



Press Office of the Constitutional Court

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*Press release of 24 July 2019*

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THE CONSTITUTIONAL COURT ASKS SICILY REGION AND THE  
GOVERNMENT FOR INFORMATION ON THE FINANCING OF ESSENTIAL  
LEVELS OF HEALTHCARE ASSISTANCE AND ON THE USE OF  
STRUCTURAL FUNDS

The Constitutional Court has asked Sicily Region and the Government for information to enable it to verify compliance with Article 20 of Legislative Decree no. 118 of 2011, insofar as this provision calls for an analytical indication of the financial flows earmarked for essential levels of healthcare assistance (*livelli essenziali di assistenza*, or LEA).

The preliminary request was made in Judgment no. 197, filed today (Judge Rapporteur: Aldo Carosi), in which the Court – pursuant to Judgment no. 1 of 1966 – declared unconstitutional two provisions of Sicily’s Regional Law no. 8 of 2018. The provisions required Sicily’s official regional accounting body to include, under the regional budget’s “revenue” heading, certain assets unsupported by an adequate legal title. Entering these assets under said heading thus artificially increased the resources available, allowing for expenses to be incurred in excess of a balanced budget.

As for the order making the request, the Court first asked the Region and the Government for information that could enable it to check whether the essential levels of healthcare assistance had effectively been provided. The law currently in force regarding Sicily establishes that the costs of obligatory healthcare are to be shared between the State and the Region. Both entities argue that the constitutional provision guaranteeing the essential levels of service has been violated; hence the Court’s decision to proceed to an analytical verification of the financial situation.

Furthermore, the Court asked the parties to provide details on how the structural funds were allocated, comparing the regulations governing their use with the amendments made by the Sicilian law challenged by the Government.

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