



Directive on the application of patient rights in the cross-border healthcare

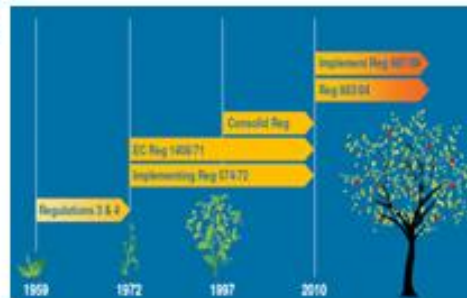
Committee of Regions - Outlook Opinion





EU legal framework

- Coordination of social security schemes
(Regulation 883/2004)



- Directive on patients' rights in cross-border healthcare
(Directive 2011/24/EU)





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Cross-border Healthcare Directive

CJEU jurisprudence 1997 – 2006

- Healthcare is a **service**;
- Patients can **choose** healthcare provider abroad;
- Level of **reimbursement** up to cost of treatment at home;
- **Prior authorisation** is acceptable;



**Harmonized minimum
Patients' Rights**



**Information
to patients**



**Cooperation between
Member States**

Kohll and Decker (1998); Ferlini (2000); Geraets-Smits and Peerbooms (2001); Vanbraekel (2001); Inizan (2003); Müller Fauré and Van Riet (2003); Leichtle (2004); Watts (2006); Stamatelaki (2007); Elchinov (2010); Petru (2014)



The Cross-Border Healthcare Directive

➤ Information for patients

❑ National Contact Points

❑ Healthcare providers

Patients' rights to information:

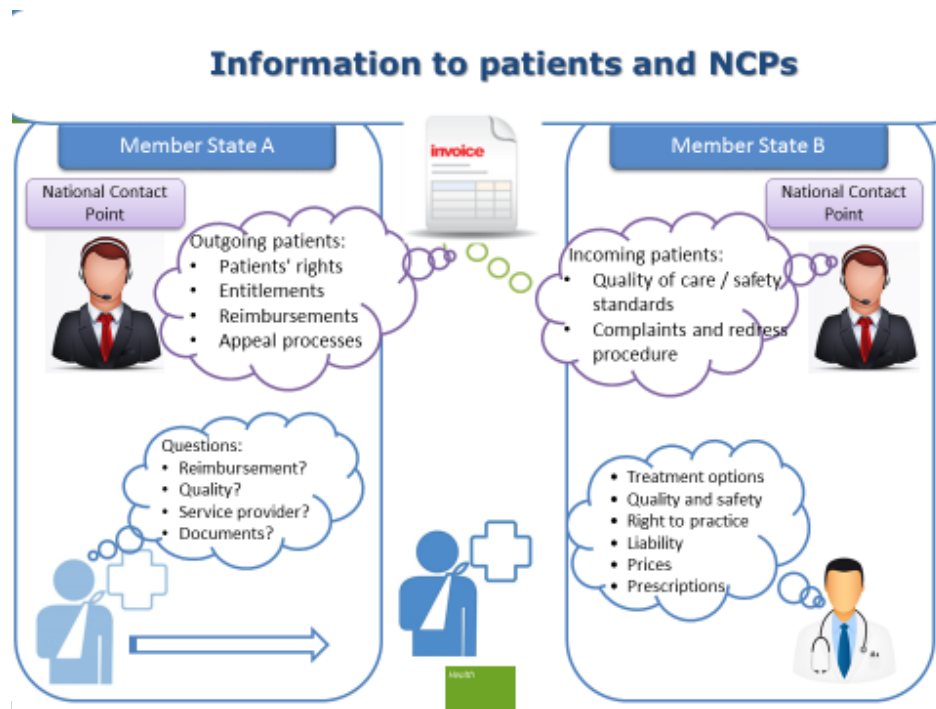
Entitlements/basket of benefits

Reimbursements

Quality of care & safety standards

Complaints redress procedure

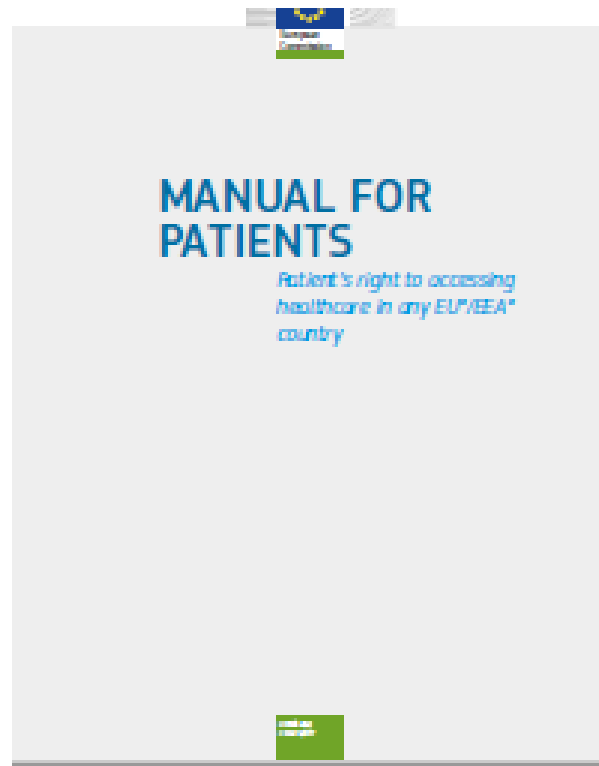
Right to practice, liability





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Manual for Patients in all EU languages



Health and
Food Safety



The Cross-Border Healthcare Directive

Cooperation between Health Systems

- *European Reference Networks for patients with low prevalence, rare or complex diseases*



European
Reference
Networks

- *E-health*
- *Health Technology Assessment*



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II. Key figures on patient mobility

1. Coordination on social security schemes

- **Necessary (unplanned) healthcare: ±2 million cases/year;**
- **Planned healthcare: ±55,000 PA/year;**
- **Living outside of the competent MS: ± 1.4 million people;**

➔ 0.1% of the EU-wide annual healthcare budget



2. Directive 2011/24/EU

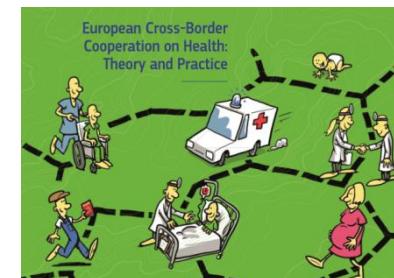
- **CB healthcare without prior authorisation: ±200,000 reimbursement/year**
- **CB healthcare with prior authorisation: ±3500 PA/year**

➔ 0.004% of the EU-wide annual healthcare budget



3. Bilateral agreements for cross-border healthcare

- **No data available**



Where do patients travel when **Prior Authorisation** is required*?

MS of affiliation

MS of treatment

France

Ireland

Luxembourg

Slovakia

UK

Germany

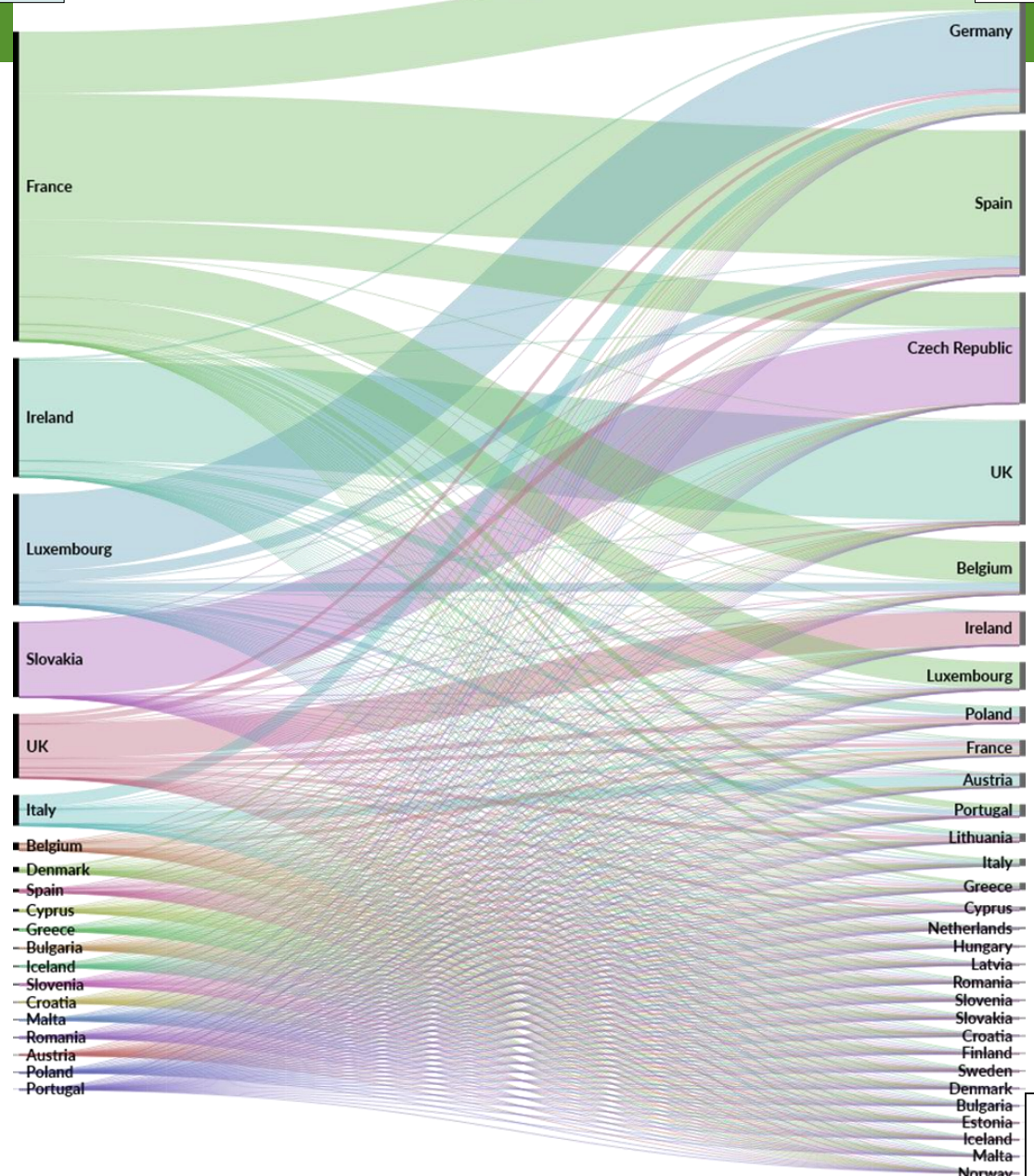
Spain

Czech Rep.

UK

Belgium

Ireland

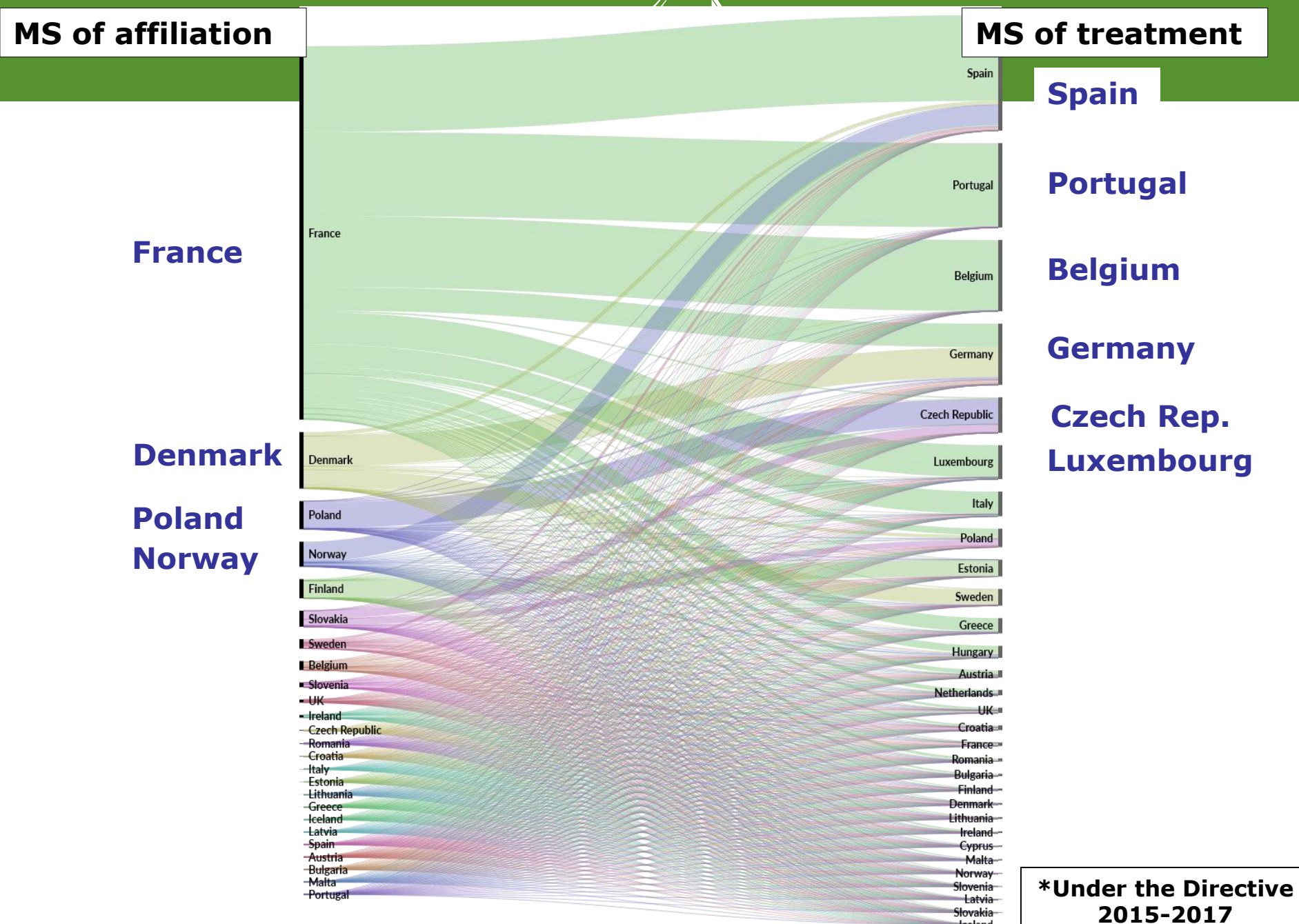


- Belgium
- Denmark
- Spain
- Cyprus
- Greece
- Bulgaria
- Iceland
- Slovenia
- Croatia
- Malta
- Romania
- Austria
- Poland
- Portugal

- Germany
- Spain
- Czech Republic
- UK
- Belgium
- Ireland
- Luxembourg
- Poland
- France
- Austria
- Portugal
- Lithuania
- Italy
- Greece
- Cyprus
- Netherlands
- Hungary
- Latvia
- Romania
- Slovenia
- Slovakia
- Croatia
- Finland
- Sweden
- Denmark
- Bulgaria
- Estonia
- Iceland
- Malta
- Norway

***Under the Directive 2015-2017**

Where do patients travel when **Prior Authorisation** is **not** required?

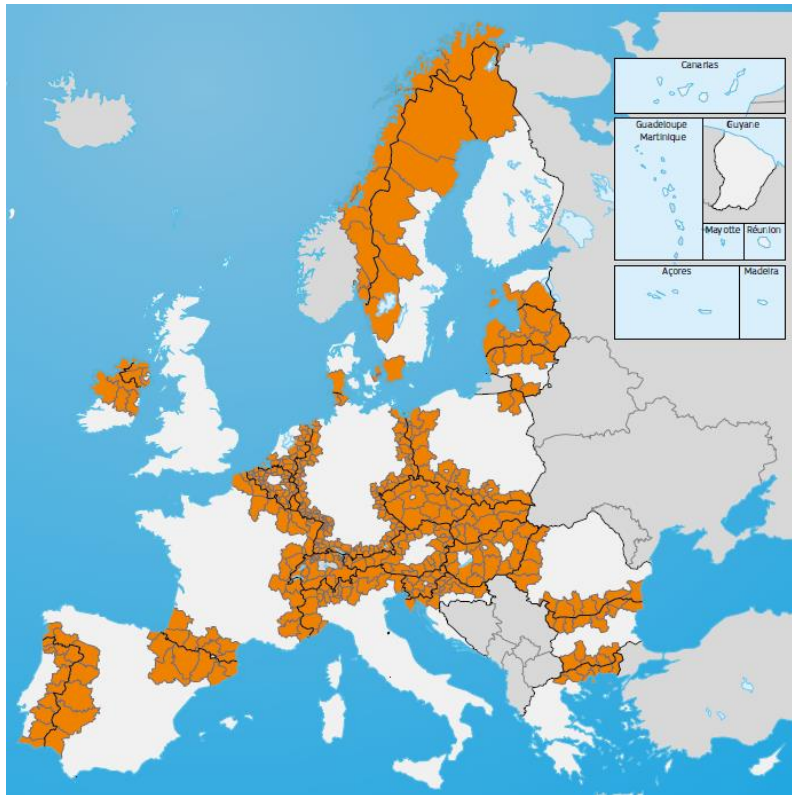


***Under the Directive 2015-2017**



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Border Regions matter...



- 40% EU territory; 30% EU population (150m), 40 % EU GDP
- BUT less economically developed, lower access to public services

AND they suffer...

Navigating different legal and administrative systems is still **complex, long and costly**

EU activities on healthcare relevant to border regions

- ✓ Policy documents
- ✓ Commission Studies
- ✓ Conferences
- ✓ Health Policy Platform

**Commission Communication
on growth and cohesion in EU border regions
September 2017**



Study on Cross-Border Health
Cooperation

Conference on "Enhancing Healthcare
Cooperation in Cross-Border regions"
4 December 2018 - Brussels





The Cross-Border Healthcare Directive

PROGRESS

Patients' right - choice of healthcare in another EU country subject to conditions

CHALLENGES

- *Few patients aware of their rights – more info*
- *Further reduce administrative burdens*
- *Digitilisation in healthcare – considerable efforts*
- *High added value of EU actions in area of rare diseases*



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Reports on implementation



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European Parliament



EUROPEAN COURT OF AUDITORS

Guardians of the EU finances

Priorities for improvements:

- **Complex systems of reimbursement;**
- **Prior authorisation for planned treatment;**
- **Administrative obstacles;**
- **Overcharging of incoming patients;**
- **Information to patients**

The Committee of the Regions can help:

- **Raise awareness;**
- **Report problems / implementation / good practices;**
- **Inform on how the Directive is working in practice.**

More information:

DG SANTE website

https://ec.europa.eu/health/cross_border_care/overview_en

Monitoring the Directive

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2018:651:FIN>

Cross-border Healthcare Expert Group

https://ec.europa.eu/health/cross_border_care/events_en#anchor0

National Contact Point – Toolbox

https://ec.europa.eu/health/cross_border_care/publications_en

Study on Cross-border cooperation

https://ec.europa.eu/health/sites/health/files/cross_border_care/docs/2018_crossbordercooperation_frep_en.pdf

Cross-border Care Manual & Tools

https://goeg.at/study_on_cross-border_cooperation

Health Policy Platform

<https://webgate.ec.europa.eu/hpf/>