



**INFORMAZIONI SENZA BARRIERE
INFORMATION WITHOUT BARRIERS
INFORMATION SANS BARRIÈRE**

رڪاوٽ سے پاڪ معلومات
معلومات بدون عقبات

otto
8 per
mille
CHIESA VALDESE
UNIONE DELLE CHIESE METODISTE E VALDESE

RESIDENCE PERMIT FOR MEDICAL TREATMENT

What is a residence permit for "medical treatment"?

It is a type of residence permit that allows a person to stay in Italy for health reasons in order to undergo specialized medical examinations and receive necessary treatment.

To whom can a residence permit for "medical treatment" be issued?

It can be issued:

- to those who hold a visa for "medical treatment," i.e., a visa that authorizes them to enter Italy and stay for a limited period of time in order to receive treatment in an Italian health facility, or to those who enter Italy as part of humanitarian programs;
- to the foreign national who is already in Italy and cannot be deported because of his or her health, physical or mental condition;
- to the foreign citizen in a state of pregnancy and her cohabiting husband, up to six months after childbirth: in fact, the state of pregnancy is also among the reasons why a person cannot be expelled from Italy and therefore has the right to a permit for "medical treatment."

Who do you need to contact to apply for an entry visa to Italy for "medical treatment"?

You must apply to the Italian embassy or consulate present in your home country.

What documents are required to obtain an entry visa to Italy for "medical treatment"?

In order to obtain a visa you must:

1. Have a passport: the Italian embassy or consulate usually requires that the expiration date of the passport be at least 3 months older than the date of the visa.
2. Present medical certification on the pathology suffered, issued by an Italian (public or private health facility affiliated with the health system) or foreign health facility. Certificates from the foreign health facility must be translated into Italian.
3. Submit a statement from the Italian health facility where you will be treated. The declaration should indicate the type of treatment, the start date and the expected duration of the health care treatment.
4. Pay to the health facility an amount equal to 30 percent of what will presumably be the cost of the treatment to be carried out in Italy. The Italian embassy or consulate in your country will ask you to show the receipt of the payment of this sum.
5. Demonstrate that you have sufficient economic resources in Italy to pay for the treatment you will need to undergo; provide room and board for yourself and your companion, if any, for the duration of your stay in Italy; and finally, provide for the cost of travel to Italy and then back to your country. Most likely, the Italian embassy or consulate will ask you to show your travel reservation or airline tickets or, alternatively, prove that you have personal transportation.

You will need to pay a fee for the administrative costs of issuing the visa.

For more detailed information on the forms to be filled out, documents to be shown at the embassy or consulate, and visa fees, we recommend that you contact the Italian embassy or consulate present in your country directly.

What is the duration of the visa for "medical treatment"?

The duration of the visa depends on the expected duration of treatment you will need to undergo in Italy.

You will have to undergo medical treatment in Italy and wish to have someone accompany you. Is this possible?

Yes, your companion may also apply for and be granted a "medical treatment" visa, as long as you can prove that you have sufficient economic resources for the costs of travel and room and board in Italy for the duration of the visa. In addition, your companion must have health insurance.

What happens following entry into Italy?

You must apply within 8 days to the Questura (police headquarters) of the place where you are domiciled to request the issuance of a residence permit for "medical treatment." Your companion, if any, must do the same.

What is the duration of the residence permit?

The residence permit has the same duration as the visa and can be renewed if, upon expiration, you continue to need treatment. For renewal, you must apply to the Questura of the place where you are domiciled, presenting the required medical documentation.

Can you work in Italy with this residence permit?

Yes, the residence permit for "medical treatment" authorizes you to work in Italy. This is expressly provided for in Article 36, paragraph 3 of Legislative Decree No. 286/1998. However, it is not possible, upon expiration, to apply for conversion into a residence permit for work reasons.

With a residence permit issued as a result of entry on a visa for "medical treatment," can you enroll in the Italian health service?

No. If you entered with a visa, you are not entitled to enroll in the healthcare system. This means that the cost of the medical examinations and treatment you will receive in Italy is entirely your responsibility.

Can a residence permit for reasons of "medical treatment" be issued only to those who enter Italy with an entry visa?

No, this type of permit can also be issued to those who are already in Italy and need treatment: for example, to those who are in Italy without a residence permit; or to those who have a residence permit for other reasons, but come into an irregular situation because they no longer meet the requirements to renew it.

You should know that in Italy the right to health is an inviolable right, guaranteed by the Italian Constitution for all citizens, Italian and foreign. In fact, the person suffering from a serious pathology, which cannot be adequately treated in the country of origin, cannot be

deported and has the right to receive treatment in Italy. In such cases, the Italian state has an obligation under international law of non-refoulement (Article 19, paragraph 2, letter d-bis, Legislative Decree No. 286/1998).

When must the refoulement ban be respected?

The ban on refoulement must be complied with in the event that you have a pathology, physical or psychological, the severity of which is recognized by the Italian health system and to the condition in which in your country of origin this pathology cannot be adequately treated. Thus, to the condition in which any return to your country of origin could result in harm to your health.

You are in Italy without a residence permit and you have been diagnosed with a serious medical condition for which you could not receive adequate treatment in your home country. What can you do?

You can apply to the Questura of the place where you are domiciled to apply for a residence permit for "medical treatment".

How do you book an appointment at the Questura?

Questuras in Italy have different appointment booking systems. Some Questuras use the "Prenotafacile" portal to which one registers by providing some data such as: surname, first name, date of birth, sex, ID, address and zip code of residence, valid email address and telephone number. Other Questuras, on the other hand, ask you to make an appointment by sending a PEC (Certified Electronic Mail) or by going in person to the Questura on the predetermined days. We advise you to inquire at your local Questura. Remember that on the day of the appointment at the Questura you must be present and you will be fingerprinted.

What documents do you need to present at the Questura?

On the day of your appointment at the Questura, you must bring documents that prove your medical condition. This means that you must bring a medical certificate that defines what your medical condition is. The certificate must be issued by an Italian public health facility or a doctor affiliated with the National Health Service.

Remember that on the day of the appointment you must also bring:

- your passport (check that it has not expired);
- 4 passport photos;
- a 16.00 euro revenue stamp;
- your declaration of hospitality.

How do you get a medical certificate if you have no residence permit?

In Italy, access to medical care is guaranteed for everyone regardless of legal status. So, even without a residence permit, you can go to your city's emergency room and be examined by a doctor, who can certify your medical condition. In this case, as your first document, you will be issued an "STP" code, that is, you will be enrolled in the health service as a "Temporarily Present Foreigner" ("Straniero/a Temporaneamente Presente") in the national territory.

What is the declaration of hospitality?

It is the document required by the Questura as proof of your residence in Italy. The declaration of hospitality must be signed by the person hosting you. The declaration must include your personal data, the data of the person hosting you, and your home address. At the Questura you must also bring a photocopy of the identity card and/or residence permit of the person hosting you. The Questuras usually also ask for a photocopy of the property deed, if the person hosting you is the homeowner, or of the rental contract with registration with the Agenzia delle Entrate (Internal Revenue Service), if the person hosting you has a rental contract in his or her name.

What is the duration of the residence permit for "medical treatment"?

The residence permit for "medical treatment" issued by the Questore (Police Commissioner) will have the same duration as the certificate issued by the doctor and in any case not more than 1 year. It is a paper (not electronic) residence permit.

Can the residence permit be renewed upon expiration?

Yes, upon expiration, the permit for "medical treatment" can be renewed: the requirements are the same as for the first issuance. Warning! Also on the day of the renewal appointment you must bring to the Questura a certificate issued by a public facility or a doctor affiliated with the National Health Service that defines your pathology and the treatment you need.

If you have a medical condition, is it automatic for you to be issued a residence permit for "medical treatment"?

No, as clearly defined in the regulations, the issuance of a permit for "medical treatment" is subject to two conditions. The first is that the medical condition is considered particularly

serious. The second is that your country of origin does not guarantee adequate treatment. The assessment is made by the Questore.

What does it mean that your condition cannot be adequately treated in your home country?

It means that there is no treatment for your condition in your country or treatment is difficult to access. We recommend that you bring to the Questura any documents that help prove that it is impossible or difficult, if you return to your country, to receive adequate treatment for your condition (e.g. official information or international reports on your country of origin).

If you applied for the issuance or renewal of a residence permit for "medical treatment" but received a refusal from the Questura, what can you do?

If you have received a refusal, you can appeal the decision of the Questura, that is, request that a Judge review your case. In this case you must contact a lawyer who will file the appeal for you. Remember that the appeal must be filed within 30 days from the time you were given the negative decision.

With a residence permit for "medical treatment," can you register with the registry office?

Yes, you are entitled to take up residence in the municipality where you live. In addition, you are issued a paper (not electronic) identity card.

With a residence permit for "medical treatment," are you entitled to register with the National Health Service?

Yes, with the permit for "medical treatment" you have the right to enroll in the National Health Service. This means that you have the right to receive treatment under the same conditions as Italian citizens: you can choose a general practitioner and, if your income is very low, you have concessions in access to medical examinations and the purchase of medicines. You are entitled to the issuance of a health card, which will have the same expiration date as your residence permit.

With a residence permit for "medical treatment" can you travel outside of Italy?

No, this residence permit is valid only within the national territory of Italy.

Does the residence permit for "medical treatment" entitle you to work in Italy?

Nowhere the law states that with a residence permit for "medical treatment" you cannot work. So, if you have a permit for "medical treatment" and you cannot find any employer willing to hire you, try contacting a lawyer or associations or guidance desks for migrant people, if they are present in your territory.

You should, however, be aware that on May 6, 2023, a new law went into effect in Italy-Law No. 50/2023-which eliminated the possibility of converting a residence permit for "medical treatment" into a residence permit for work or pending employment.

At this time, Questuras in Italy will not accept any application for conversion from a permit for "medical treatment" to a permit for work or pending employment that was submitted after May 6.

However, if at the time of the law's entry into force - May 6 - you were already in possession of a permit for "medical treatment" but did not apply for conversion in time, if you wish you can consult a lawyer to assess whether the new law also applies to your case. The same holds in the case where you applied to the Questura for a medical "treatment" permit or an application for international protection before May 6, but the decision of the Questura or Territorial Commission (Commissione Territoriale) came only after this date.

Have you applied for international protection in Italy?

If you have applied for international protection in Italy, the Territorial Commission-that is, the body that decides on your application-must also consider the possibility of issuing a permit for "medical treatment."

In the event that it is not possible to recognize a greater and more tutelary form of protection (asylum, subsidiary protection or special protection), the Commission, before issuing a denial, must assess whether a possible return to your country of origin could cause harm to your health.

So be careful: when you prepare the documents to be handed over to the Territorial Commission on the day of your hearing, don't forget to also bring all the medical documentation you have. This way you will help the Commission assess whether, in your health situation, there are requirements for the issuance of a residence permit for "medical treatment."

If so, the Territorial Commission will forward the records to the Questore for the issuance of a residence permit for "medical treatment."

If the Territorial Commission has recognized your right to a residence permit for "medical treatment," what should you do?

You must book an appointment in the Questura of the place where you are domiciled. On the day of the appointment for fingerprinting, you must bring with you the decision of the Territorial Commission in which it is written that the Questura must issue a residence permit for "medical treatment."

In addition to the Commission's decision, you must bring:

- 4 passport photos;
- a 16.00 euro revenue stamp;
- the declaration of hospitality.

Warning. When it is the Commission that recognizes your right to receive a residence permit for "medical treatment," the Questura cannot ask you to show your passport as a requirement for issuance. It may, instead, ask you for it at the time of renewal.

You have applied for the issuance or renewal of a type of residence permit other than "medical treatment" (e.g., work, family, etc.). However, the Questura considers that you do not qualify for that type of residence permit and rejects your application. What do you need to know in this case?

You should know that the Questura is always obliged to assess whether in your individual case there are causes of inespellability (inespellibilità), that is, reasons why you cannot be deported from Italy. As already explained, the presence of serious health problems for which you could not receive sufficient care in your country of origin constitutes a cause of inespellability regardless of the type of residence permit you may have applied for. Therefore, if the Questura refuses to issue or renew the type of residence permit you initially applied for, remember that you can always apply, as an alternative, for a permit for medical treatment: in this case, you will have to present medical documentation related to your condition and prove that, in case of return to your country, you would not be able to receive adequate treatment.

Can a residence permit for "medical treatment" be applied for even if you are pregnant?

Yes, if you are pregnant and do not have a residence permit, you cannot be deported from Italy. You can apply for the issuance of a residence permit for "medical treatment" by booking an appointment in the Questura of the place where you are domiciled. With this residence permit you are entitled to registration with the National Health Service and to receive the necessary care during pregnancy and childbirth. In case of voluntary termination of pregnancy, the permit is revoked.

What documents do you need to bring on the day of the appointment at Questura?

You must bring:

- medical certification issued by a public facility or a doctor affiliated with the health care system stating the state of pregnancy and the expected date of delivery;
- passport;
- 4 passport photos;
- a 16.00 euro revenue stamp;
- the declaration of hospitality.

What is the duration of this residence permit?

This residence permit can be issued from the moment the state of pregnancy is certified and can be renewed for 6 months after delivery. On the day of the appointment at the Questura for renewal you must bring the birth certificate.

After the expiration of the 6-month period following childbirth, the permit cannot be further renewed, nor can it be converted into a residence permit for work or pending employment. It can, however, be converted into a residence permit for family reasons if the requirements under Italian law for family reunification are met.

What are the requirements for applying for conversion to a family residence permit?

You can apply for conversion if:

- you have a residence permit for "medical treatment" that has not expired for more than one year;
- you live together with your spouse who is a legal resident in Italy;
- you demonstrate that you have "eligible" housing, that is, that it meets the hygienic and sanitary requirements of Italian law and is large enough for the number of family members living in it: you will have to bring to the Questura the "housing eligibility certificate" ("certificato di idoneità dell'alloggio") issued by your municipality;
- prove that you have sufficient economic resources: the minimum income required is calculated by taking into consideration the annual amount of the social allowance (6.947,33 € for 2024), increased by half for each family member. If it is your spouse who supports the family, you will have to prove, through pay stubs, CUD or tax returns, that his or her income meets the minimum requirements of the law.

Who should be contacted to obtain a certificate of housing eligibility?

One must apply to the municipality. The housing eligibility certificate can be applied for by the homeowner or tenant or by the person who has hospitality in the housing. Regarding

how to submit the application and what forms to fill out, inquire at your municipality. It is almost always an online procedure: if you need support, you can turn to a patronage. The cadastral plan of the housing, that is, the map of the house, must be attached to the application.

Can the residence permit for "medical treatment" also be applied for by the father of the unborn child?

Yes, the residence permit can also be requested for the same duration by the cohabiting husband of the pregnant woman.

If your wife is pregnant and you are cohabiting in Italy, you can apply for the issuance of a residence permit for "medical treatment" by proving the marriage bond. On the day of the appointment at the Questura, you will, in fact, have to bring the marriage documentation, translated into Italian and legalized.

If, on the other hand, you are not married, but live together with the mother of your child, you can apply for a residence permit for "medical treatment" only after the birth and for the duration of 6 months. On the day of the appointment at the Questura you will have to bring the birth certificate proving paternity.

Can you work in Italy with this residence permit?

No, this residence permit does not allow you to work in Italy.

What are the rights of the newborn child?

The newborn child has the same rights as his/her parents. He/she has, therefore, the right to civil registration and registration with the National Health Service: this allows you to choose a pediatrician.

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