**Questionnaire on the right of persons with disabilities to the highest attainable standard of health**

**Question 1: Please provide information on existing or planned legislation and policies to ensure the realization of the right to health of persons with disabilities, including current challenges and good practices**

(a) The Safeguarding and Protection of the Patients’ Rights Law, 2004, was enacted for purposes of legal safeguarding of the patients’ rights and the establishment of an effective mechanism to monitor the respect of these rights.

According to section 11, of the Law, a prerequisite for the provision of health care is the patient’s consent which is given after complete medical information, which is provided by the health care services provider to the patient, in due time, and in a comprehensible to the patient manner, so that the latter may understand the information provided and make a free independent choice.

In addition, section 4, provides that the patient has the right to choose and to change the medical institution or health care services provider, who has to give the patient every reasonable facility to exercise this right.

The right to information is ensured by section 10, of the Law referred to above. Every person shall have the right to be informed about the patients’ rights.

Τhere is no special provision for people with disabilities because all patients are considered equal.

(b) The Mental Health Law 1997 (L.77 (I)/1997 was amended in 2003 (L.49 (I) 2003) and in 2007 (L.26 (I) 2007) for involuntary hospitalization which is court induced only if a person is conceived to be a risk to himself or others (the existence of a significant risk of serious harm to oneself or others and a confirmed mental health problem are the two main conditions justifying involuntary placement).

© The new National Health System law which was recently approved by the House of Representatives is based on the fundamental principles of social solidarity, equality and universality. With the implementation of NHS an equitable sharing of costs is achieved, on the basis of the economic potential of citizens and not on the basis of their needs in health services, resulting in the NHS to act as a shield to the patient from catastrophic health expenditures. Therefore, all persons with disabilities will be eligible in the new health system having access to health professionals in both the public and private sector.

**Question 2: Please provide any information and statistical data (including surveys, adminisatrative data, reports and studies) related to the exercise of the right to health of persons with disabilities in general, as well as with particular focus in the following areas:**

* **Availability of barrier-free general healthcare services and programmes which take into account all accessibility aspects for persons with disabilities**
* **Access to free or affordable general healthcare services and programmes, including mental health services, services related to HIV/AIDS and universal health coverage.**
* **Access to free or affordable disability-specific healthcare services and programmes and**
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* **Access to free or affordable health-related habilitation and rehabilitation goods and services, including early identification and intervention.**
* Persons with disabilities are of high priority. Most of people living in the country enjoy easy access to healthcare services such as: Medical, Nursing, Dentists and Mental Health Services. The Accident and Emergency Departments of public hospitals are available to everybody on a paying fee of 10 euro, with the exemption of some vulnerable categories of citizens such as public assistance recipients, soldiers, persons with disabilities, residents of specific institutions and migrants. Asylum seekers and political refugees are entitled to free access and use the public health system.

 All hospitals and health centers in Cyprus have wheelchair ramps, clear signs of the disabled people, parking places, priority signs, and WC signs and other facilities and services for disabled people.

* According to Cyprus legislation, healthcare benefits are granted to individuals and families with low income in order to ensure access to healthcare. Financial criteria are applied. A minimum contribution period to the national social insurance scheme is usually needed. However, special provisions apply for people with chronic health problems causing increased financial burden because of the needed health treatment. These people are usually exempted from the financial criteria as well as the minimum contribution period (for three consecutive years to pay social contributions).

It is a fact that special healthcare benefits are provided based on the cost of treatment of persons, however the majority of persons with disabilities are included in this category.

* All public hospitals are staffed with physiotherapists (for children and adults) and speech therapists. Pediatric physiotherapists offer their services to children from the age of 3 -15 years old. Children up to 15 years old are faced and served as adults.

An important aspect of National Health System is to provide holistic health care, where the patient is supported by a team of specialists, such as psychologists, speech therapists, physiotherapists, occupational therapists and medical specialists, etc. at all stages of treatment. The Health Insurance Organization will be reimbursing medical devices and products. Furthermore, Article 22 (2) (j) ensures the provision of medical rehabilitation including maintenance and renewal of orthopedic and orthotic items and artificial limbs.

A policy paper has already been prepared for the provision of rehabilitation services to beneficiaries under NHS. This document contains information on Rehabilitation Services to be covered by the NHS, as well as the minimum criteria required from providers of rehabilitation services in order to be entitled to provide such services to the beneficiaries.

**Question 3: Please provide information on discrimination agains persons with disabilities in the provision of healthcare, health insurance and/or life insurance by public or private service providers.**

The Ministry of Health Cyprus, within its current strategy, included as a high priority the reform of the healthcare sector. As such, the Ministry proceeds with the autonomization of Public Hospitals, the modernization of Primary Healthcare, the regulation of e-Health and the introduction of a National Health System, aiming at the improvement of the quality of the provided healthcare services and the accessibility of patients to them. It shall also be noted that the National Health System to be introduced is based on the fundamental principles of free choice of provider, social equality and solidarity, financial sustainability and universal coverage.

As about the private sector: Τhere is no special provision in the current Insurance Law (Law N38(I)/2016), which is based on the respective EU Directive EC/138/2009 and Regulation EC/35/2015, about the treatment of persons with disabilities.

For each class/type of insurance the insurance companies have in place their underwriting (assessment of risks) rules and claims handling rules, and also their insurance contracts, with all related terms and provisions (including premiums, scope and volume of coverage, duration, exclusions, etc). The Insurance Law does not make any specific reference about all these rules. Thus, each company may have different conditions and/or premiums and/or limitations, based on the agreements they make with their reinsurers, about different ages, health conditions, disabilities etc..

**Question 4: Please provide information on the observance of the right to free and informed concern of persons with disabilities regarding healthcare, including sexual and reproductive health and mental health services.**

Women have equal opportunities in the health system and can take part to the prevention programs which the Ministry of Health undergo.

For example women can be part in the mammography screening program for early diagnosis of breast cancer, in the diabetic program, smoking, mental health, nutrition and physical activity, sexual and reproductive health programs which are offered on continual basis. Also one of the main projects is the implementation of the breast feeding strategy that aims at promoting and supporting b/f for all mothers in Cyprus so as to establish it as the exclusive way of nutrition for infants for the first 6months of life and it’s continuation until the twelve months or as long as mother and child wish to. Also Sexual and Reproductive Health, Prevention of violence and accidents, Alcohol, Drugs, Smoking, and Healthy Environment are the main pillars of the design Strategy for the Rights of Children in health.

**Question 5: Please describe to what extent and how are persons with disabilities and their representative organisations involved in the design, planning, implementation and evaluation of health policies, programmes and services.**

The Consultation Process between the Government and other Services for Issues concerning Persons with Disabilities Law of 2006 (L.143(I)/2006) affirms the obligation of every public service to consult with the Cyprus Confederation of Organisations of the Disabled (CCOD) before deciding on issues concerning persons with disabilities.

CCOD is recognised in the law as the official social partner of the state on disability issues, however the Confederation represents only 8 organisations. Additional organisations representing a large number of persons with disabilities are not members of CCOD. Public services also consult with these organisations thus implementing the UNCRPD provision requiring the close involvement in decision making processes of representative organisations.

A concrete example of organisations’ involvement is the Strategy for the Rights of Children in health, which was developed by the Ministry of Health and was completed in the end of 2016.  It was the result of the collaboration of the Ministry of Health with all relevant stakeholders from both the private and the public sectors, NGOs, representatives of children and parents, etc.  The first draft of the Strategy was negotiated with representatives of children.During the workshop to prepare the strategy for the Rights of Children, suggestions were made to include the needs of children with disabilities.

Another example is the First National Disability Strategy 2018-2028 and the National Disability Action Plan 2018-2020 which were approved by the Council of Ministers 2017. Their development was carried out after a public consultation open to all citizens and organisations.