

Slovenia extends the right of a child's parent to stay (live) with a child in hospital

ESPN Flash Report 2020/71

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DECEMBER 2020

At the end of November 2020, as part of the measures introduced in the context of the COVID-19 pandemic, the parent's right to stay with a child in hospital (and more broadly healthcare institution) was extended up to and including children aged 14 (previously five). Both the cost of the hospital stay and the sickness benefit (from the first day of the parent's absence from work) will be paid by the compulsory health insurance. This measure will remain in force until the end of 2021.



Description

The 6th anti-COVID-19 legislative package (ZIUOPDVE) was passed on 25 November 2020. Among other measures, it contains an amendment to the Health Care and Health Insurance Act (ZZVZZ) that entitles one of the parents of a child up to and including the age of 14 to stay with his or her child in hospital (and more broadly healthcare institution), fully covered by compulsory health insurance. Another amendment, proposed by the opposition parties, gives the same right to one of the parents of a child with special needs, who requires 24-hour care, up to and including age 18.

The amendments became effective on 29 November 2020 and will remain in force until the end of 2021. Before that, the right to paid cohabitation was restricted to one of the parents of children aged five years or less. During the COVID-19 pandemic, children in hospitals, especially those with more severe illnesses, have been facing greater physical limitations and mental health problems due to restrictions on patients' movement around the hospital, the ban on visits, the frequent taking of swabs, etc. Their need for their parents' presence has increased. At the same time, a parent staying in hospital with her/his sick child can take over some care tasks and relieve the overburdened hospital staff. However, as the economic situation of families has worsened during the pandemic, their ability to pay to stay with the child in hospital has decreased.

ZIUOPDVE also stipulates that the sickness benefits for nursing a sick child,

received by parents staying in a hospital with their child, are paid by the Health Insurance Institute of Slovenia ("HIIS", i.e. the compulsory health insurance) from the first day of their absence from work. This amendment to the ZZVZZ will also apply from 29 November 2020 until the end of 2021. Normally, the employer pays sickness benefits for the first 30 days. The benefit amounts to 80% of the contribution base, but not less than the minimum wage, and is paid as long as the parent remains living in the hospital – the same as before.

The total compulsory health insurance payments for parents' hospital stays have been slowly increasing over the years and amounted to almost €2.5 million in 2019 (€2.3 million in 2015). The number of days covered by the compulsory health insurance fell from 68,640 in 2015 to 61,611 in 2019 (HIIS, 2016-2019), while the price per day in hospital increased from €33.56 in 2015 to €40.5 in 2019 (MoH et al., 2016-2019). HIIS has not performed any analyses to explain why the number of days is falling.

The total expenditure on sickness benefits paid to parents staying with their child in hospital amounted to €3.9 million in 2019 and has been stable for the last five years. The total HIIS expenditure on the stays themselves and related sickness benefits was thus €6.4 million in 2019. It has been estimated that the legislative changes (increasing the age of eligible children, and payment of sickness benefits from the first day) will increase costs by €4 million a year.

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Outlook and commentary

The non-governmental organisation (NGO) "Junaki 3. nadstropja" ("Heroes of the Third Floor"; 2020), founded as a group bringing together parents of children receiving cancer treatment, has been collecting donations to finance hospital stays for parents who have not been able to afford the cost. At the beginning of 2020, this NGO called on the Parliament, Prime Minister, Government, political parties, mayors and other stakeholders to increase the age of children whose parents would be entitled to stay with their children, covered by compulsory health insurance, from five to 15 (MMC RTV, 2020). The initiative resulted in the adoption of the legislative change. However, the extension is not permanent, as was called for. The higher age limit will remain in force for only around 13 months, the period during which COVID-19 is expected to have a significant impact.

The European Association for Children in Hospital (EACH), established by NGOs and non-profit organisations, summarised the rights of sick children and their families before, during and after hospitalisation in the 10 points of the "EACH charter" (EACH, 2017). This document served as a reference for the "Guidelines on child-friendly health care" (CoE,

2011). The "EACH charter" defines children's (aged 0-18) right to have parents by their side throughout their time in hospital, 24 hours per day. The parents should be invited to stay with their children and should be granted accommodation without any additional costs or loss of income.

The overview of rights to parental stays (Đogić Pristavec, 2019) reveals that all European countries limit this right, either by setting a maximum age for children up to which the costs of the parent's hospital accommodation are covered, setting limits to the duration of the stay covered by compulsory health insurance, or limiting the duration of sickness benefits received by parents. The closest situation to the EACH document is in Switzerland, with its new legislation that gives parents of sick children up to and including the age of 14, the right to 14 weeks of benefit within an 18-month timeframe.

With the implemented legislative change, Slovenia joined the countries committed to following the "EACH charter" in Europe – albeit only for around a year. Interested stakeholders should use this period to step up the pressure and additionally justify the need for permanent introduction of a higher age limit.

Further reading

Health Insurance Institute of Slovenia (HIIS), [Poslovno poročilo zavoda](#) [Institute's Annual Report], HIIS, Ljubljana, 2016-2020.

Ministry of Health (MoH) et al., [Splošni dogovor](#) [General Agreement], MoH, Ljubljana, 2016-2020.

Council of Europe (CoE), [Guidelines on child-friendly health care](#), CoE, Strasbourg, 2011.

EACH, Each Charter, European Association for Children in Hospital, 2017: <https://www.each-for-sick-children.org/each-charter>

Đogić Pristavec, M., [Pravica do sobivanja staršev pri hospitaliziranih otrocih, primerjalni pregled](#), Državni zbor, Ljubljana, 2019.

Junaki 3. nadstropja, Društvo staršev otrok zdravljenih na hemato-onkološkem oddelku, Ljubljana, 2020: <https://junaki3nadstropja.si/upo-rabni-dokumenti/>

MMC RTV, [Odslej brezplačno sobivanje starša v bolnišnici z otrokom do 14. leta](#), Ljubljana, 2020.

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Quoting this report: Rupel, V. (2020). *Slovenia extends the right of a child's parent to stay (live) with a child in hospital*, ESPN Flash Report 2020/71, European Social Policy Network (ESPN), Brussels: European Commission.