DIRECTIONS PAYSMENT OF BENEFITS
TO SPOUSES WHO ARE SUBSIDIARY MEMBERS

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Health Insurance Scheme
Implementing Directive

CHIS/D/03

Approved by SCC on 6 June 2019
Entered into force on 1st July 2019
I. PURPOSE AND SCOPE

1. This directive is intended to set out the conditions and procedure under which a Subsidiary Member who is the spouse of a Main Member may receive, by direct transfer to his or her bank account, benefits relating to him or her or to one of his or her children who is also a Subsidiary Member, in accordance with Article VI 2.04 of the CHIS Rules.

II. SITUATIONS AND BENEFITS CONCERNED

2. In the event of the separation of a couple, a spouse who is a Subsidiary Member may request the direct payment to his or her bank account of all future benefits:
   a) involving the reimbursement of costs paid by him or her, relating to him or her or relating to one of his or her children who is also a Subsidiary Member; or
   b) not involving reimbursement but relating directly to him or her.

3. In order to be recognised by the CHIS, the separation of a couple must be proven through the existence of:
   a) legal proceedings before the competent national authorities aimed at legal separation from the Main Member (e.g. legal separation, divorce or dissolution of a civil partnership); or
   b) a restraining order pertaining to one of the spouses issued by the competent national authorities.

4. In cases where the costs incurred relate to a child who is a Subsidiary Member, the Main Member retains the possibility of claiming and obtaining the reimbursement of costs paid by him or her relating to the child in question.

III. PROCEDURE

5. To avail him or herself of the provisions of this directive, the spouse who is a Subsidiary Member must apply to the Scheme Manager in writing, indicating:
   a) the names and contact details of the Subsidiary Members for whom the application is being submitted; and
   b) a detailed explanation of the circumstances, supported by any official document that recognises the separation.

6. The Scheme Manager informs the Main Member concerned that the application has been made and the latter has 20 calendar days to submit an opinion and/or comments.

7. Following this period, the Manager has 60 calendar days in which to make his or her decision and to notify the Members concerned in writing.

8. If the application is accepted, the Scheme Manager’s decision enters into force 60 calendar days after the Members concerned have been notified. From that date onwards, the benefits set out in paragraph 2 are paid directly to the bank account of the spouse who is a Subsidiary Member.
IV. OTHER PROVISIONS

A. Change in circumstances

9. The spouse who is a Subsidiary Member who submitted the application is required to inform the Scheme Manager, in writing and without delay, of any change in circumstances relating to the separation.

10. In addition, the Scheme Manager may at any time check whether the circumstances that led to the application for direct payment being accepted are still applicable.

11. If the circumstances that gave rise to recognition of the separation are no longer applicable, the Manager sets a date from which the benefits relating to Subsidiary Members are once again paid exclusively to the Main Member.

B. Compliance with the applicable legislation and judicial decisions

12. The provisions of this directive apply without prejudice to the obligations arising from national legislation and/or judicial decisions applicable to the members concerned.

C. Entry into force

13. This directive comes into force on 1st July 2019.

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