

Healthcare Coverage for Undocumented Migrants in Ireland

Thelma Bost* & Marlena Tyldesley*

*Master of Science in Global Health, Global Studies Institute, University of Geneva

Background: The Great Famine in Ireland in 1845 prompted a mass exodus of Irish nationals from the country. Between 1861 and 1961, in fact, the population decreased from 4.4 million to 2.8 million. In the last few decades, there has been consistent return of Irish nationals to their home country. There was also a **boom of labour immigration** into Ireland from the late 1990s into the new millenium. In 2008, major restrictions were placed on labour immigrants, yet many remained. As a result, in 2014, 86.5% of undocumented immigrants in the country entered legally but **became undocumented** over time as immigration policies changed¹.

All persons demonstrating **'ordinary residence'** in Ireland are granted hospital services free of charge; beyond that, ordinarily resident persons fall into one of two categories¹:

1. **Medical Card Holders** who are entitled to all medical services free of charge due to hardship, defined by income and age
2. **Non-Medical Card Holders** who have free access to publicly funded secondary care services but must contribute to the cost of most other healthcare services

Obstacles for Migrants

Undocumented migrants cannot prove ordinary residence as they would have to submit all of the following^{1,2}:

- Proof of property purchase or rental
- Evidence of transfer funds, bank accounts, pensions
- Residence permit or visa
- Work permit or visa, statement from employer

Access is therefore restricted to **urgent necessary treatment** for free/reduced charge & **all other medical services at full cost**¹.

Undocumented migrants are additionally unable to seek care in another country as they would be unable to return to Ireland¹.

International Treaties

International Covenant on Economic, Social and Cultural Rights (1976)

- Create “conditions which would assure to all **medical service and medical attention** in the event of sickness.” (Art 12)³

EU Charter on Fundamental Rights (2000)

- “Everyone has the right of access to **preventive health care** and the right to benefit from **medical treatment** under the conditions established by national laws and practices.” (Art 35)⁴

“Access to health care over and above urgent medical treatment... requires undocumented migrants to have the financial means to access private healthcare”⁵

The current policies on health care access for undocumented migrants do not satisfy these international treaties that Ireland is bound to. Health care covered financially only in the case of urgent necessary treatment is not in accordance with the **right to medical attention** in the event of sickness or the **right to preventative medicine**, as spelled out in the above treaties.

1. Country Report Ireland - MIPEX Health Strand [Internet] [cited 2024 April 18].

2. Documents to include with a medical card application - HSE.ie [Internet]. [cited 2024 Apr 18].

3. The Right to Health For Undocumented Migrants | PICUM [Internet]. [cited 2024 April 18].

4. Charter of Fundamental Rights of the European Union [Internet]. OJ C Oct 26, 2012. [cited 2024 Apr 18].

5. Cuadra CB. Policies on Health Care for Undocumented Migrants in EU27 [Internet]. [cited 2024 April 18].