

New procedure for the payment of sickness benefits

If your sickness benefits case has been put to a stop, before you received a letter about that the money would stop, then maybe you can have your payment resumed.

Find out if you can have your case resumed

You can complete a small test and find out, if you can have your sickness benefits case resumed. The test is only a guideline, and you have the right to apply for resumption, no matter the outcome of the test.

Take the test here

After a ruling in the High Court, the Appeals Board has made a decision of principle (40-18), which changes the procedure concerning the time for stopping the payment of sickness benefits.

According to the new procedure, the payment of sickness benefits may only be stopped, when the municipality has made a decision about this.

According to the new decision of principle 40-18, the municipality may not decide in sickness benefits cases that the payment of sickness benefits should be put to a stop with a retroactive effect. If the payment of your sickness benefits has been stopped, before you have received a decision, then maybe you have the opportunity to have your sickness benefits case resumed.

Resumption of a case

The Municipality of Copenhagen must now decide if sufficient basis exists for resuming cases, where the payment of sickness benefits has been stopped with retroactive effect.

The resumption could possibly lead to you being entitled to sickness benefits besides the time, where your sickness benefits was stopped. However, the assessment of this kind of older cases could also mean that you are not entitled to sickness benefits, even though your case has been decided with retroactive effect. This is the case, for example, if you have resumed working or has reported fit for duty.

How do you get your case resumed? You must contact the municipality or the Appeals Board yourself, if you wish to have your case resumed. This is because it is not possible for the municipalities or the Appeals Board to find all the cases, which should be resumed.

How to do - if it is the Municipality of Copenhagen

If you think that your case concerning sickness benefits should be resumed, or if you have questions concerning your case, then you can contact the Municipality of Copenhagen here:

Request for the resumption of sickness benefits case

We usually get back to you within 10 working days after receiving your inquiry.

How to do - if it is the Appeals Board

If the Appeals Board has made the final decision about stopping your sickness benefits, then the Appeals Board must also make the decision about a possible resumption. Therefore, you must contact the Appeals Board:

- Phone 33 41 12 00 • sikkermail.aalborg@ast.dk

You can read more about the High Court ruling and the decision of principle on the website of the Appeals Board “www.ast.dk”, and you can also read more about what “retroactive effect” and other important concepts mean in the box below.

What does the most important concepts mean?

The municipality must continuously assess, if a citizen receiving sickness benefits still meets the requirements for receiving sickness benefits. If the municipality decides that the citizen no longer meets the requirements, then the citizen’s entitlement to sickness benefits must be brought to an end – but the earliest that this can happen is the same day that the case is decided. The termination of sickness benefits may not happen with retroactive effect. Retroactive effect means that the municipality’s decision about stopping the payment of sickness benefits is effective from before the day, where the citizen receives the decision.

Limitation

When processing a case about resumption, the municipality must consider the question about limitation, according to the Law of Limitation. The individual monthly payments of sickness benefits as a rule lapse continuously after 3 years, however, questions about limitation are decided specifically in every single case.

Deduction

The municipality must consider if a deduction should be made in cases, where the citizen has received other kinds of benefits during the period that the claim for payment in arrears is about. You cannot receive two kinds of benefits as relief from the state at the same time.