



On approval of the Rules for the use of lump-sum pension payments for treatment

Unofficial translation

Order of the Minister of Healthcare of the Republic of Kazakhstan dated February 15, 2021 No. ҚР ДСМ-18. Registered with the Ministry of Justice of the Republic of Kazakhstan on February 17, 2021 No. 22226

Unofficial translation

In accordance with subclause 60-1) of Article 7 of the Code of the Republic of Kazakhstan dated July 7, 2020 “On Public Health and Healthcare System”, **I HEREBY ORDER:**

1. To approve the attached Rules for the use of lump-sum pension payments for treatment.
2. Department of Medical Care Organization of the Ministry of Health of the Republic of Kazakhstan in accordance with the procedure, established by the legislation of the Republic of Kazakhstan, shall ensure:
 - 1) state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;
 - 2) placement of this order on the Internet resource of the Ministry of Healthcare of the Republic of Kazakhstan;
 - 3) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submission to the Legal Department of the Ministry of Healthcare of the Republic of Kazakhstan, of information about implementation of measures, specified by subclauses 1) and 2).
3. Control over execution of this order shall be entrusted to the supervising Vice Minister of Healthcare of the Republic of Kazakhstan.
4. This order shall be enforced from the date of its first official publication and shall apply to relations arisen from January 1, 2021.

*Minister of Healthcare
of the Republic of Kazakhstan*

A. Tsoy

“APPROVED”

Minister of Labor and Social Protection
of the Republic of Kazakhstan

_____ S. Shapkenov

“APPROVED”

Chairman of the Agency
of the Republic of Kazakhstan
for Regulation and Development

Rules for the use of lump-sum pension payments for treatment

Chapter 1. General provisions

1. These Rules for the use of lump-sum pension payments for treatment (hereinafter referred to as the Rules) have been developed in accordance with subclause 60-1) of Article 7 of the Code of the Republic of Kazakhstan dated July 7, 2020 “On Public Health and Healthcare System” (hereinafter referred to as the Code), Law of the Republic of Kazakhstan dated June 21, 2013 “On Retirement Insurance in the Republic of Kazakhstan” (hereinafter referred to as the Law), and shall determine the procedure for the use of lump-sum pension payments for treatment.

2. In these Rules the following definitions shall be used:

1) recipient – an individual, using his/her lump-sum pension payments and (or) lump-sum pension payments of the husband (wife) and (or) lump-sum pension payments of close relatives for treatment in accordance with the procedure, provided for in these Rules;

2) specialized professional - a medical worker with a diploma of higher medical education who has a certificate in the field of healthcare;

3) lump-sum pension payment – an amount of pension savings, formed at the expense of mandatory pension contributions and (or) mandatory occupational pension contributions, withdrawn by the contributor (recipient) from the Unified Pension Savings Fund (hereinafter referred to as the UPSF) in order to improve housing conditions and (or) pay for treatment, in the manner, established in accordance with subclause 2-1) of Article 1 of the Law;

4) special accounts for lump-sum pension payments (hereinafter referred to as the special account) – a current bank account opened by the recipient of lump sum pension payments from an authorized operator, determined by the Government of the Republic of Kazakhstan in accordance with subclause 3-1) of Article 2 of the Law of the Republic of Kazakhstan dated December 7, 2000 “On housing construction savings in the Republic of Kazakhstan” for crediting lump sum pension payments from UPSF in order to improve housing conditions and (or) pay for treatment;

5) treatment - a complex of healthcare services aimed at eliminating, stopping and (or) alleviating the course of the disease, as well as preventing its progression;

6) close relatives - parents (parent), children, adoptive parents, adopted children, brothers and sisters of the full and half blood, grandfather, grandmother, grandchildren according to

subclause 13) of clause 1 of Article 1 of the Code of the Republic of Kazakhstan dated December 26, 2011 “On Marriage (Matrimony) and Family”;

7) medical organization - a healthcare organization, the main activity of which is the provision of medical care;

8) applicant – a contributor (recipient) claiming lump sum pension payments from UPSF in accordance with the Law;

9) authorized operator – a legal entity (legal entities) determined (determined) by the Government of the Republic of Kazakhstan in accordance with subclause 37-1) of Article 1 of the Law, performing (performing) opening and maintaining special accounts for lump-sum pension payments from UPSF in order to improve housing conditions and (or) pay for treatment, to which UPSF transfers lump-sum pension payments from pension savings formed from mandatory pension contributions and (or) mandatory occupational pension contributions;

10) electronic digital signature (hereinafter referred to as the EDS) – a set of electronic digital symbols created by means of electronic digital signature and confirming reliability of an electronic document, its belonging and invariability of its content.

Chapter 2. Procedure for the use of lump-sum pension payments for treatment

3. In order to use of lump-sum pension payments to improve housing conditions, an applicant shall independently receive from UPSF information about available amount of a lump-sum pension payment, including via the Internet resource of UPSF.

4. An applicant, using EDS logs in to the Internet resource of an authorized operator and opens his personal account, in which he fills out an electronic application for a lump-sum pension payment for treatment (hereinafter referred to as the application for payment) indicating the amount in accordance with clause 1 of Article 30 of the Law and the intended usage, which he/she certifies with his/her EDS.

5. In cases where the recipient of lump-sum pension payments is used by the spouse (s) and (or) close relatives, the parties enter into an agreement on the assignment of lump-sum pension payments in the recipient's personal account, which is certified by their EDS with the attachment of documents confirming marriage (matrimony) or family relations.

6. Information about the application for payment registered with the authorized operator is received by UPSF within 2 (two) working days as part of an electronic notification, in the manner established by the relevant agreement concluded between UPSF and the authorized operator.

7. UPSF, within 5 (five) working days from the date of receipt of the electronic notification from the authorized operator, transfers the amount of the lump sum pension payment to the authorized operator, which credits it to the applicant's special account opened by the authorized operator.

8. In case of assignment, the lump-sum pension payments shall be transferred from the applicant's special account to the recipient's special account within 5 (five) working days.

9. The recipient, upon receipt of funds to the special account, shall apply to a medical organization at the place of his/her attachment in accordance with the requirements established by clause 1-1 of Article 31 and (or) clause 1-1 of Article 32 of the Law with an application for the provision of the conclusion of the medical commission (hereinafter referred to as the conclusion) and attach a copy of the identity document and the conclusion of the relevant specialist.

10. To issue a conclusion, a medical commission is created by order of the head of the medical organization. The total number of members of the medical commission is an odd number, at least three doctors. The composition and number of members of the medical commission are approved by order of the head of the medical organization.

11. The members of the medical commission are the heads of the structural divisions of the medical organization, medical specialists, the chairman of the medical commission manages the activities of the medical commission.

12. The organizational activity of the medical commission is provided by the secretary of the medical commission. The secretary of the medical commission is not a member of the medical commission and does not have the right to vote when the medical commission makes a decision. The functions of the secretary of the medical commission are performed by the responsible person of the medical organization.

13. The meeting of the medical commission is held in person and (or) via online video conferencing (if the members of the commission are in different regions).

14. The meeting of the medical commission is considered competent with the participation of two-thirds of the total number of members of the commission.

15. The decision of the medical commission is made by a majority vote of the total number of those participating in the meeting of the commission.

16. In case of equality of votes, the decision for which the chairman of the medical commission voted is considered adopted.

17. The basis for issuing a conclusion is medical indications for the provision of medical services paid for by lump-sum pension payments in accordance with Appendix 1 to these Rules.

18. The medical commission no later than 5 (five) working days from the date of the applicant's application makes a decision:

1) on referral of the applicant for treatment at the expense of lump-sum pension payments for medical reasons;

2) on the refusal to refer the applicant for treatment at the expense of lump-sum pension payments, in the absence of medical indications.

19. The responsible person of the medical organization issues to the applicant a conclusion in the form in accordance with Appendix 2 to these Rules, within 2 (two) working

days from the date of the meeting of the medical commission for submission to the authorized operator.

20. Upon receipt of the conclusion, the applicant selects a medical organization, including a foreign one, and concludes an agreement with it on the provision of medical services with further attachment of a scanned version of the agreement and the conclusion of the medical commission in his/her personal account on the Internet resource of an authorized operator.

21. If the documents provided by the recipient correspond to the intended purpose of the lump-sum pension payments, the authorized operator transfers the lump-sum pension payments for their intended purpose within 5 (five) working days from the date of receipt of the documents from the recipient.

22. Documents confirming the intended use of lump-sum pension payments to pay for treatment shall be:

1) conclusion;

2) an agreement on the provision of medical services concluded between a medical organization and a recipient (with a notarized translation attached in cases where the agreement is drawn up in a foreign language), and (or) an agreement between the seller and the recipient for the purchase of medicines.

The agreement on the provision of medical services concluded between the medical organization and the recipient indicates the type of medical services in accordance with Appendix 1 to these Rules and the diagnosis established from the conclusion of the medical commission.

23. If the recipient fails to provide documents confirming the intended use of the lump-sum pension payments specified in clause 22 of these Rules, the funds are subject to return to UPSF within 45 (forty-five) working days from the date of receipt to the special account.

24. The lump-sum pension payments shall be used any number of times in case of meeting the requirements, set forth in clause 1-1 of Article 31 and (or) clause 1-1 of Article 32 of the Law, without restrictions in types of medical services, provided for in the list according to the terms of these Rules.

25. The use of lump-sum pension payments for treatment shall be carried out in a non-cash way.

26. In case of insufficiency of a part of the amount of lump-sum pension payments for treatment specified in clause 4 of these Rules, the recipient's own funds shall be used.

Appendix 1
to the Rules for the use
of lump-sum pension
payments for treatment

Medical services, paid at the expense of lump-sum pension payments

No.	Medical services
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1	Treatment of orphan diseases, in accordance with the list, determined by the authorized body in the field of healthcare in accordance with clause 3 of Article 177 of the Code of the Republic of Kazakhstan dated July 7, 2020 “On Public Health and Healthcare System”, including their medication provision as well as diagnostic tests to determine the tactics of treatment
2	Dental services provided in medical organizations located on the territory of the Republic of Kazakhstan (dental prosthetics, implantation)
3	Reconstructive and restorative operations (plastic) in order to correct postoperative scars and congenital malformations, also after a mastectomy
4	Radionuclide and radioiodine therapy
5	Radiosurgical treatments (Gamma Knife, CyberKnife)
6	Proton therapy
7	Ophthalmic services (corneal collagen crosslinking, laser vision correction)

Appendix 2
to the Rules for the use
of lump-sum pension
payments for treatment
Form

Conclusion of the medical commission on referral the application to treatment at the expense of lump-sum pension payment No. _____ dated “ _____ ” _____ 20 _____

Issued to individual _____
Surname, name, patronymic (if any)
date of birth _____
Gender _____

Individual identification number _____
Home address, phone number _____

Place of employment _____

Diagnosis _____

Conclusion of the medical commission _____

1) refer the individual for treatment at the expense of lump-sum pension payments to: _____
_____;

(indicate the type of the medical service according to Appendix 1 to these Rules.

In the case of prescribing drugs for treatment, it is necessary to indicate international non-proprietary name of medicines with clarification dosages, quantities, units of measure (vial, tablet, granule, package).

2) refuse to send an individual for treatment at the expense of one-time pension payments with reasons _____

(indicate the reason)

This conclusion of the medical commission shall be valid within 3 months from the date of its issue.

Chairman of the medical commission _____

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Surname, name, patronymic (if any) signature

Secretary _____

Surname, name, patronymic (if any) signature

Seal

Date