



JANUARY 2024

LEGAL UPDATE

INCREASING BENEFITS FOR PARTICIPANTS
AND BENEFICIARIES OF THE MEDICINE POLICY



On 19 October 2023, the Government issued Decree No. 75/2023/ND-CP (**Decree 75**), which amends and supplements certain articles of Decree No. 146/2018/ND-CP dated 17 October 2018 on detailing and guiding measures to implement a number of articles of the Law on Health Insurance (**Decree 146**).

This Decree introduces pioneering regulations that eliminate impediments in the payment mechanism for medical examination and treatment costs covered by health insurance. This initiative aims to streamline and enhance the process of providing medical services covered by health insurance, thereby safeguarding the rights of health insurance participants.

This legal update will set out several remarkable changes under Decree 75, which is effective from 3 December 2023.

1. Expansion of subjects eligible for health insurance premium support

Decree 75 supplements the subjects eligible for health insurance premium support (wholly or partially supported by the State) to include residents of safe zone communes and revolutionary safe zones during the resistance war against the French and the Americans; ethnic minorities who have recently overcome poverty according to the decisions issued by the Prime Minister. The government's commitment to providing continued financial support from the State budget even after individuals emerge from poverty is a strategic policy, which aims to empower people to accumulate resources and achieve economic eligibility for active participation in health insurance. It underscores the Government's dedication to ensuring the enduring social security and fostering sustainable poverty alleviation..

2. Increase of health insurance benefits

Decree 75 enhances the coverage of medical examination and treatment costs reimbursed by health insurance, elevating it from 80% to 100% for specific groups with revolutionary contributions, such as young volunteers, police officers, and soldiers (as stipulated in Article 3.5 of Decree 146).

Additionally, this Decree supplements the entitlement to health insurance coverage for ethnic minorities who recently overcome poverty as mentioned above and for individuals with meritorious services to the revolution revised in Decree No. 131/2021/ND-CP dated 30 December 2021 issued by the Government.

3. Change of the mechanism for payment of medical examination and treatment costs covered by health insurance

Decree 146 provides for the total annual payment of medical examination and treatment costs from health insurance fund to medical examination and treatment establishments. Recent experiences have underscored that part of the medical examination and treatment costs that falls within the scope and limit of health insurance legally entitled by patients and that had been incurred by medical examination and treatment establishments was not paid to such establishments since such part exceeds the total payment prescribed by Decree 146. This directly impacted the operations of medical examination and treatment establishments, subsequently compromising the rights of the affected patients. Decree 75 therefore abolishes such regulations on the total annual payment of medical examination and treatment costs by health insurance, and implements the payment of such costs based on service prices, applicable from 1 January 2019. This is an important amendment to the regulations on payment of medical examination and treatment costs covered by health insurance, facilitating the operations of medical examination and treatment establishments and ensuring the rights of patients participating in health insurance.

4. Other amendments

Decree 75 also supplements and clarifies provisions and elucidates the payment method for certain groups covered by health insurance to align with the Government's guidelines on the use of documents as electronically identified as Level 2 and electronic authentication. Furthermore, other technical aspects are also adjusted in this Decree.

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