

99107105041000

Heruntergeladen am 04.06.2025

<https://fimportal.de/xzufi-services/115988/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99107105041000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Complaint about statutory social insurance; submission
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

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Fachlich freigegeben am	15.01.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium für Gesundheit, Pflege und Prävention (Bavarian State Ministry of Health, Care and Prevention)
Handlungsgrundlage	
Teaser	Members and insured persons of a regional social insurance institution can contact the supervisory authority to have its actions, procedures or measures legally reviewed.
Volltext	<p>If you do not agree with the decision of a social insurance institution (health, long-term care, accident or pension insurance institution) with direct state responsibility or if you suspect another error in the administrative action of an institution, you have the option of submitting a complaint (so-called petition) to the supervisory authority.</p> <p>Social insurance institutions that can be contacted directly by the state are, for example, AOK Bayern, Kommunale Unfallversicherung Bayern, Bayerische Landesunfallkasse, Deutsche Rentenversicherung Bayern Süd, Nordbayern and Schwaben.</p> <p>If the personal conduct of employees of the social insurance institution is affected, the authority's self-administration - usually the board of directors or management - is responsible for this as part of the supervision of services.</p> <p>The social insurance institutions have the right to manage themselves. They are therefore financially and organizationally independent, but are subject to legal supervision by the supervisory authority.</p> <p>Supervision here means legal supervision, i.e. only checking whether the social insurance institution complies with the law and other legislation. The supervisory authority is therefore not able to dictate to the social insurance institutions how they should exercise their discretion and decide in certain situations. Consequently, it cannot make any direct</p>

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insurance or benefit-related decisions in matters concerning insured persons.

The supervisory review of the complaint is carried out exclusively on the basis of the administrative documents submitted by the insurance provider. The supervisory authority does not carry out its own investigations, for example into the facts of the case or in the medical field.

As the supervisory authority acts exclusively in the public interest, there is no entitlement to a specific measure by the supervisory authority. Instead, the individual legal protection of the individual is guaranteed by the courts.

Erforderliche Unterlagen

- Decision of the insurance carrier (e.g. notice, letter)
- If applicable, copies of relevant documents (e.g. copies of relevant notices, judgments)
- Power of attorney, if applicable

Voraussetzungen

You have complained to a social insurance institution or disagree with a decision.

Kosten

none

Verfahrensablauf

You must apply to the responsible ministry for a review.

- In the case of health and long-term care insurance that is not state-run, the Bavarian State Ministry of Health, Care and Prevention is responsible.
- The Bavarian State Ministry for Family, Labor and Social Affairs is responsible for pension and accident insurance that can be administered by the state.

Your name and address as well as the name of the institution concerned and its file reference/insurance number are required for the supervisory review of a decision by an insurance provider.

In addition, it is necessary that the facts of the case are presented so that it is clear what the concern is in the specific individual case and what legal violation is seen

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	<p>in the administrative action and/or in the decision of the insurance provider. If necessary, it is advisable to enclose copies of relevant documents (e.g. copies of relevant notices, judgments).</p> <p>If complaints are not made by the person concerned, but by a representative (e.g. spouse, relative or acquaintance), a power of attorney is usually required for data protection reasons. This must state that the authorized representative may represent the data subject without restriction in the supervisory procedure and that the authorized representative may be informed of the result of the examination.</p> <p>You can use the complaint form to submit your request. For data protection reasons, it is not possible to accept telephone submissions or to provide information on the status of the review by telephone or e-mail.</p>
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	The Federal Office for Social Security is responsible for the supervision of insurance providers whose area of responsibility extends beyond the territory of a federal state (= insurance providers with federal immediacy).
Rechtsbehelf	Formal legal remedies against administrative decisions of a social insurance institution (objection/complaint) are not dispensable as a result of the supervisory review! The applicable deadlines must be observed by the member/insured person.
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal