

Right to health - access denied

Access to HIV services for migrants with irregular status in ten European countries

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Findings:

- Regardless of constitutional protection of the right to health and existing good practice policies, access to healthcare is not fully guaranteed for migrants with irregular status in any of these countries
- Access to emergency care and HIV testing are universal, access to HIV treatment and care is only granted in half of the participating countries
- Insurance based health care systems further limit universal access to health care services.
- Administrative and language barriers, lack of rights literacy and awareness, and stigma generate difficulties in access.
- Civil society plays a crucial role in supporting migrants in accessing HIV services.
- Austerity measures have further deteriorated access in Europe.
- Migration and health care access to undocumented people is often used in political context.

Conclusions:

- Providing universal access to HIV services for migrants with irregular status is both beneficial for the individual and public health and is cost-effective.
- Early diagnosis and providing HIV treatment not only improves individual health and life quality of people living with HIV but due to its preventive effects is also a public health interest.
- States should comply with international obligations and revise their national legislation to integrate human rights based approaches in their healthcare services to provide universal access to HIV services for migrants regardless of their legal status.

France: the PASS system provides coverage to access free of charge outpatient hospital care; AME (State Medical AID) income related threshold to access, those who do not qualify receive only emergency

Germany: duty of the Social Welfare Office (Sozialamt) to denounce is a major barrier

Greece: urgent care is provided until stabilization of the health condition is achieved

Hungary: the definition of urgent need leaves space for interpretation – HIV is not considered urgency

Italy: regional health system, different level of access in regions

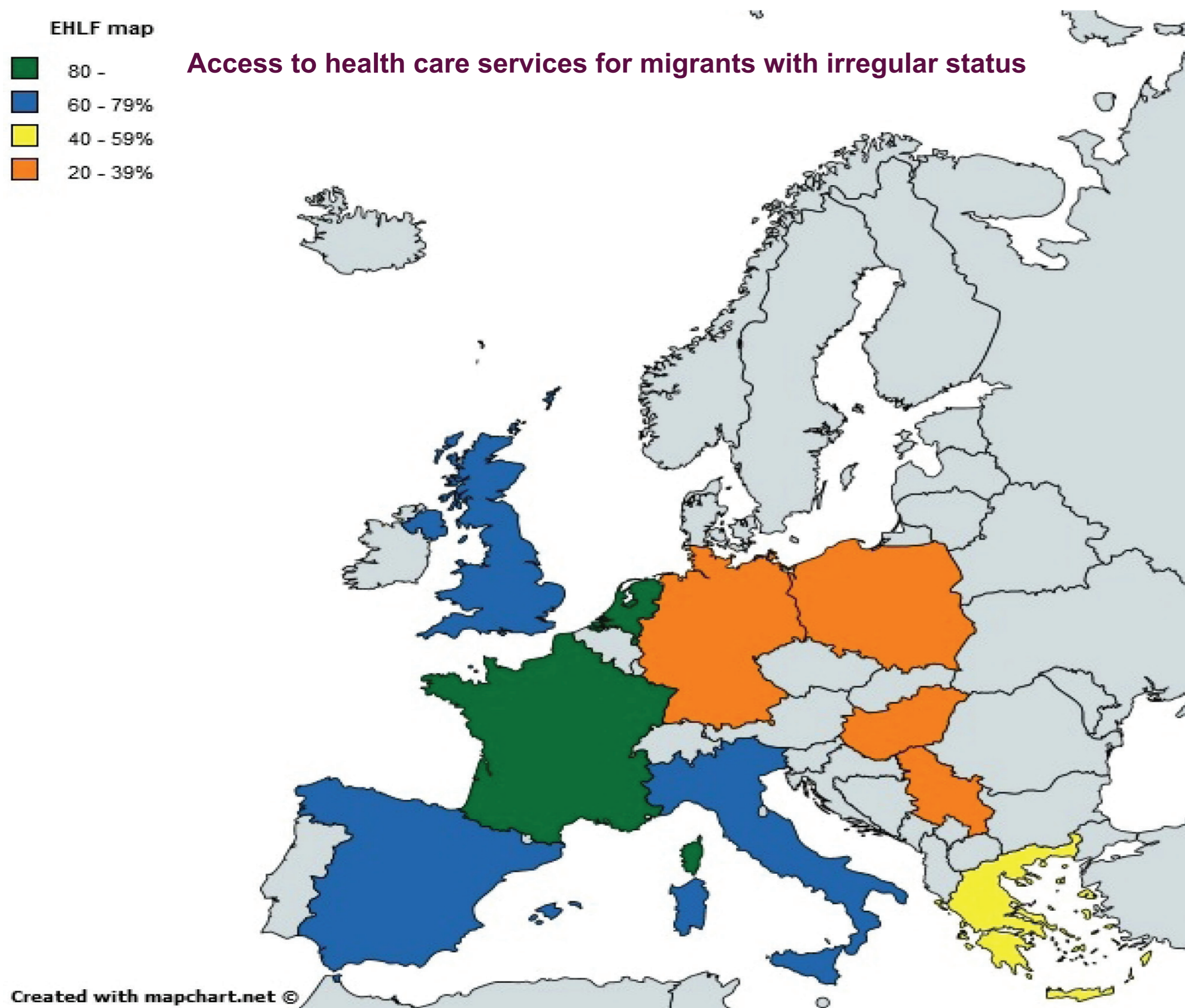
The Netherlands: the doctors prescribing treatment and care for migrants with irregular status can reimburse their costs up to 80% through the national insurance system

Poland: emergency care is provided outside hospitals by rescue teams, all further emergency care costs are charged on the person

Serbia: HIV diagnosis is connected to health insurance

Spain: regional health system, Royal Decree Law 16/2012 causes confusion

The United Kingdom: ARV is covered; other services are against a fee



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