What are *ex gratia* payments?

The CHIS Rules (hereafter Rules) define an *ex gratia* payment as “a benefit exceeding a reimbursement ceiling or a benefit not listed in these Rules” (see Art. VI 6.02 of the Rules). Such benefits are granted only in “exceptional circumstances”.

By their very nature, “exceptional circumstances” cannot be defined nor listed. Circumstances, which may be recognized as exceptional, include for instance: natural disasters, physical or mental incapacity, and distress.

When should requests for *ex gratia* payments be submitted?

Requests for *ex gratia* payments should normally be submitted only after the Third-Party Administrator of the CHIS (hereafter TPA – currently UNIQA) has processed a claim according to the Rules but, in the Member's opinion, exceptional circumstances do exist and should be taken into account to award a reimbursement different from the one thus arrived at. However, in some cases, for instance if the corresponding benefit is clearly not foreseen by the Rules, a request for *ex gratia* payments may be submitted directly.

What should requests for *ex gratia* payments consist of?

Requests for *ex gratia* payments shall consist of:

1) a formal written request (letter or e-mail) clearly indicating: a) the TPA’s decision, if available; b) the exceptional circumstances which are justifying the request; and c) which are the benefits requested;

2) any non-medical documentation which can help to prove these circumstances and/or supports the request;

3) any medical information supporting the request; and

4) precise information as to where, how, and to whom any future formal communication shall be sent (including postal or e-mail address) and, whenever possible, a contact telephone number.

Please clearly separate medical from non-medical information. Guidance relevant to your specific situation (e.g. on what supporting documents could be necessary or useful) may be obtained by contacting the TPA prior to submitting the *ex gratia* request, but please note that only the formal written request will be dealt with.

Who should requests for *ex gratia* payments be sent to?

Requests for ex gratia payments together with all supporting documents shall be sent to the TPA, marked for the attention of the CEO. However, in order to ensure the confidentiality, medical information shall be placed in a separate envelop marked "confidential, for the attention of the consulting medical practitioner ". This envelope will be attached to the request for ex gratia payments. The TPA's consulting medical practitioner will assess requests for ex gratia payments and when obtained, his advice will be transmitted by the TPA to the CHIS's Manager at CERN.

In which language(s) can the documents be submitted?

In English or French. Other languages may be admissible, but certified translations into English or French may be required and then have to be arranged by the member and provided at her/his expense.

Who takes the decision?

The decision is taken at CERN by the CHIS’s Manager, in agreement with the Strategic Advisor (see Art. XIII 1.01 of the Rules). It is notified by the TPA in the manner specified in the request (see item 4 above).