

**Executive Council Resolution No. (16) of 2013**  
**Concerning Health Insurance of the**  
**Government of Dubai Employees<sup>1</sup>**

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**We, Hamdan bin Mohammed bin Rashid Al Maktoum, Crown Prince of Dubai, Chairman of the Executive Council,**

After perusal of:

Law No. (5) of 1995 Establishing the Department of Finance;

Law No. (6) of 1997 Concerning Contracts of the Government Departments in the Emirate of Dubai and its amendments;

Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai;

Law No. (27) of 2006 Concerning Management of the Government of Dubai Human Resources and its amendments;

Law No. (13) of 2007 Establishing the Dubai Health Authority;

Law No. (31) of 2009 Establishing the Dubai Government Human Resources Department;

Law No. (35) of 2009 Concerning Management of the Public Funds of the Government of Dubai and its amendments; and

Decree No. (9) of 2012 Approving the Procedure for Pricing the Services of Dubai Health Authority,

**Do hereby issue this Resolution.**

**Definitions**  
**Article (1)**

The following words and expressions, wherever mentioned in this Resolution, will have the meaning indicated opposite each of them unless the context implies otherwise:

UAE: The United Arab Emirates.

Emirate: The Emirate of Dubai.

Government: The Government of Dubai.

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*1 Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict, the Arabic text will prevail.*

Executive Council Resolution No. (16) of 2013 Concerning Health Insurance of Government of Dubai Employees

Executive Council:	The Executive Council of the Emirate of Dubai.
Law:	Law No. (27) of 2006 Concerning Management of the Government of Dubai Human Resources and its amendments.
Department:	The Government departments, authorities, the public corporations, councils, and agencies to which the provisions of the Law apply, or any other entity which is determined to be subject to the provisions of this Resolution.
DGHR:	The Dubai Government Human Resources Department.
DHA:	The Dubai Health Authority.
Human Resources Directorate:	The organisational unit responsible for the personnel affairs of a Department.
Employee:	Any person employed in any job included in the budget of a Department, which definition includes both males and females.
UAE National:	Any person holding the nationality of the UAE.
Family of a UAE National Employee:	The husband or wife or wives, children and parents of a UAE National Employee, even if those persons are non-UAE Nationals.
Family of a Non-UAE National Employee:	The husband or one wife of a non-UAE National Employee and three (3) of his children residing with him in the UAE.
Insured:	A UAE-National or non-UAE National Employee and his family members who are entitled to Health Insurance.
Health Insurance:	The healthcare provided to the Insured by a Healthcare Provider in accordance with this Resolution.
Health Insurance Claim Management Company:	A company responsible for the management of financial claims arising from the provision of Health Insurance services.
Healthcare Provider:	A public or private healthcare provider licensed by the competent authority to provide healthcare services in

the UAE, and which is engaged to provide services through Health Insurance.

**Health Insurance Card:** A document issued to an Insured by the Health Insurance Claim Management Company to be presented to a Healthcare Provider to evidence the Insured's entitlement to Health Insurance as prescribed by the provisions of this Resolution.

**Committee:** The Committee for Management of the Health Insurance of the Government of Dubai Employees formed in accordance with the provisions of this Resolution.

**Emergency Case:** A situation that requires an immediate, urgent, and direct medical intervention to save life or remove the threat of danger, using all available medical means.

### **Scope of Application Article (2)**

- a. The provisions of this Resolution will apply to UAE National and non-UAE National civilian employees working in a Department, but will not apply to Employees appointed pursuant to a temporary contract or working on a part-time basis.
- b. For the purposes of the application of the provisions of this Resolution, an Employee who has been granted preliminary approval to obtain UAE nationality and who has been issued a valid UAE passport shall be treated as a UAE National Employee.

### **Health Insurance Categories Article (3)**

- a. The Health Insurance category of an Employee will be determined according to his pay grade as follows:

<b>Health Insurance Category</b>	<b>Employee Pay Grade</b>
Special	This includes a director general, secretary general, executive director/ chief executive officer, and similar positions.
A	For grades twelve (12) to sixteen (16).
B	For grades eight (8) to eleven (11).

Health Insurance Category	Employee Pay Grade
C	For grades five (5) to seven (7).
D	For grades one (1) to four (4).

- b. The implementing bylaw of this Resolution will determine the benefits to which an Insured is entitled according to the category assigned to him from amongst the categories mentioned in paragraph (a) of this Article.

### **Persons Entitled to Health Insurance Article (4)**

The following persons are entitled to Health Insurance in accordance with the provisions of this Resolution:

1. **A UAE National and his family** – The entitlement of family members to Health Insurance will continue:
  - a. for spouses, until the termination of the marital relationship;
  - b. for sons, until they obtain employment or reach the age of twenty-one (21), whichever is earlier, unless they are suffering from infirmity or disability preventing them from working; and
  - c. for daughters, until they obtain employment or they get married, unless they become widowed or divorced.
2. **A non-UAE National and his family** - The entitlement of family members to Health Insurance will continue:
  - a. for spouses, until the termination of the marital relationship;
  - b. for children, until they obtain employment, get married or reach the age of twenty one (21), whichever is earlier, unless they are suffering from infirmity or disability preventing them from working.

### **Date of Entitlement Article (5)**

- a. An Insured will be entitled to Health Insurance from the date of his employment until the date of the termination of his service.
- b. If an event occurs which may affect the Insured's entitlement to Health Insurance, his entitlement will be adjusted from the date of such event.

**Multiple Health Insurance Entitlements**  
**Article (6)**

- a. The Health Insurance entitlement stipulated by this Resolution may not be combined with any other Health Insurance entitlement provided by the Government.
- b. If both the Employee and his spouse are employed by the Government, the Health Insurance entitlement will be granted to the Employee in the higher category. In cases of equal entitlement, the entitlement of both Employees will be according to the category of the husband.
- c. The parents of a UAE National Employee will be entitled to Health Insurance according to the category of the Employee. Where multiple Employees have the same parents, the parents will be entitled to the same Health Insurance as the Employee with the highest category.

**Official Holidays and Leave**  
**Article (7)**

The Health Insurance entitlement of an Insured will continue during official holidays and authorised leave in accordance with the provisions of the Law and the legislation in force.

**Optional Health Insurance**  
**Article (8)**

An Employee may request a change of his Health Insurance category to a higher category, and may also request that his relatives up to the second degree be added to his Health Insurance, provided that he bears the prescribed cost of this change or addition. The implementing bylaw of this Resolution will determine the conditions and rules as well as the prescribed costs that must be borne by the Employee in either of these two cases.

**Overseas Healthcare**  
**Article (9)**

- a. The cost of healthcare for an Insured during an overseas stay for any reason will be covered in Emergency Cases only.
- b. The cost of healthcare provided to an Insured pursuant to paragraph (a) of this Article will be provided in accordance with the conditions and procedures determined by the implementing bylaw of this Resolution.

**Co-Insurance**  
**Article (10)**

An Insured must bear a percentage of the cost of the healthcare services provided in accordance with the provisions of this Resolution, which must be paid directly to the

Healthcare Provider. This percentage will be determined in the implementing bylaw of this Resolution.

### **Recovery and Reimbursement Article (11)**

- a. As determined in the implementing bylaw of this Resolution, a Department may recover, in whole or in part, the cost of any healthcare service provided to an Insured in error, including when an Insured receives a service which is not covered by his category of Health Insurance, or when he exceeds the coverage limit of the medical service to which he is entitled.
- b. From the commencement of his employment with a Department, the Health Insurance Claim Management Company will reimburse the Employee for the cost of healthcare provided to him for:
  1. the time period prior to an Insured receiving his Health Insurance Card; and
  2. obtaining overseas healthcare in Emergency Cases.
- c. The implementing bylaw of this Resolution will determine the procedures and rules of the cost recovery and reimbursement referred to in paragraphs (a) and (b) of this Article.

### **Health Insurance Card Article (12)**

An Insured will receive a Health Insurance Card. The implementing bylaw of this Resolution will determine the details which must be included and the terms of issuing such Health Insurance Cards.

### **Employee Obligations Article (13)**

Throughout his term of service in a Department, and subject to disciplinary action, an Employee must:

1. disclose to the Human Resources Directorate if he or any member of his family is entitled to Health Insurance provided by the Government;
2. notify the Human Resources Directorate in the event of loss of or damage to his Health Insurance Card or his family members' cards, in which case the Employee will bear the cost of issuing a new Health Insurance Card;
3. provide the Human Resources Directorate with clear, accurate data or information related to his Health Insurance entitlement;
4. immediately notify the Human Resources Directorate of any developments which may impact his Health Insurance entitlement or the entitlements of any member of his family;
5. not misuse the Health Insurance Card in any way whatsoever;

6. not authorise others to use his Health Insurance Card or that of any of his family members; and
7. report to the Human Resources Directorate any misuse, negligence, or default committed by any Healthcare Provider.

### **Health Insurance Claim Management Article (14)**

Health Insurance claims will be managed in accordance with the provisions of this Resolution through contracting with a company specialising in the management of such claims, or through any other method approved by the DHA, the DGHR, or the Department of Finance.

### **Duties of the DGHR Article (15)**

The DGHR will supervise the implementation of the provisions of this Resolution, and for these purposes it will:

1. prepare and develop a Health Insurance system for Government Employees in cooperation with the DHA and the Department of Finance, and develop the plans required for its implementation;
2. in coordination with the DHA and the Department of Finance, develop Health Insurance programmes for Government Employees, and submit them to the Executive Council for approval;
3. in coordination with the Department of Finance and the DHA, establish the procedures required to migrate the personal data of the Insured where another company has been contracted to manage Health Insurance claims;
4. ensure that the Human Resources Directorate is performing the duties stipulated in this Resolution; and
5. in coordination with the Department of Finance and the DHA, review and re-evaluate the implemented Health Insurance system on an annual basis and as required, and submit the results of these reviews and any suggestions to the Executive Council for approval.

### **Duties of the Department of Finance Article (16)**

The Department of Finance will have the duty to:

1. provide the funds allocated in the public budget of the Government to cover the Health Insurance expenses;
2. contract with a Health Insurance Claim Management Company to manage claims arising from Health Insurance, and, in coordination with the DHA, verify its compliance with the contract concluded with it;

3. in coordination with the DHA, audit claims submitted to it from the Health Insurance Claim Management Company and Healthcare Providers for settlement purposes;
4. follow up with any Department having an independent budget to pay for the Health Insurance costs of its Employees; and
5. deduct, on a monthly basis, the cost of the Health Insurance from the approved budget of each Department.

### **Duties of the DHA Article (17)**

The DHA will:

1. manage the technical aspects of Health Insurance;
2. verify compliance by the Health Insurance Claim Management Company with the provisions of this Resolution and the contract concluded with it;
3. control and audit the Healthcare Providers to verify their compliance with the provisions of this Resolution and the contracts they conclude with the Health Insurance Claim Management Company;
4. establish a special database for the Insured and principles, and rules for data entry, protection, migration, and processing to achieve expedient and easy access to the healthcare services, and to ensure the confidentiality and privacy of such data;
5. analyse Health Insurance data and information, and coordinate with the DGHR and the Department of Finance to propose policies and programmes to develop Health Insurance;
6. respond to enquiries received from any entity in relation to Health Insurance; and
7. hear complaints submitted by the Insured against a Healthcare Provider or the Health Insurance Claim Management Company.

### **Duties of the Human Resources Directorate Article (18)**

The Human Resources Directorate will:

1. in coordination with the DHA and the Health Insurance Claim Management Company, take the necessary measures for the issuance, renewal, and adjustment of the Health Insurance entitlement of the Insured, and provide them with Health Insurance Cards;
2. recover an Insured's Health Insurance Card at the end of his service or the end of his entitlement;
3. coordinate with the DHA and the Health Insurance Claim Management Company with respect to all matters related to the Insured;
4. respond to Employees' enquiries relating to Health Insurance; and

5. provide clear and accurate data requested by the DGHR, the DHA, or the Department of Finance. The Human Resources Directorate will have an obligation to update such data where changes occur.

**Obligations of the Health Insurance Claim Management Company  
Article (19)**

The Health Insurance Claim Management Company must:

1. comply with the provisions of this Resolution and the contract concluded with it;
2. not own or be owned by, be a partner in, or have the right to manage, any Healthcare Provider during the contractual period;
3. enter into contracts on behalf of the Government with Healthcare Providers approved by the DHA using the contract template approved by the DHA and the Department of Finance for this purpose;
4. verify Healthcare Providers' compliance with the provisions of this Resolution and the contract concluded with them, including observing the rates approved by the DHA for healthcare services;
5. provide the DHA and the DGHR with a list of the names and addresses of Healthcare Providers, and update such list on a regular basis;
6. issue Health Insurance Cards for the Insured and deliver such cards to the Human Resources Directorate;
7. immediately notify the DHA of any violations committed by Healthcare Providers;
8. provide the Department of Finance, the DHA, and the DGHR with the electronic information and personal details of the Insured, and any other information requested by these entities in accordance with the functions assigned to it by law;
9. in coordination with the DHA and the Human Resources Directorate, publish and distribute to the Insured instructions, guidance notes, forms, documents, publications, and manuals relating to Health Insurance;
10. in coordination with the DHA and the Human Resources Directorate, prepare and implement health awareness and education programmes for the Insured;
11. maintain financial and statistical records and reports relating to the healthcare provided to the Insured;
12. protect the privacy of the data of the Insured and return it to the DHA immediately upon the expiry of the contract concluded with it;
13. provide technical support to the DHA, the Department, and the DGHR in any matter relating to Health Insurance;
14. propose measures required to develop Health Insurance services, and to avoid any related obstacles; and submit these to the DGHR, the Department of Finance, and the DHA;

15. prepare reports on cases of the most common and recurrent diseases contracted by the Insured, propose appropriate preventive measures, and submit these to the DHA and the DGHR; and
16. submit claims in accordance with the procedures, instruments, and methods adopted by the DHA and the Department of Finance.

### **Obligations of Healthcare Providers Article (20)**

A Healthcare Provider must:

1. comply with the provisions of this Resolution and with its concluded contract, including the rates of healthcare services adopted by the DHA;
2. provide healthcare services to the Insured in accordance with the approved and recognised professional code of conduct and professional ethics;
3. not manipulate the medical or financial records of the Insured or deal with these records in a negligent manner;
4. provide the DHA and the Health Insurance Claim Management Company with all the information, data, and documents relating to any healthcare service provided to the Insured;
5. cooperate with the law enforcement officers of the DHA and provide them with any information relating to the Insured or to any healthcare service;
6. not act in a way which may lead to unlawful material gains through the provision of healthcare services covered by Health Insurance; and
7. in Emergency Cases, provide healthcare service to an Insured even if it is not covered by his Health Insurance category, provided that the Department bears the cost of this service.

### **Health Insurance Committee Article (21)**

- a. A committee named the "Committee for Management of the Health Insurance of the Government of Dubai Employees" (the "**Committee**") will be formed pursuant to a resolution of the Chairman of the Executive Council under the chairmanship of the Director General of the DGHR, with a membership of representatives from concerned Government entities in the Emirate, including the DHA and the Department of Finance. This resolution will also determine the mode of operation and decision-making procedures of the Committee.
- b. The Committee will:
  1. consider the applications for admission submitted by Health Insurance companies, and submit the appropriate recommendation in this regard to the Director General of the Department of Finance for approval;
  2. issue the required Health Insurance resolutions; and

3. determine the grievances submitted to it from the Health Insurance Claim Management Company, Healthcare Providers, and Employees.
- c. The Committee may, in performing the duties assigned to it pursuant to this Resolution, seek the assistance of experts and specialists, as it deems appropriate.

**Penalties**  
**Article (22)**

- a. Without prejudice to any stricter penalty prescribed in any other resolution, any person who commits any of the violations stipulated in Schedules (1) and (2) attached to this Resolution will be punished by the fine indicated for each violation. Upon repetition of the same violation within one (1) year from the date of the previous violation, the amount of fine will be doubled, provided that the fine does not exceed two hundred thousand Dirhams (AED 200,000.00).
- b. Based on a technical report issued by the DHA, the Committee may exclude permanently or temporarily any Healthcare Provider from the Health Insurance network.
- c. An Employee who violates any of the provisions of this Resolution, its implementing bylaw, or the resolutions or instructions issued hereunder in accordance with the Law, will be subject to disciplinary action.
- d. A violator must repay any amounts he receives in error.

**Law Enforcement Officers**  
**Article (23)**

Employees of the DHA nominated pursuant to a resolution of the director general of DHA in coordination with the Director General of the Government of Dubai Legal Affairs Department will have the capacity of law enforcement officers to record the acts committed in breach of the provisions of this Resolution, its implementing bylaw, and the resolutions and instructions issued in pursuance hereof. In this capacity, they may issue the relevant violation reports, and seek the assistance of police personnel where required.

**Payment of Fines**  
**Article (24)**

Proceeds of the fines collected in accordance with the provisions of this Resolution will be paid to the Public Treasury of the Government.

**Issuing Implementing Resolutions  
Article (25)**

The Director General of the DGHR will, in coordination with the Department of Finance, and the DHA, issue the resolutions required for the implementation of the provisions of this Resolution. Such resolutions will be published in the Official Gazette of the Government.

**Publication and Commencement  
Article (26)**

This Resolution will be published in the Official Gazette and will come into force one (1) month from the date of its publication.

**Hamdan Mohammed bin Rashid Al Maktoum**  
**Crown Prince of Dubai**  
**Chairman of the Executive Council**

Issued in Dubai on 26 June 2013  
Corresponding to 17 Shaban 1434 A.H.

**Schedule (1)**  
**Violations and Fines of Healthcare Providers**

SN	Description	Fine in Dirhams
1	Disclosure of financial data related to Health Insurance services	100,000.00
2	Failure to provide the DHA with required information or data or impeding the work of its inspectors	50,000.00
3	Manipulating the medical or financial records of the Insured or dealing with these records in a negligent manner	30,000.00
4	Splitting claims to avoid exceeding the financial threshold specified for a healthcare service	100,000.00
5	Providing healthcare services that are not appropriate for the health condition of the Insured for financial gain	20,000.00
6	Transferring the Insured from one Healthcare Provider to another, or prescribing specific brands of medicine or medical equipment for material gain	20,000.00
7	Exempting the Insured from co-insurance, overcharging him, or exaggerate the final cost of a healthcare service	100,000.00
8	Presenting false invoices or manipulating Health Insurance claims	100,000.00
9	Charging for a healthcare service resulting from a condition caused by Healthcare Provider's negligence or default	100,000.00
10	Issuing false invoices for a healthcare service which was not provided to the Insured	100,000.00
11	Prescribing medicines which are covered by Health Insurance but which are not needed by the Insured	30,000.00
12	Failure to perform an obligation stipulated in this Resolution or the resolutions issued hereunder.	20,000.00

**Schedule (2)**  
**Violations and Fines of the**  
**Health Insurance Claim Management Company**

<b>SN</b>	<b>Description</b>	<b>Fine in Dirhams</b>
1	Non-compliance with the terms of the contract concluded with the Health Insurance Claim Management Company	100,000.00
2	Acceptance of any amount of money or of a material benefit from a Healthcare Provider	100,000.00
3	Inaccurate and incomplete documentation of claims and invoices	100,000.00
4	Failure to provide required information or providing unclear or inaccurate information to the Department of Finance, the DHA, or the DGHR	100,000.00
5	Failure to report violations committed by Healthcare Providers	100,000.00
6	Failure to perform an obligation stipulated in this Resolution or the resolutions issued hereunder	25,000.00