



**Republika e Kosovës**  
**Republika Kosova - Republic of Kosovo**  
*Qeveria - Vlada - Government*

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**REGULATION (GRK) NO. 23/2024 ON PROCEDURES AND CRITERIA  
FOR ASSESSMENT AND RECOGNITION OF THE STATUS AND RIGHTS  
OF PARAPLEGIC AND TETRAPLEGIC PERSONS<sup>1</sup>**

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<sup>1</sup> Regulation (GRK) No.23/2024 on Procedures and Criteria for Assessment and Recognition of the status and rights of Paraplegic and Tetraplegic persons, has been approved in the 216 th Meeting of the Government of the Republic of Kosov, with the Decision No.08/216, dated 14.08.2024

## **Government of the Republic of Kosovo,**

In support of Article 93 (4) of the Constitution of the Republic of Kosovo, Article 17, paragraph 4 of Law No. 05/L-067 on the Status and Rights of Paraplegic and Tetraplegic Persons, of Article 8, Paragraph 4, Subparagraph 4.5 of Law No. 08/L-117 for the Government of the Republic of Kosovo,

Issues:

# **REGULATION (GRK) NO. 23/2024 ON PROCEDURES AND CRITERIA FOR ASSESSMENT AND RECOGNITION OF THE STATUS AND RIGHTS OF PARAPLEGIC AND TETRAPLEGIC PERSONS**

## **CHAPTER I GENERAL PROVISIONS**

### **Article 1 Purpose**

This Regulation aims to determine the criteria and procedures for the evaluation of paraplegic and tetraplegic persons, as well as the recognition of their rights in accordance with Law No. 05/L-067 on the Status and Rights of Paraplegic and Tetraplegic Persons (hereinafter: Law).

### **Article 2 Scope**

The provisions of this Regulation are mandatory for all institutions and bodies that have responsibility in implementing the procedures defined in this Regulation, as well as for all persons who apply and are beneficiaries of the rights defined in the Law and in this Regulation.

### **Article 3 Definitions**

1. The expressions used in this Regulation have the following meaning:

1.1. **Paraplegics** - persons who, due to disease or damage to the central or peripheral nervous system, have permanently lost the possibility of displacement and movement of the lower extremities;

1.2. **Tetraplegics (quadriplegics)** - persons who, due to disease or damage to the central or peripheral nervous system, have permanently lost the possibility of displacement and movement of the upper and lower extremities;

1.3. **Social need** – creating conditions and providing opportunities for paraplegic and quadriplegic people for inclusion in society and for independent living;

1.4. **Applicant** - the person who considers that he has permanently lost the possibility of displacement and movement of the upper and lower extremities or his legal representative;  
AND

1.5. **Beneficiaries – paraplegic and tetraplegic** persons who are recognized as such and benefit from the rights defined by the Law.

## **CHAPTER II APPLICATION AND EVALUATION PROCESS**

### **Article 4 The right to benefit**

All citizens of the Republic of Kosovo who meet the criteria defined by the Law and this Regulation have the right to recognize the status of a paraplegic/tetraplegic person and to benefit from the rights defined by the Law.

### **Article 5 Presentation of the request**

1. The request for recognition of the status of the paraplegic/tetraplegic person and the rights defined by the Law, is made in written form, by completing and signing the form defined by the Ministry of Finance, Labor and Transfers (hereinafter: the Ministry), or in electronic form on the platform defined by the Ministry.

2. Together with the request, the applicant submits the following documentation:

2.1. Copy of the valid identification document of the Republic of Kosovo; AND

2.2. Relevant medical documentation related to the state of health.

3. The request presented in physical form is submitted to the Pension Office in the applicant's place of residence, where the applicant is provided with a certificate for the submitted application.

4. The request presented in physical form is forwarded to the Division of Medical Commissions, to be presented to the Evaluation Commission.

**Article 6**  
**Preliminary assessment of the request**

1. Within fifteen (15) days from the submission of the request, the Evaluation Committee makes a preliminary evaluation of the request.

2. If the Evaluation Commission finds that the documentation submitted by the applicant is complete and sufficient for the evaluation of the request, within thirty (30) days it evaluates the request in the evaluation session.

3. If the Evaluation Commission finds that the submitted documentation is not complete and sufficient for evaluation, it requests the applicant to complete the documentation and makes the evaluation after completing the documentation.

**Article 7**  
**Demand assessment**

1. The evaluation of the applicant takes place in the premises of the Ministry, through its local branches or in other suitable areas, with the physical presence of the applicant. Exceptionally, for certain cases when the Evaluation Committee finds that the submitted documentation is sufficient to make the evaluation, it may do the evaluation without the physical participation of the applicant.

2. The applicant who, due to health or other reasons, is unable to physically participate in the evaluation session, is then evaluated through a home visit by the Evaluation Commission or through other suitable forms.

3. Based on the evaluation of the documentation submitted by the applicant and the examinations that the Evaluation Commission makes of the applicant, in the evaluation process the Evaluation Commission makes the following evaluations:

3.1. Assessment of whether the applicant is recognized as a paraplegic/tetraplegic person;

3.2. Assessing whether the beneficiary has the right to a personal guardian;

3.3. Assessment of whether the beneficiary earns additional compensation for the prevention of decubitus ulcers; AND

3.4. Assessment of the beneficiary's social needs.

**Article 8**  
**Assessment for recognition of paraplegic / tetraplegic status**

1. Based on the medical documentation presented by the applicant, as well as the verifications and examinations conducted by the Evaluation Commission, the applicant can be recognized as a paraplegic/tetraplegic person.
2. The recognition of the paraplegic/tetraplegic status of the applicant is permanent and is not subject to the regular re-evaluation process.

**Article 9**  
**Assessment for recognition of the right to a personal guardian**

1. Beneficiaries who are recognized as paraplegic/tetraplegic may be granted the right to a personal guardian.
2. The recognition of the right to a personal guardian for the paraplegic/tetraplegic person is determined based on his health condition. So, based on the medical documentation presented by the beneficiary, on the verifications and examinations carried out by the Evaluation Commission, as well as on his social circumstances, that is, on the level of the beneficiary's mobility, family circumstances and other circumstances that determine the need for the provision of care and necessary daily services.
3. Beneficiaries who have permanent health consequences (spinal injury, permanent loss of sensation, incontinence and the like) are entitled to a personal guardian. The recognition of this right has a permanent character and is not subject to regular reassessment.
4. Beneficiaries who do not have permanent health consequences, but have social circumstances that prevent independent living, may be granted the right to a personal guardian. Depending on the judgment of the Evaluation Commission, the recognition of this right may have a permanent character that is not subject to regular reevaluation or it may be temporary and subject to the regular process of reevaluation after three (3) years of benefit.
5. In case of rejection of the right to a personal guardian, the beneficiary can request a reassessment at any time after six (6) months from the day of the decision, in case of a change in the circumstances provided for in paragraph 2 of this article.
6. The applicant, who is not recognized as a paraplegic/tetraplegic person, is not subject to the evaluation for recognition of the right to a personal guardian.

## **Article 10**

### **Assessment for the recognition of the right to additional compensation for the prevention of decubitus ulcers**

1. The beneficiary who is recognized as a paraplegic/tetraplegic person may be granted the right to additional compensation for the prevention of decubitus injuries, who meet the following conditions:

- 1.1. It has permanent and complete consequences in incontinence;
- 1.2. Use medications on a daily basis (on a regular basis); AND
- 1.3. There is loss of complete sensitivity of the lower or upper extremities.

2. Recognition of the right to additional compensation for the prevention of decubitus wounds for the health condition of paraplegic/tetraplegic persons, depending on the judgment of the Evaluation Commission, may have a permanent character that is not subject to regular reassessment, or may have a temporary character. temporary and subject to the regular reassessment process after three (3) years of benefit.

3. In case of refusal to recognize the right to additional compensation for the prevention of decubitus wounds for paraplegic/tetraplegic persons, the beneficiary may request a reassessment at any time after three (3) months from the date of the decision, in case of a change in circumstances provided for in paragraph 3 of this article.

4. The applicant, who is not recognized as a paraplegic or tetraplegic person, is not subject to evaluation for recognition of the right to additional compensation for the prevention of decubitus injuries and the right to a personal caregiver.

## **Article 11**

### **Assessment for determining social need**

1. The beneficiary who is recognized as a tetraplegic/paraplegic person, is also assessed for social needs, including the assessment of the need for education and training, for employment and for rehabilitation.

2. The Evaluation Committee makes findings and gives recommendations regarding addressing the social needs of the beneficiary.

3. The applicant, who is not recognized as a paraplegic or tetraplegic person, is not subject to the assessment to determine the social need.

**Article 12**  
**Evaluation report and decision**

1. After the completion of the evaluation process of each request according to the provisions of the Law and this Regulation, the Evaluation Commission draws up the detailed evaluation report with findings related to the recognition of the status of the paraplegic or tetraplegic person, and with findings related to the recognition of the rights of others.
2. The report is signed by all members of the Evaluation Committee and a copy is sent to the applicant.
3. Based on the report of the Evaluation Commission for the request, a decision is drawn up regarding the recognition or not of the status of the paraplegic or tetraplegic person, as well as regarding the recognition of other rights defined in the Law and in this Regulation.
4. The decision is signed by the Chairman of the Evaluation Committee and a copy is sent to the applicant.

**Article 13**  
**Appeal procedure**

1. The applicant who is dissatisfied with the decision of the Evaluation Commission, may file an appeal within thirty (30) days from the date of acceptance of the decision.
2. The complaint can be submitted in physical form or electronically on the platform determined by the Ministry.
3. The complaint submitted in physical form is submitted to the Pension Office in the applicant's place of residence, where the applicant is provided with a certificate for the submitted application.
4. Complaints are forwarded to the Division for Review of Submissions and Complaints and are examined by this Division or by a special commission, in accordance with the legislation in force for the general administrative procedure.
5. The party dissatisfied with the decision of the second degree may initiate an administrative dispute in the Basic Court, in the Department for Administrative Affairs, within thirty (30) days from the day of acceptance of the decision.

**Article 14**  
**Placement in payment**

1. Beneficiaries, according to the decision of the Evaluation Commission, are paid by the Ministry, depending on the rights they benefit from.

2. All payments are paid directly to the beneficiary who has legal capacity, or the guardian of the beneficiary who does not have legal capacity.

3. Payment to the personal guardian may be made to the guardian, in case the beneficiary submits such a request.

**Article 15**  
**Maintenance and processing of beneficiary files**

1. The Ministry maintains and updates the files of the beneficiaries, in accordance with the legislation in force for the protection of personal data.

2. The Ministry may request additional documentation from the beneficiaries, in order to update the information of the beneficiaries and enable the benefit of other rights, determined by the legislation in force.

**Article 16**  
**Reassessment after monitoring and control**  
**(Extraordinary Reassessment)**

1. The Evaluation Commission re-evaluates the beneficiaries, if after the monitoring and control carried out by the Division for the Control of Pension and Social Schemes within the Ministry, it is established that the evaluation of the controlled request was not developed in accordance with the legislation in force, or the evaluation initial is not in accordance with the ascertained condition of the person after the reassessment.

2. The revaluation takes place according to the same procedures and criteria defined in Chapter II of this Regulation.

**CHAPTER III**  
**COMPOSITION AND FUNCTIONS OF THE EVALUATION COMMISSION**

**Article 17**  
**Composition of the Evaluation Committee**

1. In order to evaluate the requirements for the recognition of the status of the paraplegic/tetraplegic person and the recognition of other rights, defined by the Law and this Regulation, the Ministry establishes the Evaluation Commission with the following composition:

1.1. A representative of the Ministry - Chairperson;

1.2. A neurologist - member;



- 1.3. A urologist - member;
  - 1.4. A physiatrist - member; AND
  - 1.5. A licensed expert in the field of social work - member
2. A representative from the licensed associations that provide services for paraplegic and tetraplegic persons also participates in the work of the Commission, in the capacity of observer.

### **Article 18**

#### **Selection method of the Commission and compensation**

1. The Chairman of the Evaluation Committee is appointed by the civil service staff of the Ministry or any external representative. The chairman must have at least three (3) years of work experience in the public sector and good knowledge of the legislation in force for the evaluation of persons with disabilities and the legislation in force for the general administrative procedure.
2. Members of the Commission are contracted to provide evaluation services in the Evaluation Commission, in accordance with the legislation in force on public procurement, and must have at least five (5) years of work experience in their profession.
3. Except from paragraph 2 of this article, in case of absence of any member of the Evaluation Commission and the impossibility of quick replacement, the Ministry can temporarily engage relevant staff from health institutions.
4. The representative of the licensed associations that provide services for paraplegic and tetraplegic persons, who participates as an observer in the Evaluation Commission, is appointed after the open process of announcement made by the Ministry.
5. The chairman and members of the Commission are compensated for their work, in accordance with the legislation in force. The representative of the licensed associations is not compensated for the work done, but receives a daily allowance to cover travel expenses and other daily expenses.

### **Article 19**

#### **The function and responsibilities of the Evaluation Committee**

1. The Evaluation Committee has the following functions and responsibilities:
  - 1.1. Evaluates the applicant's documentation and, if necessary, examines the applicant;
  - 1.2. It evaluates and determines the status of the paraplegic/tetraplegic person, as well as evaluates and determines other rights defined by the Law and this Regulation.

**Article 20**  
**Role of the Division of Medical Services**

The Division of Medical Commissions within the Ministry provides administrative and technical services for the Evaluation Commission.

**CHAPTER IV**  
**TRANSITIONAL AND FINAL PROVISIONS**

**Article 21**  
**Knowing the preliminary assessment**

1. All beneficiaries who have been assessed in advance according to the provisions of Regulation (GRK) No. 07/2017 on the Composition, Functioning, Responsibilities of the Evaluation Committee and Determination of Procedures for Recognition of the Status and Rights of Paraplegic and Tetraplegic Persons, and are categorized as beneficiaries of the first group, the status of the paraplegic/tetraplegic person and the rights are recognized others determined according to the provisions of articles 9 and 10 of this Regulation.
2. The persons from paragraph 1 of this article may submit a request for the assessment of social needs, within six (6) months from the entry into force of this Regulation.

**Article 22**  
**Request for reassessment of preliminary assessment**

1. All beneficiaries who have been assessed in advance according to the provisions of Regulation (GRK) No. 07/2017 on the Composition, Functioning, Responsibilities of the Evaluation Commission and Determination of Procedures for Recognition of the Status and Rights of Paraplegic and Tetraplegic Persons, and are categorized as beneficiaries of the second group, within six (6) months from the entry into force of of this Regulation may require reassessment according to the provisions of this Regulation.
2. The revaluation according to this article, takes place according to the provisions of Chapter II of this Regulation.
3. Persons who do not make a request for reassessment according to this article, within the deadline defined in paragraph 1, are automatically recognized as paraplegic/tetraplegic person without other rights defined according to the provisions of articles 9 and 10 of this Regulation.

**Article 23**  
**Repeal provision**

With the approval of this Regulation, Regulation (GRK) No. 07/2017 on the Composition, Functioning, Responsibilities of the Evaluation Commission and Determination of Procedures for Recognition of the Status and Rights of Paraplegic and Tetraplegic Persons is repealed.

**Article 24**  
**Entry into force**

This Regulation enters into force on 1 September 2024 and is published in the Official Gazette of the Republic of Kosovo.

**Albin KURTI**

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Prime Minister of the Republic of Kosovo

25 August 2024