



Flüchtlingsrat
Sachsen-Anhalt e. V.

Medical care according to the Asylum Seekers Benefits Act

Medical care is a basic requirement and has to be accessible to all people. For people in the asylum procedure and afterwards questions and problems always occur. Often you have to fight to ensure that refugees receive appropriate medical treatment by the Asylum Seekers Benefits Act (AsylbLG).

This information sheet is designed to help you get all the care you deserve.

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Does this information apply for me?

If you get benefits according to Paragraph (§) 3 of the Asylum Seekers Benefits Act (AsylbLG) you get so-called basic benefits. Following information applies for you.

If you get benefits according to §2 AsylbLG you obtain so-called Analog Benefits.

This includes regular statutory health insurance, including a chip card. Most of this information does not apply to you. Should you nevertheless experience problems, unfair or discriminatory treatment by authorities or doctors, please contact a counseling center or the refugee council.

How do I get Analog Benefits?

You get Analog Benefits if

1. You stay longer than 18 months in Germany and
2. You are not accused of having influenced the length of your stay yourself and against the law.

If you have been in Germany for more than 18 months yourself, you are probably entitled to Analog Benefits. The social welfare office must make the change of its own accord – You don't need to apply. If you think that you are entitled to Analog Benefits but haven't received a chip card yet, please contact a counseling center.

I get benefits according to § 3 AsylbLG – Can I visit a doctor?

Yes. If you feel sick, hurt or have chronic ailments: Please always reach out for medical advice and assistance. Carrying on illness and waiting only makes it worse in most cases.

How do I pay for the doctor?

With a treatment certificate you have to pay nothing. If you hand in the certificate to the doctor, the costs will be covered by the authorities.

In medical emergencies, it is also possible to go to a doctor without a treatment certificate and to submit the certificate after ten days at the latest. In life-threatening situations, the social welfare office takes over the emergency treatment in the hospital. In these cases, reimbursement of costs will be requested afterwards.

What types of treatment certificates are there?

There are two types of certificates: *Quarter Certificates* and *Individual Treatment Certificates*. The certificates are different in 1) the way you can get them and 2) how long or for what kind of treatment they are valid. Whether you get an Individual Treatment Certificate or a Quarter Certificate depends on the district that is responsible for you. You always get the certificate from the social welfare office. Sometimes the responsible authority is called differently, e.g. »Migration Agency« in the Burgenland district.

How do I get a treatment certificate?

You have to apply for Individual Treatment Certificates at the social welfare office as soon as you are ill and need treatment. These treatment certificates are limited in time. The expiry date is noted on the certificate. If you fall ill again in the same quarter and need treatment, you have to apply for a new certificate at the social welfare office.

You get Quarter Certificates every three months from the social welfare office. Ask your authority whether you can get the certificate automatically by post or whether you have to pick it up by yourself every quarter. If you are ill and need treatment, hand in the certificate at your family doctors office. If you get sick again in the same quarter, you can simply go back to your family doctor.

What do I do if I don't get a treatment certificate?

Unfortunately, health complaints are not always taken seriously when talking to the authorities and applications for a treatment certificate are sometimes unsuccessful.

You can try to argue with the officials in the authority. Here are some quick arguments in case your application is denied:

- › Medical care is a basic need and a basic right.
- › Many chronic diseases can also become acute if they are not treated with preventive care.
- › This also applies to dentures: Failure in dental treatment can lead to further teeth deterioration, acute pain and digestive problems.
- › Only a doctor can assess which problems require medical treatment and which do not. However, the employees of the authorities usually have no medical training and aren't doctors.
- › The distinction between chronic and acute illnesses is also difficult to make for laypeople.

There may be more or different arguments for your individual case. If you have the opportunity to get an expert opinion or certificate, e.g. for hearing aids, glasses or further therapies, bring it with you to the social welfare office.

If your application for a treatment certificate is rejected, we recommend that you always contact an advice center or the refugee council.

Always have rejections given to you in writing and bring these certificates with you to the discussions. Please also note that you often only have a few days to object to rejections (»Objection Period«).

What happens if I need a special doctor for my medical treatment?

You must always see your family doctor first. She can refer you to a specialist. You will then receive a referral certificate that you have to present to the specialist just like a treatment certificate. The social welfare office has to agree to it. The social welfare office may request an opinion from a public health officer. It can also happen that you are asked to come back to the social welfare office and speak to them for a transfer. That is not required by law.

What treatment am I entitled to?

It is often said that according to § 4 AsylbLG only acute illnesses and painful conditions deserve medical treatment. You may have heard it yourself. But there are also other paragraphs that regulate health care, e.g. § 6 AsylbLG. In the AsylbLG, you are also entitled to many benefits that go beyond the treatment of acute conditions.

You are entitled to treatment:

- › always with acute illnesses
- › always for those in acute need of treatment, including chronic diseases
- › always with chronic diseases that would otherwise become acute
- › always with diseases that are associated with pain
- › always in the case of illnesses, the treatment of which is essential to ensure health, including chronic and, in particular, psychological or emotional illnesses

You are also entitled, without restriction, to:

- › pregnancy and childbirth benefits, including midwifery assistance and care
- › post-natal care as well as the initial equipping of newborns

- › officially recommended vaccinations for children and adults, including against tetanus, diphtheria and polio
- › medically required preventive examinations

These things are the minimum you are entitled to. In your individual case, your claim may even be higher.

Unfortunately, many authorities only offer limited medical care. However, courts have decided that most treatments can be legally and actually be allowed. If you have the feeling that you are not getting a treatment you might be entitled to, please contact an advice center or the refugee council. Always have rejections made to you in writing and bring these certificates with you to the counseling sessions. Please also note the objection period that is noted on these certificates.

What benefits am I entitled to outside of immediate treatment?

Other services include, among other things:

- › medicines, drugs and bandages necessary for the treatment
- › aids such as prostheses or medical mouth and nose masks
- › necessary healing and convalescence cures, measures of home nursing and domestic help, medical and supplementary services for rehabilitation such as costs for inpatient accommodation
- › necessary travel expenses for medical treatment
- › costs for the necessary language mediation

In your individual case, there may be other benefits to which you are entitled.

The social welfare office does not make general decisions on many of these benefits, but rather on a case-by-case basis. You may need to provide arguments and evidence that these services are necessary. If you are unsure about this, please contact an advice center or the refugee council.

I have a prescription for my medication – What do I do with it? Do I have to pay for it?

You usually do not get medication in a doctor practice, but you have to redeem the prescription certificates in a pharmacy. You don't have to make any co-payments. The exemption from prescription fees is automatically sent by the district and is also noted on the prescription certificate.

My benefits were reduced according to § 1a AsylbLG – Am I still entitled to medical care?

Yes. You can (and should!) still see a doctor if you need treatment for pain or acute illness.

The social welfare office bears the costs for this, even if the coverage has been reduced in accordance to § 1a AsylbLG.

It is possible that certain medical treatments will be withheld from you by the social welfare office. This often affects further treatments. It is also possible that you will no longer be entitled to any further benefits.

In all cases of cuts or denied benefits, get the notification in writing and contact an advice center or the refugee council. Please also note the objection period that is noted on the certificate.

Who can I turn to if there are problems?

Advice centers or separate advice and support are local offices and mobile services where you can discuss your concerns about asylum and benefits law.

You will receive help from social workers there to submit applications or to deal with problems.

If you need legal advice or representation, the advice centers will help you find a lawyer. You can find a list with addresses and contact options online at:

www.fluechtlingsrat-lsa.de/adressen-und-beratungsstellen/kontakte-landesweit

MediNetze are groups of volunteers and activists who organize medical advice and referral for undocumented people. In Saxony-Anhalt there are MediNetze in Magdeburg and Halle:

www.medinetz-magdeburg.de

www.medinetz-halle.org

<https://refugeephrasebook.de/medical-phrases/>

<https://medinetz-halle.org/gesundheitsheft-download>

You have questions or need help?

Contact us:

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Schellingstraße 3-4,
39104 Magdeburg

📍 Office Halle
Landsberger Straße 1,
06112 Halle (Saale)

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