



Project funded by the European Union
Projekat finansira Evropska unija

Terms of Reference (ToR) for a Short-Term assignment

Technical assistance requested:	One (1) Senior Non-Key Expert in the area of cross-border health care and coordination of social security systems
Project Title:	Policy and Legal Advice Centre (PLAC II), Serbia
Ref:	EuropeAid/137065/DH/SER/RS
Service Contract No.:	(CRIS) 2016/375-724
Main beneficiary:	The European Integration Office of the Republic of Serbia and the Negotiating Team
Target Beneficiaries:	Representatives of the Ministry of Health – Sector for Health Insurance, Sector for Health Care Organization, Republic Health Insurance Fund
Content of the assignment:	Support in preparing a comparative analysis of the degree of compliance with the EU acquis and the improvements of new Draft Law on Health Insurance in relation to cross-border health care and coordination of social security systems
Budget Line / Expert Category:	Senior Non-Key Expert
Duration of the assignment:	15 working days, spent during up to three missions in the period from September 2017 – (tentatively) December 2017

1. Relevant background information

Background information in relation to PLAC II project:

The scope of PLAC II Project is to provide support to relevant national institutions in charge of alignment of national legal acts with the EU acquis and to contribute to further building of capacities of relevant national structures for successful carrying out of accession negotiations.

The PLAC II Project should achieve two results:

RESULT 1 - Enhanced compatibility of national legislation with EU legislation and its effective implementation,

RESULT 2 - Enhanced capacities of the relevant national structures for successful carrying out of accession negotiations.

In general, the project aims at fostering the process of accession negotiations of Serbia by supporting the effective alignment of national legislation with the acquis and its implementation and by further building the capacities of involved carriers of the EU integration process in Serbia. After completion of screening process in 2015, Serbian public administration has entered into much more demanding and obliging exercise of accession negotiations, whereby each step and every decision should result in approaching actual membership in the EU. For this scenario to happen in accordance with planned dynamics, preparedness, adequate institutional capacity of public administration with highly competent staff is of crucial importance. In the core period of the negotiations, PLAC II Project shall support domestic line institutions and the negotiating structures both in performance of quality operational work in relation to harmonisation process and in the effective coordination during various stages and phases in the process for different negotiation chapters.



Background information in relation to health insurance:

Health care system in the Republic of Serbia formally follows Bismarck's Statutory Health Insurance Model. Health insurance is regulated by the Law on Health Insurance (OG RS No. 107/05, 109/05 - corrected, 57/11, 110/12-CC, 119/12, 99/14, 123/14 and 126/14 - CC). The primary goal of the system is to provide the highest possible level of protection for citizen's and family health, through measures aimed at preserving and improving health, prevention and early detection of illnesses and injuries, as well as timely and efficient treatment and rehabilitation. The statutory health insurance is ensured and provided by the National Health Insurance Fund (NHIF), which exercises public powers in providing and implementing health insurance, as well as in resolving issues relating to rights and obligations deriving from the statutory health insurance, in compliance with the Law on Health Insurance. Currently, new Law on Health Insurance is being formulated, and it will aim at improving health insurance rights through different contract models, additional insurance, strengthening of private sector inclusion, expansion of the scope of rights and by introducing new forms of insurance. The 2016-2018 NPAA envisages the adoption of the new Law on Health Insurance in Q4 2017.

2. Description of the assignment

2.1 Specific objectives

The objective of this assignment is further harmonisation of the existing national legislation in the area of health insurance with relevant EU *acquis*.

Draft version of new Law on Health Insurance, which will replace the existing Law on Health Insurance has been prepared by the Ministry of Health. New Law on Health insurance shall be aligned with Directive 2011/24/EU of the European Parliament and of the Council on the Application of Patients' Rights in Cross-border Healthcare, Regulation 883/2004 on the Coordination of Social Security Systems and Regulation 987/2009 laying down the procedure for implementing Regulation 883/2004. In order to further strengthen the administrative capacities and enhance the cooperation among relevant competent bodies, a workshop should be organised, with the aim of presenting the relevant draft provisions of the new Law to the relevant stakeholders.

2.2 Requested services

The Senior NKE is expected to provide the following services:

- To perform gap analysis of the compliance of new Draft Law on Health Insurance with provisions of Directive 2011/24/EU, Regulation 883/2004 and Implementing Regulation 987/2009;
- To prepare Table of Concordance outlining the level of compliance of the new Draft Law on Health Insurance with Directive 2011/24/EU, Regulation (EC) No 883/2004 and Implementing Regulation (EC) No 987/2009 and addressing the gaps identified;
- To develop proposals of relevant provisions of the new Draft Law on Health Insurance, in order to ensure its harmonisation with EU *acquis* and to define optimal set of components for the content of cross border health care, in agreement with the beneficiaries;
- To deliver one-day training to the relevant stakeholders, presenting the proposal of relevant provisions of new Draft Law on Health Insurance as well as some examples of good practice(s) from EU health insurance system(s) regarding private health insurance integration (public-private partnership).



2.3 Outputs

The Senior NKE is expected to deliver the following outputs:

- A report on the findings of the analysis on the level of compliance of new Draft Law on Health Insurance with provisions of Directive 2011/24/EU, Regulation 883/2004 and Implementing Regulation 987/2009;
- A Table of Concordance outlining the level of compliance of the new Draft Law on Health Insurance with Directive 2011/24/EU, Regulation (EC) No 883/2004 and Implementing Regulation (EC) No 987/2009;
- Proposals on the relevant provisions of the new Draft Law on Health Insurance, in order to be harmonised with Directive 2011/24/EU, Regulation (EC) No 883/2004 and Implementing Regulation (EC) No 987/2009 and for defining optimal set of components for the content of cross border health care;
- Suitable training materials for presentation of proposed provisions of the new Draft Law on Health Insurance, complemented by some examples of good practice(s) from EU health insurance system(s) regarding private health insurance integration (public-private partnership).

2.4 Reporting

The NKE shall provide the following reports by using the templates of the Project:

- Brief Mission Report with description of activities and outputs provided, at the end of each mission, during which tasks under this assignment have been carried out.
- Final Mission Report, no later than 1 week after completion of tasks under this assignment. This Report will include description of all activities and outputs provided by the NKE in the context of this assignment.

Submission of reports:

- Draft Mission Report shall be submitted to the Team Leader of the Project for review and comments at the end of the mission.
- Final version of the Mission Report prepared in the relevant quality shall be submitted to the Team Leader of the Project for review, comments and final approval. The reports shall be signed by the NKE and the Team Leader, responsible for endorsing the reports.
- The reports and all prepared documents shall be submitted in hard copy and in electronic version to the Team Leader of the Project.

2.5 Specifics

The NKE shall work under the guidance and follow the instructions of the Team Leader. The NKE shall collaborate with the Project team, other experts involved and representatives of beneficiary institutions and national structures, as relevant.

The NKE's activities and outputs mentioned above may be adjusted by the Team Leader at any stage in the implementation of the Project, depending on the evolving needs of the Project, main beneficiary and/or target beneficiaries. Each of the short-term mission, its timing and duration shall be agreed with the Team Leader prior to each mission.



2.6 Final use of intervention and perspective for the future

With further harmonisation of national legislation in the area of health insurance, as envisaged by this assignment and defined by 2016 - 2018 NPAA, Serbia will fully align its legislation with the *acquis* in this area. No other TA project or other type of assistance is ongoing or planned in connection with harmonization of the Law of the Health Insurance with relevant EU *acquis*.

3. Expert input

3.1 Total working days

15 working days (WDs) in total have been planned for this assignment.

3.2 Period of the assignment

September 2017 – (tentatively) December 2017

3.3 Starting day

It is expected that the work will be performed during up to three missions and starting, at the earliest, from 04 September 2017 onwards. However, the exact starting date will be agreed at a later stage.

3.4 Location/Place of assignment

The NKE has to deliver 100% of the input in Belgrade, Serbia.

3.5 Working language

English

4. Expert Profile

4.1 Qualifications and skills (25 points)

- University degree (where university degree has been awarded on completion of three years' study in a university or equivalent institution) in Law or similar, relevant to the assignment
- Proficiency in English language
- Computer literacy (MS Office applications)

4.2 General professional experience (25 points)

- Minimum 10 years of postgraduate professional experience in a healthcare system, gained in an EU Member State, candidate or potential candidate country

4.3 Specific professional experience (50 points)

- Proven postgraduate professional experience in the field of harmonisation and/or implementation of legislation in relation to cross-border health care and coordination of social security systems and related EU *acquis*, gained in an EU Member State, candidate or potential candidate country
- Previous professional experience, and/or knowledge of the legislation of the Republic of Serbia in the respective area would be an advantage.



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5. Applications

Applications (EU format CV and application letter, both in English) need to be submitted by e-mail to SEPLAC@altairasesores.es no later than 17:00 hrs, **25 July 2017**, titled: **“Application for the position – Senior NKE in the area of cross-border health care and coordination of social security systems”**.

References must be available on request. Only short-listed candidates will be contacted.

The Project is an equal opportunity employer.
All applications will be considered strictly confidential.

Advertised post is not available to civil servants or other officials of the public administration in the beneficiary country, Serbia.

For more information, please contact Project Manager at Altair Asesores S.L.:
m.garcia@altairasesores.es / Tel. +34 91 3952798