons concerned in medically safe conditions.

(2) The objective of the prior agreement provided for in Article 22(1a) is to guarantee the continuity of the treatment needed by an insured person during a stay in another Member State.

(3) In the light of this objective, the essential criteria for defining the benefits in kind requiring a prior agreement between the patient and the unit providing care in another Member State are the vital nature of the medical treatment and the fact that this treatment is accessible only in specialised medical units and/or by specialised staff and/or equipment. A non-exhaustive list based on these criteria is given in the Annex to this Decision,

HAS DECIDED AS FOLLOWS:

1. Any vital medical treatment which is accessible only in specialised medical units and/or by specialised staff and/or equipment must in principle be the subject of a prior agreement between the patient and the unit providing the treatment in question, in order to ensure that the treatment is available during the insured person's temporary stay in another Member State.

2. A non-exhaustive list of the treatments which fulfil the criteria set out in point 1 of this Decision is given in the Annex hereto.

3. This Decision shall replace Decision No 163 of 31 May 1996. It shall be published in the *Official Journal of the European Union*. It shall 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 241, 21.9.96, p. 31.

ANNEX

Illustrative list of vital treatments requiring, during a temporary stay in another Member State, the prior agreement of the unit providing such treatment

— kidney dialysis

— oxygen therapy