

## Abstract

The presented qualification doctoral thesis describes various regimes of payment for health services provided in the territory of the Czech Republic to nationals of other countries. It describes various cost reimbursement regimes both under Czech national law (especially the Public Health Insurance Act, as well as other relevant legal acts), as well as regimes that are introduced by international law or the law of the European Union. This qualification thesis does not deal with health tourism and the use of planned health services.

The first part of the thesis focuses on the definition of basic concepts, the use of which is important for further comprehension of the text. Emphasis is also placed on the various specificities of individual regimes of using health services, even with the above-mentioned international overlap. The reader is presented a comprehensive range of regimes that are used in various life situations of foreigners during their stay or residence<sup>1</sup> in the Czech Republic. Where possible, the quantification of the impact of using health services by individual categories of foreigners is also given.

The most important regime of payment for health services is being covered by the public health insurance system, which covers not only Czech citizens but also nationals of other states, after fulfilling the conditions stipulated by law (or after meeting the conditions provided by European Union law, as described in the text). Even with regard to the annual financial volume administered by the public insurance system, this is the most important payment scheme covering hundreds of thousands of foreigners. Being a topical issue, reimbursement of health services provided to Ukrainians under the temporary protection scheme is also described.

Another regime described is the regime of reimbursement of health services during the stay in the Czech Republic using the coordination mechanism within the EU. This mechanism, which is now applied not only in the Member States of the European Union, but also in the states of the European Free Trade Association, represents an important tool in migration among Member States and covers a large part of foreigners in the Czech

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<sup>1</sup> The terms "residence" and "residence" appear several times in this thesis. It is thus necessary to clarify what they mean, as these concepts can be perceived differently in different legal texts. The term "residence" is defined in the regulation on the coordination of social security systems as "temporary residence", while the term "residence" is defined as "the place where a person habitually resides". However, this distinction of different types of presence in the territory of a different Member State is of fundamental importance for defining the different levels of rights that are granted to a migrant. Although aware of a certain simplification, we can nevertheless conclude that "residence" means a stay of a shorter, more transient nature, while "residence" means a more permanent, longer-term state.

Republic. The scopes of claims of individual categories of foreigners are described, according to their life situation.

Next, the text describes the regime that is introduced by the instruments of international public law - bilateral agreements in the field of social security. This regime is analyzed with regard to the material scope of agreements and their possible impact on the possibility of using health services.

The next chapter describes the regimes in which the responsibility for the payment of used health services lies with the Czech state, for any possible reason. Situations are described where payment is made by individual ministries on the basis of applicable law. I also include in this chapter the regime of receiving care according to the intergovernmental agreement in the field of health care, which up until not so long ago represented a kind of relic of the past, however, for a long period of time, it was still within the remits of valid and applicable law.

Another regime is the purchase of commercial health insurance, for persons who are obliged to be covered by it. The paper describes both the insurance regime for foreigners staying in our territory for up to 90 days and over 90 days. EU legislation and its impact on the obligation of foreigners to take out commercial insurance are also taken into account.

With regard to the topicality of the issue, a short chapter was prepared dealing with the matter of Brexit and its possible impact on the issue of provision and reimbursement of health services. It is obvious that a thorough description of this problem would again produce a whole new qualification work. The work mentions only the essential points from the point of view of its focus and suggests possible solutions to open points.

In the second part of the dissertation, solutions to the shortcomings that the author sees in the individual regimes described in the first part of the paper are proposed. Not only the regime of commercial insurance is discussed, where it is proposed to specify its operation, but also the regime of ensuring the reimbursement of health services by the state (by various ministries) is discussed.