



**NOTIFICATION TO ATTEND MEETING OF THE PROTOCOL COMMITTEE  
TO BE HELD IN THE RICHARD O'CARROLL ROOM - CITY HALL  
ON THURSDAY 1 FEBRUARY 2018 AT 8.00 AM**

**AGENDA**

**THURSDAY 1 FEBRUARY 2018**

		<b>PAGE</b>
1	Minutes of the meeting held on 4th January 2018 and matters arising	<b>3 - 6</b>
2	Lord Mayor's Receptions and Engagements of the Deputy Lord Mayor	<b>7 - 8</b>
3	Commercial Concessions within Dublin City Council Parks	
4	Motion in the name of Cllr. Dermot Lacey:  <i><b>"In order to assist the viewing public this Committee agrees to propose a method whereby the text of Emergency Motions are either read out or put up on web for clarity purposes."</b></i>	
5	Report on Disability Access at the Mansion House	<b>9 - 12</b>
6	Local Electoral Area Boundary Committee Submission Invitation	<b>13 - 18</b>
7	Approval for Councillor Attendance at the "European Energy Poverty Conference 2018"	<b>19 - 20</b>
8	Request by the "3FiveTwo Group" to address Councillors on the Cross Border Healthcare Directive  3FiveTwo Healthcare providers are a private medical solutions company in Northern Ireland. The group is a local organisation of healthcare professionals, clinics and hospitals and is Northern Ireland's largest private healthcare company.	<b>21 - 24</b>
9	Managers Report	
10	A.O.B.	
11	Proposed Date of next meeting - Thursday 1st March 2018 at 8am in the Richard O'Carroll Room, City Hall	





**MINUTES OF THE PROTOCOL COMMITTEE MEETING**

**HELD ON THURSDAY 4 JANUARY 2018**

1 Minutes of the meeting held on 30th November and matters arising

**Order: Agreed**

2 Lord Mayor Receptions and Engagements of the Deputy Lord Mayor

**Order: Noted and Recommended to Council**

3 Part 8 Planning Application Procedures

**Order: Report noted and referred to the Planning and Property Development SPC for their consideration.**

4 Motion in the name of Councillor Mannix Flynn:

*“That this Protocol Committee initiates a full review of the procedures with regards the handing back of the Honorary Freedom of the City in order to establish a clear guideline and protocol for any event that may arise in the future.”*

**Order: The motion was seconded by Cllr. Anne Feeney and was agreed. The Manager to provide a report to the Protocol Committee, outlining draft guidelines for the return of the Honorary Freedom of the City.**

5 Motion in the name of Councillor Damian O'Farrell:

**Order: It was agreed that the motion be referred to the Planning and Property Development SPC to be considered in conjunction with the report on the Part 8 Procedures as discussed in item 3.**

6 Motion in the name of Councillor Mannix Flynn referred by the South East Area Committee:

**Order: The Manager informed the Committee that the Chief Executive was undertaking a review of the uses of City Hall Exhibition Space, Palace Street and the Rates Offices and it was agreed by the Members that the issues raised by Cllr. Flynn's motions could be addressed within that process.**

7 Motion in the name of Councillor Mannix Flynn referred by the South East Area Committee:

**Order: Refer to item 6**

8 Planned works for City Hall 2018:

**Order: The Manager informed Members that the following work would be undertaken in City Hall in 2018:**

- **Provision of the Parenting Room (January)**
- **Refurbishment of the Ladies 1<sup>st</sup> floor toilet (January)**
- **New Kitchen and office facilities in Supper Room annex (February)**
- **Window reveal repair along front elevation to Dame Street (January)**
- **Painting of the Council Chamber (August)**
- **Repairs to perimeter Iron Work (Ongoing)**

**The Manager also informed the Committee that works on disabled access to City Hall and the Rates Office would commence in 2018 in line with the Part 8 approved by Council.**

**The Lord Mayor informed Members that significant works regarding disabled access were being carried out in the Mansion House and that he would provide an update to the next Protocol Committee meeting.**

9 Managers Report:

**Order: The Manager informed Members on the following issues:**

- **2018 Pocket Diaries have been sourced and issued to all Councillors. The Manager to bring a report before the Committee with regards future provision of the pocket diary.**
- **An assessment of the effect of GDPR on Council questions was being carried out, following which a report would issue to the Committee.**
- **The Members were informed the IPB does not provide professional indemnity to Councillors with regards transgressions under data protection regulations. Cllr. Dermot Lacey to raise the matter with IPB.**
- **The Catalan Flag was now flying over City Hall. The Flags subcommittee is due to meet on 10<sup>th</sup> January and would report back to the committee once it has completed its review.**

10 **A.O.B.**

The Chair of the Protocol Committee, Cllr. Deirdre Heney in consultation with the Ardmhéara, recommended that Mr James Connolly be appointed as Senior Council to provide an outside legal opinion on the process surrounding the Clontarf to City Centre Cycleway Part 8 Application.

**Order: The Committee accepted this recommendation and it was agreed that any Councillor who wished to make an observation or submission on the matter should do so by Friday 26th January 2018. Submissions should be made directly to the Law Agent, Mr. Terrence O'Keeffe. The Manager to circulate to all Members.**

11 Proposed Date of next meeting - Thursday 1st February 2018 at 8am in the Richard O'Carroll Room, City Hall

**Order: Agreed.**

**Attendance:**

**Members:**

Deirdre Heney (Chairperson)  
Brendan Carr  
Mannix Flynn  
John Lyons  
Michael Mullooly  
Ciaran O'Moore

**Members:**

Patrick Costello  
Teresa Keegan  
Ardmhéara Micheal Mac Donncha  
Naoise O'Muirí

**Members:**

Anne Feeney  
Dermot Lacey  
Ray McHugh  
Damian O'Farrell

**Officers**

Michael Gallagher

Deirdre Ni Raghallaigh

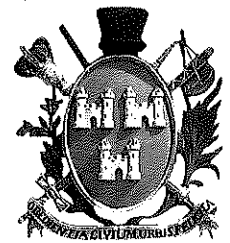
Richard Shakespeare

**Councillor Deirdre Heney**

**Chairperson**

**Thursday 4 January 2018**





Ardmhéara Bhaile Átha Cliath  
Lord Mayor of Dublin  
**Mícheál Mac Donncha**

22<sup>nd</sup> January 2018

**Mr. Deirdre Ní Raghallaigh**  
Senior Executive Officer,  
Chief Executive's Department

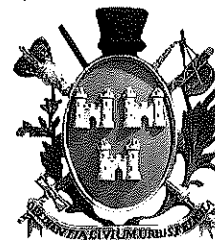
Dear Deirdre,

I would be obliged if you would bring the following receptions for the month of January 2018 to the attention of the Protocol Committee.

Date	Function	Nos
04.01.18	Donaghmede Estate Residents Association Committee	25
05.01.18	Community Volunteers Night	20
12.01.18	Staff Appreciation Night	72
15.01.18	Kenilworth Bowling Club	60
16.01.18	Kilbarrack Youth Project	60
17.01.18	TY Irish Class Students from Coláiste Choróin Mhuire (Rosary Collge) Crumlin	22
17.01.18	Afterschool Group	43
17.01.18	Grange Woodbine Senior Club	78
22.01.18	Seimineár Conradh na Gaeilge	80
26.01.18	Fuel Fund Thank You Night for Volunteers	60

Yours sincerely,

**Mícheál Mac Donncha**  
Ardmhéara Bhaile Átha Cliath



Ardmhéara Bhaile Átha Cliath  
Lord Mayor of Dublin  
**Mícheál Mac Donncha**

22<sup>nd</sup> January 2018

**Ms. Deirdre Ní Raghallaigh**  
Senior Executive Officer,  
Chief Executive's Department

Dear Deirdre,

Please see below, list of functions, receptions and events in which I had a Deputy/Representative attend on my behalf during the month of January 2018:

Date:	Function:	DLM/Cllr:
01.01.18	New Year's Day Mass	Cllr. Dermot Lacey
24.01.18	IBYE Dublin Regional Finals 2018	Deputy Lord Mayor, Cllr. Áine Clancy

Yours sincerely,

Mícheál Mac Donncha  
Ardmhéara Bhaile Átha Cliath



---

## Report to Protocol Agenda - “Access to the Mansion House”

---

### **History**

The Mansion House is the official residence of the Lord Mayor since 1715. It was built between 1705 and 1710. Since 1715 it has hosted city, national and international events. It is included in the City of Dublin Record of Protected Structures and is a National Monument. As the official residence of the Lord Mayor, all citizens of Dublin should be able to access the building without difficulty.

Next door to the Mansion House are the public rooms – the Round Room dating from 1821 and the Supper Room dating from the 1890s.

Prior to 2013 the entrance to the left of the Mansion House was a shared entrance between the Mansion House Oak Room, the Round Room and Fire Restaurant (the Supper Room). This entrance consisted of a ramp and steps. The ramp was not compliant with Part M of the Building Regulations 2012 as it was too steep in gradient and too long. It was also slippery and there had been a number of slips on it.

### **2013 works**

In 2013 major works were done to Fire Restaurant and this entrance which reinstated the arms of the Mansion House forecourt thus restoring the 18<sup>th</sup> century baroque forecourt, moved the entrance of Fire Restaurant to beside the Royal Irish Academy and removed the ramp and installed a platform lift to allow access to the Mansion House Oak Room and Round Room.

### **Platform Lift**

The platform lift has been in use since completion of those works in 2013 but there have been instances when it has been out of order. If out of order visitors to the Mansion House have to access via either the Round Room or Fire Restaurant. The platform lift is also not strong enough to cater for heavy wheelchairs – those over 350kg. Following research, it was agreed that a new platform lift with increased weight capacity up to 500kg be installed. This work has been approved and we are awaiting final confirmation of dates from the contractor but would be hopeful that the work will commence shortly. The Lift supplier has advised that the bespoke lift is due for installation on the first week in March.

### **Complaint submitted for investigation under the Disability Act, 2005**

On 9<sup>th</sup> December 2013 an official complaint under the Disability Act 2005 was lodged to Owen Keegan, Dublin City Manager. It was lodged by Billie Sparks, Women's & Equality Officer with the Labour Party on behalf of Mick Keegan, Chairman of Labour Disability. The summary of the complaint was that the Labour Disability Group were seriously concerned that access to the many facilities at the Mansion House had been restricted as a result of the removal of the access ramp and replacement with a platform lift.

The complaint was investigated by Elaine Hess, Inquiry Officer with Dublin City Council. In her Determination, she advised that the previous ramp was not in compliance with building regulations and that it was not possible to provide a level access route or a gently sloped access route as per the Building Regulations therefore it was not possible to provide an integrated service as per Section 26 of the Act. The removal of the ramp and replacement with steps and a platform lift went through a statutory and formal planning process and was granted Part 8 planning approval, a Disability Access Certificate and a Fire Certificate. However she did agree there were design, operational, management and maintenance issues with the current lift which have led to difficulties for people in wheelchairs using the new lift and gaining access to the Mansion House and the Round Room. Therefore she stated that while the Council had provided access, that access could be improved through improvements to the lift, communication with groups using the Mansion House and procedures for the breakdown of the lift.

### **Consultation meeting of Mansion House Disability Access Focus Group**

On Friday 1<sup>st</sup> December a consultation meeting of the Mansion House Disability Access Focus Group was held at the Mansion House. Attendees included representatives from the PPN Disability Linkage Group. A presentation was given by an Access Consultant and the views of those present were aired. A walk through of the Mansion House was done by all present so that obstacles could be highlighted by those present.

Suggestions raised included:

- Install automatic doors at the platform lift. This was included in the order for the platform lift to be installed shortly.
- Exploring ways where larger numbers of ambulant disabled visitors arriving at the same time to the Mansion House / Round Room can be facilitated.
- Means of full access to the Mansion House which would remove the need to access via the Oak Room.
- Regarding the PPN Disability Linkage Group suggestion to the reinstatement of the ramp; it was agreed that 7 possible options outlined may be explored :

- Please note most of the options will require the extension of external circulation (ie. ramp or new lift) into the formal garden at the front garden of the Fire Restaurant building.
  - Removal of platform lift and installation of compliant ramp- with new lift to be provided in the garden of Fire Restaurant
  - Provision of an additional platform lift to existing arrangement.
  - Keeping the Platform Lift and steps whilst adding a steep ramp within the curtilage of the Access route
  - Identifying if a new ramp could be installed in the garden area whilst maintaining the existing steps and upgraded platform lift
  - Installation of steps and new Part M Compliant ramp with a proposed lift in front of the existing terrace / corner of garden area
  - Review side entrance ramp to access Round Room
  - Provide wheelchair access at the main entrance of the Mansion House

In any solution a stairs and a lift will always required due to the 2m level change required. Recommendations made by the Consultant included training for the Mansion House in the area of assisting those with disabilities and communication channels including the Lord Mayor's page on the Dublin City website. These recommendations are being followed through.

Another meeting is being arranged to follow up on the items raised.

**Deirdre Ni Raghallaigh**

**Senior Executive Officer  
26<sup>th</sup> January 2018**



Local Electoral Area Boundary Committees  
Room 1.67, Custom House, Dublin 1, D01 W6X0.  
Tel: 01-8882769 / 01-8882031, Fax: 01-888 2690  
Email: boundarycommittee@housing.gov.ie  
Web: www.boundarycommittee.ie



17 January 2018

### Invitation for Submissions

Dear Chief Executive,

The Minister for Local Government and Electoral Reform, Mr John Paul Phelan, T.D., has established two committees to review local electoral areas and to report to him within six months.

The review of local electoral areas is being undertaken in prospect of the local elections to be held in 2019, having regard to the results of Census 2016 and with the policy objectives of reducing the size of territorially large local electoral areas and of designating urban-focused local electoral areas around the larger towns.

The Committees are tasked with making recommendations on the division of council areas into local electoral areas and on the number of members of the council to be assigned to each such local electoral area.

Committee No. 1 will report and make recommendations on every county, other than Cork, Dún Laoghaire-Rathdown, Fingal, Galway and South Dublin and on Limerick City and County and Waterford City and County. For these Councils the number of councillors will be no less than 5 and no more than 7 for each local electoral area, provided that in particular compelling circumstances 3 or 4 seat local electoral areas may be recommended, where otherwise the geographic size of the area would be disproportionately large.

Committee No. 2 will report and make recommendations on Dublin City and the counties of Dún Laoghaire-Rathdown, Fingal and South Dublin. For these Councils the number of councillors will be no less than 5 and no more than 7 for each local electoral area.

Committee No. 2 may also be asked to make recommendations on the division of Cork and Galway into local electoral areas, in due course.

The Committees' reports will be considered by the Minister as the basis for the revision of the local electoral areas and municipal districts under his statutory powers.

The Terms of Reference of the Local Electoral Area Boundary Committees are attached.

The Committees are now inviting submissions on the matters referred to above.

Submissions may be sent by e-mail to: [boundarycommittee@housing.gov.ie](mailto:boundarycommittee@housing.gov.ie) or by post to:

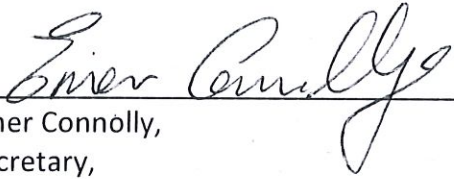
Secretary,  
Local Electoral Area Boundary Committees,  
Room 1.67,  
Custom House,  
Dublin 1.

**to arrive no later than Monday 19 February 2018 at 5pm.**

Please note that all submissions will be made available on the Committees' website and may also be subject to Freedom of Information requests.

Further information on the Local Electoral Area Boundary Committees, is available on [www.boundarycommittee.ie](http://www.boundarycommittee.ie) or by contacting telephone number 01-888-2769 or 01-888-2031.

Is mise le meas,

  
\_\_\_\_\_  
Emer Connolly,  
Secretary,  
Local Electoral Area Boundary Committees.

To: Each Local Authority Chief Executive

## **Review of Local Electoral Areas 2018**

### **Local Electoral Area Boundary Committee No. 1**

#### **TERMS OF REFERENCE**

1. To review and to make recommendations on the division of each county, other than Cork, Dún Laoghaire-Rathdown, Fingal, Galway and South Dublin, and each city and county, into local electoral areas and the number of members of each county council and each city and county council to be assigned to each such electoral area.
2. For the purpose of the review, the Committee should have regard to the population as ascertained at Census 2016, should assume no change in the total membership of each local authority specified in the Local Government Act 2001 as amended by the Local Government Reform Act 2014 and should endeavour, as far as practicable and subject to the other requirements of these terms of reference, to achieve variance from individual average local authority representation within the range of plus or minus 10%.
3. The number of councillors assigned to a local electoral area shall be not less than 5 and not more than 7 provided that in particular compelling circumstances 3 or 4 seat local electoral areas may be recommended, where otherwise the geographic size of the area would be disproportionately large.
4. Except in the case of Metropolitan Districts (Limerick and Waterford), a distinct urban-focused local electoral area or areas, as appropriate, shall be designated in respect of each town the population of which within the county as ascertained at Census 2016, when rounded to the nearest 1,000, is equal to or greater than 15,000. The number of members of the county council to be assigned to each such local electoral area shall not be less than 5, as far as practicable. Each such electoral area shall be based, as far as practicable, on the areas of the "census town" as defined for the purposes of Census 2016.
5. A distinct local electoral area shall be designated in respect of each county town which does not come within the scope of article 4. Each such electoral area shall be based, as far as practicable, on the areas of the "census town" as defined for the purposes of Census 2016.
6. Other local electoral areas should be designed, as far as possible, around urban centres, taking due account of local and community identities and linkages as well as natural boundaries and the need to facilitate the effectiveness of the governance and representational roles of elected

members, including, in particular, the need to avoid designating local electoral areas which are territorially very large or extend over very long distances.

7. In making recommendations in relation to local electoral areas the Committee should take account of the following proposals in relation to the configuration of Municipal Districts:
  - (i) Each town which was formerly a borough or the population of which within the county as ascertained at Census 2016, when rounded to the nearest 1,000, is equal to or greater than 30,000 shall be designated as a distinct Municipal Borough District; the number of members of the county council to be assigned to each such Municipal District shall not be less than five, and such Municipal Districts shall consist of one or more local electoral areas as the committee considers appropriate.
  - (ii) Subject to any changes arising from sub-article (i), there should be no change in the configuration of Municipal Districts generally, save in such limited circumstances where the Committee considers it necessary to recommend such a change.
  - (iii) Municipal Districts may be divided into 2 or more local electoral areas as the Committee considers appropriate, except where the terms of reference (particularly sub-article (i)) require otherwise, or where the Committee considers that it would not be appropriate.
  - (iv) The number of Municipal District Members for each district shall not be less than 6 save in the case of a district to which sub-article (i) applies or where, in exceptional circumstances (for example, related to population), the Committee considers that it is necessary that a district should consist of a single local electoral area, in which case the number of members shall not be less than 5.
8. The Committee shall have regard to Government policy in relation to local government, including any further reports, statements or decisions in that regard during the course of the review, and to any further guidance or requirements issued by the Minister.



## **Review of Local Electoral Areas 2018**

### **Local Electoral Area Boundary Committee No. 2**

#### **TERMS OF REFERENCE**

1. To review and to make recommendations on the division of Dublin City and the counties of Dún Laoghaire-Rathdown, Fingal and South Dublin into local electoral areas and the number of members of each city or county council to be assigned to each such electoral area.
2. For the purpose of the review, the Committee should have regard to the population as ascertained at Census 2016, should assume no change in the total membership of each local authority specified in the Local Government Act 2001 as amended by the Local Government Reform Act 2014 and should endeavour, as far as practicable and subject to the other requirements of these terms of reference, to achieve variance from individual average local authority representation within the range of plus or minus 10%.
3. The number of councillors assigned to a local electoral area shall be not less than 5 and not more than 7.
4. Local electoral areas should be designed, as far as possible, around urban villages or have a neighbourhood focal point (or points), taking due account of local and community identities and linkages and the need to facilitate the effectiveness of the governance and representational roles of elected members, including, in particular, the need to avoid designating local electoral areas which are territorially very large or extend over very long distances or over multiple urban villages, or which divide individual urban villages or natural communities.
5. The committee should take account of the desirability, where it may be possible to do so, of aligning local electoral area boundaries with Dáil constituency boundaries.
6. The Committee shall have regard to Government policy in relation to local government, including any further reports, statements or decisions in that regard during the course of the review, and to any further guidance or requirements issued by the Minister.
7. The Committee may also be asked to make recommendations on the division of Cork and Galway into local electoral areas. The Terms of Reference for that purpose will be set out in due course.



**‘ European Energy Poverty Conference 2018 – ‘ A United Approach’**

**Thursday 29th March 2018, Croke Park, Dublin**

Dear Sir/Madam,

I would be very grateful if you could bring this conference to the immediate attention of:

- (1) The Chairperson/Mayor of the Council and all the councillors; also for approval for reimbursement of expenses for attending.
- (2) All relevant council staff, particularly in your Housing and Community and Environment Departments, and
- (3) The PPN secretariat, and the Chairperson of the LCDC, in your Council area.

Energy Action’s conference, entitled ‘European Energy Poverty Conference 2018,- A United Approach’, will be held in Croke Park Conference Centre, Dublin, on Thursday 29th March 2018, 9am-5.30pm. Cost: Eur 80 (early bird, before 28th Feb.), €120 standard.

Accommodation is available in the Croke Park Hotel. Enquiries and bookings, at the Conference rate per night of Eur 135 (single) and Eur 165 (double), should be emailed to [eecon18@energyaction.ie](mailto:eecon18@energyaction.ie) as early as possible, preferably by 29th January.

The Conference will cover:

- European policy, regulation and financial incentives to address Energy Poverty
- Government financial incentives for energy efficiency, for Deeper Retrofit Programmes and new changes to Building Regulation for all Irish Housing stock
- Best practice in Ireland, the UK and throughout Europe in various fields from behavioural change to innovative technologies
- A Workshop covering best practice for local authorities’ approach to deeper Retrofit, which will be of particular interest to councillors, housing and community.

Speakers, drawn from policy makers, Academia, and experts in Energy technology and Poverty alleviation, will include Denis Naughten TD, Minister of Communications, Climate Action and Environment, and Dr. Harriet Thomson, postdoctoral Research Associate, University of Manchester and the European Energy Poverty Observatory.

Yours sincerely,

**Claire Wheeler**

pp Brian McSharry  
CEO, Energy Action



- **What is the Cross Border Directive and how does it work?**
- **1) How does this scheme work?**The Cross Border Directive (CBD) allows for patients ordinarily resident in Ireland who require and are entitled to public healthcare services to be referred to another EU/EEA\* member state for that care and be reimbursed in accordance with the legislation. It will be a matter for the patient and his/her referring doctor to identify the clinician abroad and satisfy him/herself in relation to the qualifications, quality and safety of the services being availed of in the other jurisdiction. Funding will only be reimbursed for healthcare that is publicly funded and available in Ireland and which is not contrary to Irish legislation. Reimbursement will be made in line with published reimbursement rates available from the National Contact Point (NCP). Reimbursement will only be made to the patient or his or her parents/guardian in the case of a child. A private outpatient appointment in the Republic of Ireland may not be used under any circumstances to exercise rights for the purposes of reimbursement under the provisions of the Cross Border Healthcare Directive. The attendance of a private appointment in Ireland deems the patient a private patient and not a public patient for the purpose of provisions the Cross Border Directive.
- **2) What treatments are available under the scheme?**Any service which is provided by the public health services in Ireland can be availed of under the Cross Border Directive (CBD), for example
  - acute/psychiatric hospital services – day, inpatient, outpatient care,
  - community based outpatient care e.g.:
  - dental/orthodontics services (some exceptions i.e. dental screening services in schools)
  - speech & language services
  - occupational therapy services (some exceptions i.e. assessment for aids at home)
  - psychology services
  - physiotherapy services
  - disability services
  - methadone programme
  - ophthalmic (eye tests etc) services
  - mental health services
  - The above is based on current services provided by the HSE and excludes long term care e.g. nursing home care.

- **3) Who is eligible?** Anyone who is entitled to access services as a public patient in Ireland (in general anyone who is *ordinarily* resident in Ireland) is eligible. However, private patients may not access funding under the CBD or the Treatment Abroad Scheme (TAS) i.e. a referral from a consultant whom the patient is attending in a private capacity will not be accepted for the purposes of the CBD. Private patients may revert to public patient pathways in order to avail of their entitlements under the CBD. Please note, under no circumstance will an outpatient appointment in a private capacity in Ireland be accepted for the purpose of accessing healthcare abroad under the Cross Border Directive. Public referral pathways as applicable in Ireland must be adhered to. Public consultant appointments can only be accepted. A private outpatient appointment in the Republic of Ireland may not be used under any circumstances to exercise rights for the purposes of reimbursement under the provisions of the Cross Border Healthcare Directive. The attendance of a private appointment in Ireland deems the patient a private patient and not a public patient for the purpose of provisions the Cross Border Directive.
- **4) Are there restrictions?** The scheme is not applicable to persons seeking:
  - access to services which are not provided for within the legislation of the state
  - access to organ donation/transplant
  - access to long term/ residential care
- **5) How do I find out information on services abroad?** Each country is required to establish a National Contact Point (NCP) which can be contacted to provide information on services in that country. You can contact the Irish NCP (see [contact details](#)) for details of NCP in other member states, which can also be found [here](#).
- However, to access public health services here in Ireland you must be referred from a suitable clinician e.g. GP, consultant, or HSE clinician, this referral can then simply be used for the service abroad instead. Therefore it is your referring clinician who should assist you in identifying the appropriate service abroad under the terms of the CBD.
- **6) Do I have to be a public patient?** Yes: in general any service provided by the HSE through the use of public funding to public patients can be described as public healthcare for the purposes of the Cross Border Directive. Private patients are not public patients for the purposes of access to health care under EU Regulations and Directives. Private patients should access funding for treatments abroad through their private health insurance. It is of course understood and accepted that any private patient can opt to avail of public patient status but only by following public referral pathways: private status cannot be used as a means of skipping waiting lists for the purposes of prioritised access.
- Please note, under no circumstance will an outpatient appointment in a private capacity in Ireland be accepted for the purpose of accessing healthcare abroad under

the Cross Border Directive. Public referral pathways as applicable in Ireland must be adhered to. Public consultant appointments can only be accepted. The attendance of a private appointment in Ireland deems the patient a private patient and not a public patient for the purpose of provisions the Cross Border Directive.

- **7) Does the fact that I have private health insurance preclude me from applying for this scheme?**No, patients who have private health insurance can and do opt not to use it in favour of being treated as public patients here in Ireland. It is your status as a public patient which entitles you to opt for services under the terms of the CBD.
- It is of course understood and accepted that any private patient can opt to avail of public patient status but only by following public referral pathways: private status cannot be used as a means of circumventing waiting lists for the purposes of prioritised access.
- Please note, under no circumstance will an outpatient appointment in a private capacity in Ireland be accepted for the purpose of accessing healthcare abroad under the Cross Border Directive. Public referral pathways as applicable in Ireland must be adhered to. Public consultant appointments can only be accepted.
- **8) Do I have to go to a public facility or can it be a private facility?**A patient may avail of healthcare in a public or private facility abroad, but remember reimbursement is up to the cost of that healthcare in the public system of the home country.
- **9) Can I access services outside Europe?**The scheme is governed by EU regulations and is only applicable to services provided with EU/EEA\* member states.
- **10) If I am on a waiting list can I apply?**Yes.
- **11) Can I access the information online?**Yes, on the HSE website [here](#). Further webpages of interest can be found [here](#)

