



MINISTERUL MUNCII ȘI SOLIDARITĂȚII SOCIALE

Autoritatea Națională pentru Protecția Drepturilor Persoanelor cu Dizabilități

Guide to Obtaining a Disability Certificate in Romania

Types of Disabilities

There are 10 types of disabilities according to Romanian legislation: physical, visual, auditory, deafblindness, somatic, mental, psychiatric, HIV/AIDS, combined, and rare illnesses.

Disability Categories

Depending on the severity, one of the four disability levels are assigned: mild, medium, profound, or severe.

Evaluation Commissions and Disability Classification

The evaluation and reevaluation process for determining the disability level is carried out by the Complex Evaluation Service for Adults with Disabilities (SECPAH) and the Evaluation Commission for Adults with Disabilities (CEPAH) within the Directorate General for Social Assistance and Child Protection (DGASPC) where the individual is domiciled.

The Complex Evaluation Service for Adults with Disabilities (SECPAH) recommends whether or not to classify a person as disabled, as well as protective measures and the rehabilitation and social integration programme.

This recommendation is reviewed by the Evaluation Commission for Adults with Disabilities (CEPAH), which issues the certificate of classification in terms of level and type of disability, and the Program for Rehabilitation and Social Integration (PRIS).

The evaluation process is carried out in an integrated manner, taking into account the medical-psychosocial perspective.

Evaluation file

Any Romanian citizen, citizen of another country, or stateless person, during the period in which he/she is domiciled or resides in Romania, may obtain a certificate of classification in terms of level and type of disability if they meet the legal criteria.

The evaluation file for the disability level can be submitted in person, sent by registered mail, or via e-mail to the Directorate General for Social Assistance and Child Protection (DGASPC) or the city hall's registry office where the individual is domiciled.

Considering the situation of people displaced from Ukraine, the Higher Commission for the Evaluation of Adults within the National Authority for the Rights of Persons with Disabilities (ANPPDP) has issued Methodological Instruction No. 2/2022, which applies only to Ukrainian citizens for the reasons stated therein.

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Conform prevederilor Regulamentului (UE) 2016/679 al Parlamentului European și al Consiliului din 27 aprilie 2016 privind protecția persoanelor fizice în ceea ce privește prelucrarea datelor cu caracter personal și privind libera circulație a acestor date și de abrogare a Directivei 95/46/CE (Regulamentul general privind protecția datelor), informațiile referitoare la datele cu caracter personal cuprinse în acest document sunt confidențiale. Acestea sunt destinate exclusiv persoanei/persoanelor menționate ca destinatar/destinatari și altor persoane autorizate să-l primească. Dacă ați primit acest document în mod eronat, vă adresăm rugămintea de a returna documentul primit, expeditorului



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As mentioned in Methodological Instruction No. 2/2022, for Ukrainian citizens seeking evaluation for disability classification, the following documents are required:

- A document proving their temporary residence rights in Romania (residence permit); With regard to the specification of a home address, which is necessary for the evaluation process, it is noted that one of the following options can be accepted:
 - A certificate on own responsibility issued by the General Inspectorate for Immigration;
 - A certificate issued by a local authority confirming the person's domicile;
 - A notarized and translated declaration.
- A medical specialist's report describing the current condition, treatment received, hospital discharge note (if applicable), other paraclinical investigations, etc.
- Presentation of documents establishing the medical history of the condition (medical certificate issued by the family doctor, previous disability certificates, medical reports, medical records, hospital discharge notes, etc.);
- All presented documents must be translated into Romanian and legalized;
- In situations where individuals find themselves unable to provide the necessary documents to confirm the early onset of their medical condition(s) due to compelling circumstances, such as being a refugee from a country in armed conflict, the procedure to be followed is to derogate from the provisions of Order no. 762/1992/2007 as amended and supplemented, by the applicant completing an affidavit of medical history and onset of the condition.

Regarding the income earned by the person in their country of origin and evidence of whether the person received any form of social protection (disability certification) in Ukraine, it is noted that this can be requested as far as it is feasible in view of the ongoing military conflict in Ukraine. If the person cannot provide the aforementioned information, they can complete a self-declaration.

Social benefits for people with disabilities, including the monthly allowance and the personal supplementary budget, can be granted regardless of income, with Law No. 448/2006 not specifying particular cross-border situations.

Evaluation and Disability Classification

- SECPAH reviews the file and, within 5 business days, communicates the planned date on which the person must physically report to the DGASPC office for evaluation;
- Evaluation can also be conducted at the individual's residence if the social investigation and the medical letter from the family doctor state that the person is not able to travel;
- Evaluation is to be completed within a maximum of 60 days from the file registration date. In case of an incomplete file, the individual will be asked to complete it with the necessary documents by the scheduled evaluation date;
- The evaluation concludes with a Complex Evaluation Report, which includes a recommendation for classification or non-classification and a proposal for an Individual Rehabilitation and Social Integration Program (PIRIS);

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- The file is then sent to the Evaluation Commission for Adults with Disabilities (CEPAH), which analyzes and resolves it within a maximum of 15 business days from the referral date. CEPAH may request additional documents in certain situations.
- The certificate of disability is sent by mail with confirmation of receipt to the individual's domicile.

Contesting the Certificate

The higher commission within ANPDPD has decision-making authority in addressing appeals against the certificates of disability classification issued by the Evaluation Commissions for Adults with Disabilities. It also conducts methodological coordination and monitoring activities for the evaluation and classification of the degree and type of disability.

Appeals against disability classification certificates can be submitted within 30 days of the certificate's issuance through one of the following methods:

- Online at the secretariat of the Higher Commission at the email address contestatie@anpd.gov.ro,
- Directly to the ANPDPD, address: General Constantin Budișteanu Street no. 28C, 1st floor, sector 1, Bucharest, CP 010773;
- To the secretariat of the Evaluation Commission for Adults with Disabilities that issued the disability certificate.

The resolution of appeals takes up to 60 business days.

Certificate Validity

CEPAH determines the validity period of the certificate of disability classification based on medical, psychological, and social criteria.

If the certificate of disability classification expires, a new evaluation file must be submitted 60 days before the expiration.

For individuals with disabilities resulting in irreversible functional and/or structural-anatomical deficiencies who cannot participate in rehabilitation programs, CEPAH establishes a permanent certificate validity period without the need for periodic reevaluations.

Individuals approaching 18 years of age must follow the mentioned procedure since the new certificate will be issued upon turning 18.

Benefits and Facilities

Rights to Social Assistance

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- The right to social assistance in the form of social services is granted upon request or as appropriate, based on supporting documents.
- The request for the right to social services is registered with the local public administration authority within whose territorial jurisdiction the person with disabilities is domiciled or resides.
- The request and supporting documents are submitted for registration by the person with disabilities, their family, legal representative, personal assistant, professional personal assistant, or the non-governmental organization of which the person with disabilities is a member.
- Adults with disabilities are eligible for social services provided at home, in the community, in day centers, and in residential centers, both public and private.
- Social benefits are automatically granted to individuals holding a certificate of disability.
- The right to social benefits is granted from the month following the classification of the person with disabilities. It is automatically provided for the entire validity period of the certificate, ceasing from the month following the loss of the disability classification or, if applicable, the submission of a request to renounce social benefits.
- Payments are not made for the period of disability evaluation and classification request resolution.
- In cases where the person classified with a disability chooses not to receive social benefits, they can submit a request to that effect.

Benefits for Adults with Severe Disabilities

- Monthly allowance, regardless of income, amounting to 419 lei – 70% of Social Reference Indicator (ISR), (as of 01.03.2022);
- Personal supplementary monthly budget, regardless of income, amounting to 180 lei – 30% of ISR (as of 01.03.2022);
- Carer's allowance in the amount of 1,898 lei (as of 01.01.2023) or employment of a personal assistant (for individuals classified as "severe - with a personal assistant");
- Free interurban transportation, with a choice of any train type, up to the cost of a reservation ticket for second-class interregional IR trains, buses, or river transport vessels, for 24 trips per calendar year or fuel cost reimbursement in the amount of 1500 lei;
- Free transportation on all urban surface public transport lines;
- Monthly subway pass reimbursement with an unlimited number of trips.

Benefits for Adults with Profound Disabilities

- Monthly allowance, regardless of income, in the amount of 317 lei – 53% of ISR (as of 01.03.2022).
- Monthly personal supplementary budget, regardless of income, in the amount of 132 lei – 22% of ISR (as of 01.03.2022).
- Free interurban transportation, with a choice of any train type, up to the cost of a reservation ticket for second-class interregio IR trains, buses, or river transport vessels, for 12 trips per calendar year or fuel cost reimbursement in the amount of 750 lei.
- Free transportation on all urban surface public transport lines.

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- Reimbursement of the monthly subway pass with an unlimited number of trips.

Benefits for Adults with Medium Disabilities

- Monthly personal supplementary budget, regardless of income, in the amount of 72 lei – 12% of ISR (as of 01.03.2022).

Facilities

- Health insurance coverage;
- Free spa treatment vouchers;
- Free parking in specially designated public spaces for individuals with disabilities or their legal representatives;
- Exemption from paying national road usage fees based on the road vignette;
- Transportation facilities (free urban surface transport, subway pass reimbursement, interurban travel tickets) for companions of adults with severe and profoundly disabled individuals, in their presence, based on a social survey; for personal assistants to severely disabled people and for professional personal assistants to severely or severely disabled people.;
- Reimbursement of fuel costs for car travel;
- Access to any form of education, regardless of age, in line with the type, level of disability, and educational needs;
- Reduced standard retirement age for individuals actively employed;
- Medical devices and assistive technologies;
- State-funded credit for purchasing a car or adapting a residence as needed;
- Tax benefits:
 - o Exemption from property tax - Art. 456 para. (1) letter t) of Law No. 227/2015 on the Fiscal Code, with subsequent amendments and additions,
 - o Exemption from land tax - Art. 464 para. (1) letter t) of the Fiscal Code
 - o Exemption from motor vehicle tax - Art. 469 para. (1) letter b) of the Fiscal Code

- Facilities are provided for:

- o For the building used as a domicile, the land associated with the domicile building, and the means of transportation owned or co-owned by individuals with severe or profound disabilities and individuals classified in the first degree of disability, as well as their legal representatives, for the period when they are responsible for the care, supervision, and maintenance of individuals with severe or profound disabilities and individuals classified in the first degree of disability starting from January 1 of the fiscal year, for individuals who hold supporting documents issued by December 31 of the previous fiscal year and submitted to the specialized departments of local public authorities until March 31, inclusive.

- Housing benefits:

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o Allocation of additional living space compared to the minimum legal living standards, based on lease contracts for dwellings owned by the public or private domain of the state or its administrative-territorial units;

- Individuals with severe disabilities are entitled to the following rights:

o Provision of additional living space beyond the minimum housing standards prescribed by law, based on lease contracts for dwellings owned by the public or private domain of the state or its administrative-territorial units.

o Exemption from rent payments for residential areas with a housing purpose owned by the state or its administrative-territorial units and used by these individuals - this benefit also applies to adults with profound disabilities.

These benefits are also available to the family or legal representative during the period in which they are responsible for a child or adult with severe disabilities.

- Free or partially subsidized access to cultural, sports, and leisure events nationally and across Europe, in the countries of Slovenia, Cyprus, Belgium, Italy, Estonia, Finland, and Malta, based on the European Disability Card.