



Exemption from the compulsory health insurance based on the Agreement on the Free Movement of Persons - option right for border workers

Persons who are employed in Switzerland are subject to compulsory Swiss health insurance.

The Agreement on the Free Movement of Persons (AFMP) resp. its Annex II provides that border workers with residence in Germany, France, Italy and Austria can be exempted from compulsory health insurance in Switzerland upon request in order to remain affiliated with the health insurance system of the state of residence (option right).

Deadline to exercise the option right

The option right must be exercised within three months from starting a gainful economic activity in Switzerland.

Irrevocability and validity of the option right

The selection is irrevocable and valid for the entire period of uninterrupted employment as a border worker. With a timely delivered request you can avoid possible double insurances (simultaneous insurance in the country of residence and in Switzerland).

Employment of the spouse or parent in the country of residence

If a spouse or a parent (in case of children) are employed in the country of residence, they as well as their children are subject to the health insurance in the country of residence. The children may not be insured by the compulsory health insurance in Switzerland.

Border workers from Germany – separate option right

Due to a special agreement for family members, border workers from Germany may exercise their option right separately (separate option right). If a border worker from Germany chooses to be insured in Switzerland his family members may be insured in Germany. The option rights must be exercised as a unity, in other words the border worker on the one part and the family members united of the other part. It is therefore not possible for one child to be health insured in Switzerland and the other child in Germany.

Option right in case of new family members

Applicable to **Germany, Austria and Italy**: Border workers with health insurance in Switzerland who gain new family members through birth or marriage may request an exemption from the compulsory health insurance. The request must be made within three month of the marriage or birth. The exemption applies retroactively from this occasion. The Federal Office of Public Health informs, that persons who have already exercised their option right may not join



the compulsory health insurance in case of new family members. A reversal of the exemption cannot be requested.

Applicable to **France**: A change of family circumstances does not create a new option right.

Circumstances, that do not create a new option right

The following circumstances do not lead to the resurgence of the option right:

- Change in economic circumstances
- Change of amount of health insurance premiums
- Change of employer and/or canton of work
- Change from study to employment relationship
- Change from trainee to employment relationship

New option right in case of interruption of the border work

If the employment in Switzerland ends and the border worker becomes subject to insurance obligation in the country of residence e.g. due to unemployment, a new option right arises in case of resumption of an economic activity in Switzerland. The interruption of the border work needs to be proven in written records (e.g. proof of unemployment benefits, proof of family insurance etc.).

To exercise the option right legally validly the following conditions must be fulfilled and the following documents must be sent:

- Duly completed and signed request form
- Current proof of insurance cover in the country of residence and in Switzerland
- Proof of border work (copy of border worker permit, double-sided or confirmation by the employer for Swiss nationals)

The exemption includes unemployed family members living in the same state (exception: see «employment of the spouse or parent in the country of residence»).