

Denunciation of undocumented migrants by health staff members in the Czech Republic: current development

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Abstract:

The commentary shortly describes recent development in the access of undocumented immigrants to health care in the Czech Republic.

Until recently the access of undocumented immigrants to health care has not been largely discussed in the Czech Republic. This is partly due to the fact that most of the discussion has focused on some groups of legal immigrants who face serious difficulties in accessing healthcare. These groups consist mainly of entrepreneurs, students and a significant number of children, who rely on an ineffective commercial health insurance system. Currently, there are vivid discussions among several NGOs, the Ministry of Health and the Ministry of Interiors on how the system of health insurance for immigrants might be changed.

Like in other countries, undocumented immigrants in the CR⁵ tend to seek medical assistance only in urgent cases. The majority of undocumented immigrants in the CR do not have any kind of health insurance¹ and they usually pay directly for the treatment or get a schedule of instalments. However, a small percentage of them (especially pregnant women, children etc.) buy a commercial health insurance².

In general, there is very limited information about the situation and rights of undocumented immigrants among Czech health professionals. Many of them incorrectly believe that denouncing undocumented immigrants is obligatory in the CR or are not sure what they are expected to do. Especially health professionals in some private or bigger hospitals face

¹ The information about the level of health insurance among undocumented immigrants are very limited, however this commentary draws from an ongoing research on undocumented immigrants which is realized within the above mentioned project.

² This is possible because a commercial health insurance is a common commercial product and nobody should take in consideration the administrative status of a person who buys it.

pressure to cooperate with the Foreign Police. This happens mainly because undocumented immigrants are often associated with difficulties to pay for their treatment.

Recently, several NGOs (Multicultural Centre Prague, Association for Integration and Migration and The Organisation for Aid to Refugees) that work together on a project on undocumented migration³ have opened a debate about the situation of undocumented immigrants in relation to health care.

The debate on denouncing undocumented immigrants was opened at the Committee for the Rights of Foreigners (which is an advisory body to the Government of the Czech Republic's Council for Human Rights, which is an advisory body to the Czech Government). The Committee meets almost every month to discuss and possibly solve various issues concerning the situation of immigrants. The issue of denouncing immigrants by health professionals was firstly opened at the Committee this June. The position of many members of this Committee was very circumspect and it was agreed that it is necessary to have more information and hear the position of the Czech Medical Chamber, the Association of Czech Nurses and the opinion of an expert on health ethics. All the actors were invited to join the meeting of the Committee in September 2010.

The spirit of the meeting in September was very different to the one in June. All invited actors (various Ministries and NGOs as regular members of the Committee and the Medical Chamber, the Association of Czech Nurses, professor of medicine ethics etc.) have agreed after a very lively discussion that denouncing undocumented immigrants by health professionals and by all staff members in hospitals is (a) against all ethical standards of health professionals and (b) against the Law About the Care about the Health of People⁴. The law prescribes the right to privacy concerning all information about the patient. Most of the members of the Committee seemed to be surprised by such development as this law was unfortunately left aside during the discussions in June⁵. Luckily, the Czech Medical Chamber stated clearly that this law must be applicable to the situation of undocumented immigrants. With regard to the position of other actors, the Ministry of Health claimed that it is not their responsibility to inform health care providers about the law. The Ministry of Interiors repeatedly pointed out that such an issue must be seen in a broader picture and that they can understand why the health care providers cooperate with the foreign police.

However, the outcome of the meeting was clear. It was important for future work of NGOs that all important actors did agree on the fact that denouncing undocumented immigrants is against the law and should not take place.

Furthermore, the Multicultural Centre Prague will organize several seminars for health professionals (both doctors and nurses) about the situation and rights of documented and

³ Project Regularizations One of the Tools for the Fight against Irregular Migration

⁴ § 55 paragraph 2 char. d)

⁵ Because the issues of the access of undocumented immigrants to health care have not been largely discussed in the CR before, the possible application of the legislation concerning the right to privacy had not really discovered.

undocumented immigrants. The Czech Association of Nurses promised to send a letter about this issue to all staff nurses and add this information to their private web portal. The Czech Medical Chamber has already written about this issue to their newsletter, which is to be received by every doctor.

The meeting also showed that one regional department of Foreign Police⁶ has officially asked all hospitals in the region to cooperate with them and contact them every time they get in touch with an immigrant without health insurance. It was agreed that such a thing is unacceptable and is a direct contradiction of the law. The Police President will be sent a letter about it and asked to change the situation. The same letter will be received by the regional government and the Minister of Interiors.

To conclude, it is obvious that there is still a long way to go and that it is necessary to inform the health professionals and follow up cases of denouncing. Nevertheless, the meeting was a good start.

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O autorce

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⁶ In Pilsner region