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EXISTING REGULATIONS ON ALIENS' RIGHTS OF RESIDENCE FOR HEALTH CARE MUST BE FULLY ENFORCED

On February 26th, following the request of the Minister for Health, Mr Jean-François Mattei, the National AIDS Council approved a " Position paper on the medical assessment procedure for aliens applying for residence permits on medical grounds ". The Council considered not only the possible functioning modes of the regional commissions established by the Law of 26 November 2003 but also the whole assessment process for applications for residence permits on medical grounds.

Following its analysis, the Council once again stresses that from a public health standpoint, the principle of access to care for as many people as possible is imperative. The cost-benefit ratio shows long-standing evidence in favour of early care which prevents further and often costly complications, and directly benefits the patients.

In this respect, the Council calls for complete enforcement of existing regulations on rights of residence for aliens in need of care that they cannot receive in their countries of origin. The regional medical commissions should not restrict enforcement of those rights, but on the contrary improve them by operating like independent expert commissions. Subsequently, their implementation should not cause longer durations of application investigations. Also, medical officers who assess the applications should have access to national guidelines, put together from the opinions issued by the regional commissions, in order to harmonize their decisions.

The Council also wishes to emphasize that a patient with no residence permit cannot be denied care unless alternative access to care is offered. Health care for migrants in France not only raises the issue of legislation applicable on French territory but also the issue of actually available care in migrants' countries of origin.

That is why the Council will soon address migrants' health, through a global approach to the issue. It will especially analyse the modes of access to care for aliens present on French territory and the health schemes promoted by cooperation policy.