

June 28, 2014

DECISIONS

No Γ.Π./ΟΙΚ. 56432

Determination of conditions, criteria and procedures for the access of uninsured and indigent citizens to the system of pharmaceutical care.

**THE MINISTERS
OF FINANCE-HEALTH-LABOUR-SOCIAL INSURANCE AND WELFARE**

Having considered:

1. The provisions:

- a) The provisions of article 33 of Law 2082/1992 (Gov. Gazette 158/A) "Reorganisation of Social Welfare and establishment of new Social Protection institutions".
- b) the Law 4238/2013 (Gov. Gazette 38/A) "1st Degree National Health System (PEDY), change of the object of EOPYY and other provisions" as amended.
- c) Articles 13, 14 and 15 of the P.D. 95 (Gov. Gazette 76/A) "Organisation of the Ministry of Health and Welfare" as amended and supplemented.
- d) Article 182 of Law 4270/2014 "Principles for the fiscal management and supervision – accounting affairs of the State" (Gov. Gazette 143/A).
- e) The joint ministerial decision No 139491/2006 (Gov. Gazette 1747/B) "Determination of conditions, criteria and procedures for the access of uninsured and indigent citizens to the system of hospital, medical and pharmaceutical healthcare".

2. The need to cover the uninsured from the aspect of pharmaceutical care, due to the unfavourable financial and social conditions of the country.

3. The fact that this Decisions incurs an expenditure on the State's budget which shall not exceed the amount of Euro three hundred and forty million (€340,000,000) in the KAE Φ2102325 and from the relevant calculations of the Codes of EOPYY, we decide:

1. The uninsured Greek citizens, the fellow countrymen lawfully residing in Greece, the citizens of member-states of the European Union and the citizens of third countries who lawfully reside in Greece, who are deprived the conditions to issue a health-book for uninsured persons and are not insured with any state or private insurance agency and those insured who have lost their insurance capacity due to debts towards the relevant Insurance Funds, as well as the members of their families who are financially dependent on them, are entitled to free pharmaceutical healthcare.

2. The physicians of the NHS Hospitals and those of the State Entities for the provision of 1st Degree Healthcare of PEDY, are solely competent to prescribe medicinal products to the beneficiaries stated in the above paragraph. The medicinal products covered are exclusively part of the positive list of reimbursed medicinal products which is set out in law 3816/2010. The terms and conditions of prescription, audits and participation that apply during the prescription process to insured persons also apply for the prescribing of these medicinal products to the beneficiaries of par. 1. Prescribing the necessary medicinal patent medicines for the uninsured persons is effected by the State Entities through the e-prescription system

with the issue of electronic prescriptions on which a relevant marking will have been provided for. The beneficiaries will have access to the whole spectrum of pharmaceutical healthcare that concerns acute incidents, chronic diseases as well as high-value medicinal products, under the same terms, conditions, procedures and encumbrance provided for that apply to the insured persons.

3. The beneficiaries of par. 1 will be supplied their medicinal products by the NHS hospitals, the pharmacies of EOPYY and the private pharmacies that contractually cooperate with EOPYY. In case of medicinal products administered within hospitals during treatment or on a daily and outgoing patients basis, including the medicinal products set out in par. 2a of article 12 of Law 3816/2010, the terms and conditions of the paragraphs of this joint Ministerial Decision apply, as well as the provisions of the relevant laws. The procurement of these medicinal products from the hospitals is made in accordance with the relevant provisions on invoicing, discounts and participations. In case of medicinal products controlled by committees of EOPYY whose use is preliminarily approved in the case of insured persons, the same provisions proportionately apply for the uninsured. Respectively, in case of medicinal products that are prescribed in accordance with the terms hereof for off-hospital use, their administration may either be effected by the pharmacies of EOPYY or the private pharmacies. High-value medicinal products that fall into the context of par. 2a of article 12 of Law 3816/2010 are exclusively and only administered by the pharmacies of EOPYY and their procurement by the Marketing Authorisation Holders is effected in accordance with the relevant legislation. In addition, EOPYY may administer medicinal products that do not fall into the scope of application of par. 2a of article 12 of Law 3816/2010 and their procurement by the Marketing Authorisation Holders is especially and only effected for the cases of uninsured persons under the same terms that apply for the medicinal products of par. 2a of article 12 of Law 3816/2010 i.e. at a hospital price with an additional discount of 6.5%. The participation of patients in the case of high-value medicinal products is null. In case of medicinal products that do not fall in the scope of the conditions of par. 2a of article 12 of Law 3816/2010, they can be offered by private pharmacies that contractually cooperate with EOPYY. In this case, the participation is the same with the one that applies for the insured persons. Prescribing is effected based on the active substance and the cheapest medicinal product containing the active substance in question is always administered, unless the patient covers any difference that may result from the selection of more expensive medicinal product.

4. Hospitals and EOPYY are entitled, upon the relevant agreement with the Marketing Authorisation Holders (MAHs) to be supplied the medicinal products, especially in the case of the beneficiaries set out in par. 1, with additional discounts apart from those set out by the relevant legislation. Until the issue of decisions by the Minister of Health which will enact, based on the relevant laws, specific profit margins for the wholesalers and pharmacists or discounts and additional rebates for the MAHs, the profit margins provided for by the law will apply.

5. The beneficiaries of par. 1 above are obliged to have a social security number (AMKA) in order to be subjected to the provisions of this decision. Prescribing is effected only with specific electronic prescriptions in the e-prescription system and a special register is created or used for uninsured persons at the e-prescription platform (HDIKA), while the software is modified in order to recognize the uninsured as an additional fund. The processing of the relevant prescriptions is effected based on the relevant pharmaceutical legislation and there is the distinct issue of the relevant payment vouchers that are registered under a special code, separate from the code used for pharmaceutical healthcare of EOPYY so that the effective

monitoring of the relevant data will be possible. Pharmacists will file each month with a separate file and invoice the said prescriptions at the services of EOPYY. The prescriptions are independently audited, in parallel with the regular account of EOPYY and a separate payment warrant is issued. During the calculation of the respective amount, any additional amount that corresponds to the additional rebates for these medicinal products may be subtracted from the payable amount. Respective provisions may be established for the discounts and additional rebates of the MAHs. The amount that concerns the coverage of the beneficiaries of this Decision is co-calculated in the total pharmaceutical expenditure of EOPYY and the claw back and the calculation of the margins of the distribution networks. To these medicinal products, all pharmaceutical healthcare control measures apply, that apply to the medicinal products administered to insured persons (ceiling, prescription targets, prescription based on the active substance, protocols) so that the progress of the total pharmaceutical expenditure will be under control.

This decision must be published in the Government Gazette.

Athens, June 28, 2014

THE MINISTERS

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