

III. THE RENDERING OF HEALTH SERVICES BY FOREIGN SUPPLIERS

III.1 Market Access

18. There are no specific restrictions nor any discriminatory norms affecting the establishment or the acquisition of existing companies by foreign entities or individuals wishing to participate in the ISAPRE business in Chile. Interested parties should follow the procedures described in the following sections.

19. Furthermore, with the exception of normal Recognition and Harmonization procedures for the rendering of professional medical services, there are no limitations or conditions to foreigners wishing to provide such services in the local market. All services which are privately provided in the country are open to foreign competition, including hospital, clinics, medical centers, laboratories and other services.

20. Health insurance can also be purchased by residents from abroad. Access to the Formal Foreign exchange market is permitted. Medical insurance of individuals residing in Chile are subject to a 22% withholding tax. There are no restrictions for persons domiciled in Chile to receive medical attention abroad. ISAPRES operating in the country normally cover those expenses, provided adequate documentation is presented.

21. As stated in the preceding section, Law No. 19,933 of March 1990, in its Title II, stipulates the provisions which rule the operation of ISAPRES.

III.1.A General Provisions

22. All ISAPRES are subject to the same legal provisions, whether they belong to national or foreign corporations.

III.1.B. Objectives of the ISAPRES

23. The objective of these institutions is to provide health services and benefits financed by the resources generated by the legal contributions for health or by higher contribution agreed upon with their affiliates. It is understood that these institutions substitute the health services and benefits provided by the National Health Service (SNS) and the National Health Fund (FONASA).

III.1.C. Procedures to set up ISAPRES.

24. ISAPRES are to be constituted as juridical persons and register with the Superintendency of Isapres. These institutions will have as their sole objective the provision of health services and benefits, either directly or through the financing of the same and the activities which are kindred or complementary to that purpose.