

## **Coordination Law: implementing the successful negotiations!**

Modernising the coordination regulations to make them more transparent, fair and user-friendly is in the interest of all insured people and contributors in Europe. The negotiation processes about the regulations for coordinating social security systems (EU) No. 883/2004 and (EU) No. 987/2009, which went on for more than five years, have produced sustainable and uncontroversial results that were needed in some sectors. They must be preserved so that citizens who want to exercise their right to freedom of movement within Europe are not disadvantaged. German Social Insurance explicitly advocates this after the repeated failure of the triologue negotiations at the end of last year.

An agreement was reached among the legislative bodies during the last legislative period that covered the regulations governing cross-border care services. It will be explicitly codified for the first time and regulated in Title III, Chapter 1, together with sickness benefits. This is appropriate and important as long-term care benefits are already being coordinated in accordance with the case law of the European Court of Justice and the provisions covering sickness benefits. Separate treatment of long-term care benefits, as was initially envisaged, would have raised a host of practical problems for the social insurance institutions, ranging from questions of responsibility for bearing the costs to higher administrative expenses which could mean that many of the insured people involved might be worse-off. The attached paper from 2019 describes these difficulties.

It is important that this clarification be enshrined in law in order to ensure smooth coordination in the interests of those covered by long-term care insurance. In addition to providing a legally sound basis, it will also give social insurance institutions practicable definitions for both kind- and cash-benefits in the event of a need for long-term care. This is all the more important because the political intention is to strengthen care throughout Europe.

The same applies to the so-called derived claims to which family members are entitled. It would also be possible to reach agreement here through negotiating about in which country a child, whose parents are insured in different EU member states, is entitled to sickness benefits (Title III, Chapter 1, Art. 32 of Regulation (EU) No. 883/2004). An agreed upon prioritisation would help to prevent many disputes that might arise in practice.

We therefore appeal to the partners negotiating at European level: build on these agreements. Don't let the good compromises go to waste! If it is actually not possible to negotiate a result for a comprehensive revision of the coordination law, then we ask you to direct your political activity towards creating the necessary clarity for covering the risk of long-term care at European level and to ensure that the compromise on derived claims is not lost.