

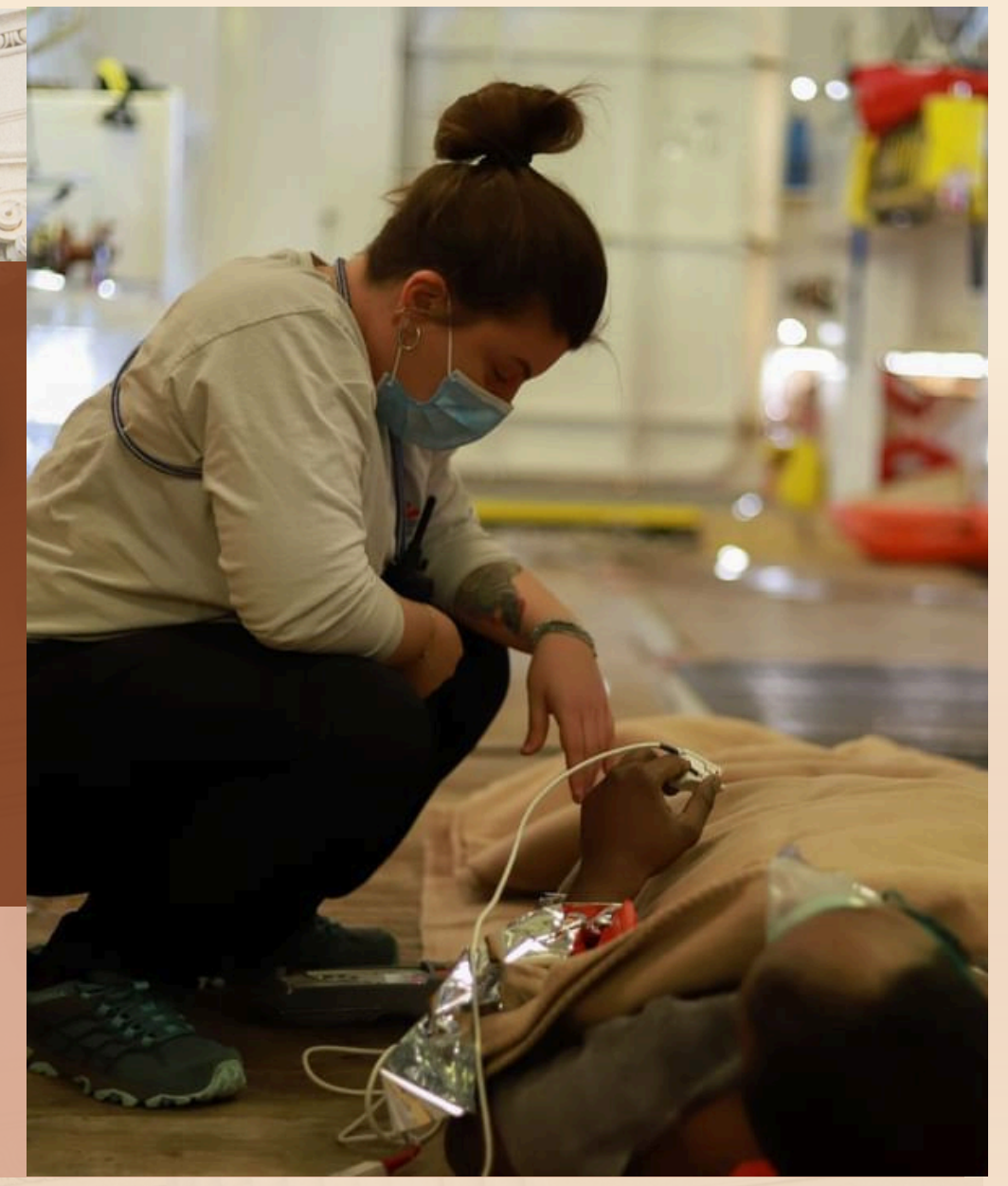
# DESTROYING BRIDGES, CLOSING DOORS

## France immigration reform: access to health only in the case of emergency?



Jelena JEVTIC [jelena.jevtic@studenti.unipd.it](mailto:jelena.jevtic@studenti.unipd.it) MA European and Global Studies, UNIPD

Natacha PAMBOU--ORSKI [natacha.pambou--orski@etu.unige.ch](mailto:natacha.pambou--orski@etu.unige.ch) MSc Global Health, UNIGE



Credits: MSF/Mohamed Cheblak

### AME: State Medical Aid for undocumented migrants in France

The **State Medical Aid (AME)** is a system allowing foreigners in an irregular situation in France to benefit from access to care. It is awarded on the basis of residency and resources for the period of one year, renewable, from the date of application.

The **conditions** to acquire the AME are: to reside in France for more than three months, not to possess a residence permit for more than three months & not to exceed a certain amount of resources.

Once the AME is granted, the overall management of **health-related costs are covered** (consultations, medications, hospitalisations...).

Beneficiaries of AME should be **treated as ordinary patients** in abstraction from their social and legal precariousness.

### France's Immigration Bill: replacing AME

France has had an ongoing debate about an **immigration bill**. In theory, this bill would include a transformation of the AME into an **"emergency medical assistance"** scheme, which would only cover serious illnesses, pregnancy-related care, compulsory vaccinations and preventive medical examinations.



■ of those eligible for the AME benefit from it



■ of the annual health expenditure budget is dedicated to AME

**466 000**  
people are currently covered by the AME

Data from: Gabarro, Céline. (2023). Obtaining the AME: an obstacle course

## BREAKING NEWS

MARCH 12TH, 2024:

After reluctantly removing the replacement of the AME from the Immigration Bill during the **Joint Committee's** debates last December, **Les Republicains** party submitted a new Bill **'to reform access to social benefits for foreigners'**, which contains the same proposition.

APRIL 11TH, 2024:

The **Constitutional Council** declared the aforementioned bill as **non-conforming** with the National Constitution and notably its 11th paragraph which guarantees the **protection of health for all**. Moreover, this would go **against France's obligations regarding the Social Charter**. The Constitutional Council's decisions are binding and not subjected to appeal.

### Criticism

The access to healthcare for undocumented migrants in France is legally covered. However, in order to have access to the AME, people are required to provide certain documents such as proof of residency in France for more than 3 months, proofs of identity, domiciliation or accommodation, and resources. Many undocumented migrants are unable to provide those documents and the law does not evoke this matter, leaving many people marginalized and unprotected.

Furthermore, if the access to healthcare for undocumented migrants was to be restricted, this would seriously violate France's international obligations and commitments such as the **Social Charter, Convention on the Rights of the Child, and European Convention on Social and Medical Assistance**.

Sources:

French civil services' website: [www.service-public.fr](http://www.service-public.fr)  
French National Health Insurance website: [www.ameli.fr](http://www.ameli.fr)  
French Senate website: [www.senat.fr](http://www.senat.fr)  
Law No.99-641 (1999): creation of the AME  
Moncada, Marie. (2021). Policy Feedback and Health of Undocumented Migrants in France: Should We Reconcile Historical Institutionalism and Punctuated Equilibrium?.  
Public Health Information Service website: [www.sante.fr](http://www.sante.fr)

**2002**

Under Section 57 of the **Finance (Amendment) Act**, the French Government ended the system whereby irregular immigrants were exempted from all charges

**2013**

The Senate adopted **text No. 263** abolishing the previously established charges for beneficiaries of AME

**2024**

The **Prime Minister** announced a reform of the AME before this summer using the Government's **regulatory powers**. Therefore, the reform will not pass through the Parliament

**2003**

Collective **COMPLAINT No. 14/2003** against France by the **European Committee of Social Rights** regarding the aforementioned reforms of state medical assistance (AME) and universal medical coverage (CMU), **incompatible with Articles 13, 17, E and G of the revised Social Charter**

**2023**

Suggested replacement of the AME by an "emergency medical assistance" was **removed** from the **Immigration Bill**, which was passed in December by the Senate