

# Press-release of 25.06.2010

25 июня 2010, 09:52

On 22nd June 2010, the Federal Antimonopoly Service (FAS Russia) found that the Tyumen Regional Authority and the Tyumen Regional Fund for Mandatory Medical Insurance violated Clause 2 Part 1 Article 15 of the Federal Law "On Protection of Competition" by unreasonably preventing operations of medical insurance companies on the market of mandatory medical insurance in the Tyumen region. FAS Russia issued a determination to the Tyumen Regional Authority and the Tyumen Regional Fund for Mandatory Medical Insurance to eliminate the antimonopoly violation.

The Tyumen Regional Fund for Mandatory Medical Insurance violated the antimonopoly law because it unreasonably refused to enter into a financing contract with "SANA" Medical Insurance Company" OJSC.

According to the standard rules of mandatory medical insurance of individuals, approved by the Director of the Federal Fund for Mandatory Medical Insurance on 3rd October 2003 (in the version of No.56 Order of the Federal Fund for Mandatory Medical Insurance of 21st March 2007), a regional mandatory medical insurance fund can refuse to enter into a contract with a medical organization only if this organization does not have mandatory insurance contracts with policy holders and contracts with medical institutions for providing medical and preventive aid (medical services).

The Tyumen Regional Fund for Mandatory Medical Insurance twice refused to conclude a financing contract with "SANA" Medical Insurance Company" OJSC. In the first instance, The Tyumen Regional Fund for Mandatory Medical Insurance referred to the freedom of contract under Article 421 of the Civil Code of the Russian Federation.

Regional regulations for mandatory medical insurance in the Tyumen region, approved by a Decree of the Tyumen regional Authority on 20th December 2004, differ from the Federal Regulations and provide for additional grounds, on the basis of which the Tyumen Regional Fund for Mandatory Medical Insurance can refuse a financing contract with insurers. In particular, according to the regional regulations, the Tyumen Regional Fund for Mandatory Medical Insurance can refuse to enter into a financing contract if an insurance company only has mandatory medical insurance policies with economically active population. This norm created unreasonable obstacles for operations of insurers, specializing on insurance of economically active population, on the market of mandatory insurance in the Tyumen region.

To prevent anticompetitive actions and collusions between medical institutions of the Tyumen (unreasonable refusal to enter into agreements for with some medical insurance companies) FAS Russia instructed its Office in the Tyumen region to monitor activities of medical institutions in the region and the Tyumen Regional Fund for Mandatory Medical Insurance.