

FEDERAL PUBLIC SERVICE SOCIAL SECURITY

**NOVEMBER 15<sup>TH</sup> 2017. – Belgian Royal Decree setting the conditions under which the Insurance Committee, in pursuance of Article 56, Section 2, Paragraph 1, 1<sup>o</sup>, of the Belgian Law concerning the compulsory Health Care and Benefits Insurance, coordinated on July 14<sup>th</sup> 1994, may sign agreements to contribute in the costs of a hadron therapy treatment**

FILIP, King of the Belgians,

To all, present and future, Our greetings.

Given the Law concerning the compulsory Health Care and Benefits Insurance, coordinated on July 14<sup>th</sup> 1994, Article 56, Section 2, Paragraph 1, 1<sup>o</sup>, replaced by the Law of July 17<sup>th</sup> 2015;

Given the advice of the Budgetary Control Commission, dated April 19<sup>th</sup> 2017;

Given the advice of the Health Insurance Committee, dated April 24<sup>th</sup> 2017;

Given the advice of the Inspector of the Finances Department, dated June 28<sup>th</sup> 2017;

Given the approval of our Minister of Budget on September 6<sup>th</sup> 2017;

Given the advice 62.135/2 of the Council of State, dated October 9<sup>th</sup> 2017, by virtue of Article 84, Section 1, Paragraph 1, 2<sup>o</sup>, of the laws on the Council of State, coordinated on January 12<sup>th</sup> 1973;

Upon proposal by the Minister of Social Affairs and Public Health,

We have decided and decide:

Article 1. Under the conditions of this Decree, agreements can be signed between the Insurance Committee of the Health Care Department of the Belgian National Institute for Health and Disability Insurance, radiotherapy centres meeting the criteria mentioned in Article 3 and specialized hadron therapy centres in order, for the compulsory Health Care and Benefits Insurance, to contribute in the costs of a hadron therapy treatment.

Art. 2. These agreements make it possible for the compulsory Health Care Insurance to grant financial contributions with regard to:

1<sup>o</sup> the costs related to the treatment in a hadron therapy centre;

2<sup>o</sup> related transportation costs and costs of stay, of both the beneficiary and the person accompanying him/her for this treatment if the treatment takes place abroad;

3<sup>o</sup> a fixed contribution for the referring radiotherapy centre for preparing the file that will be sent to the hadron therapy centre.

**Art. 3. The hospitals wishing to sign this agreement are certified for radiotherapy according to the standards set by the competent authorities, to be met by a radiotherapy centre in order to be**

certified as a medical-technical department, and they have a complete programme for oncological care, certified according to the standards set by the competent authorities.

They have the necessary infrastructure and staff to assess referrals for hadron therapy and to prepare a request for a hadron therapy centre.

Art. 4. The beneficiary, eligible for hadron therapy, must meet the inclusion criteria as defined by the Scientific Council founded within the framework of the agreement between the Insurance Committee and the Belgian Board of university hospitals, setting up a Scientific Council and an Agreement Council for guidance for hadron therapy.

These inclusion criteria are defined in the list of tumours established by the Scientific Council. The Insurance Committee approves this list upon proposal by the Agreement Council. This list of inclusion criteria is published on the website of the NIHDI.

Art. 5. The agreements referred to in Article 1 clarify the following aspects:

- 1° the agreement's period of validity and its terms of denunciation by one of the parties;
- 2° the cost-bearing procedure;
- 3° the amount of the contribution;
- 4° the arrangements related to the follow-up and assessment of its execution.

Art. 6. The annual budget envelope is fixed at maximum €3,893,211.83.

Art. 7. In accordance with the Royal Decree of December 8th 1997 setting the rules governing the indexation of performances within the compulsory Health Care Insurance regulation, the budget envelope referred to in Article 6 is adapted as from January 1<sup>st</sup> of each year to the evolution of the value of the health index mentioned in article 1 of that Royal Decree between June 30<sup>th</sup> of two years before and June 30<sup>th</sup> of the year before.

Art. 8. This Decree comes into force on October 1<sup>st</sup> 2017 and ceases to be in effect on September 30<sup>th</sup> 2020.

Art. 9. The Minister of Social Affairs is in charge of executing this Decree.

Given in Brussels, on November 15<sup>th</sup> 2017.

FILIP

By the King:

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The Minister of Social Affairs and Public Health,

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Ms M. DE BLOCK