



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

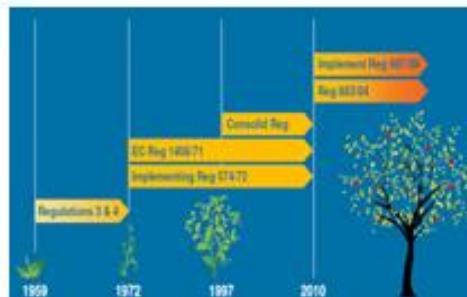
Committee of Regions - Outlook Opinion





EU legal framework

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



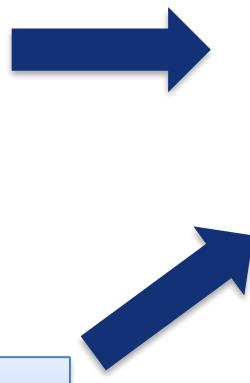
- Directive on patients' rights in cross-border healthcare
(Directive 2011/24/EU)



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)

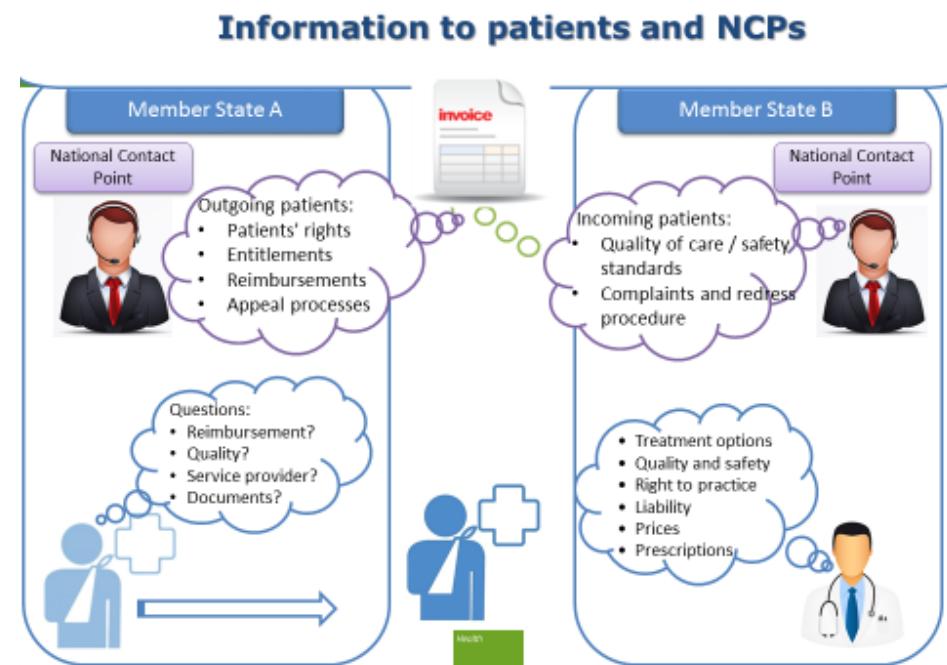


The Cross-Border Healthcare Directive

➤ 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





Manual for Patients in all EU languages





The Cross-Border Healthcare Directive

Cooperation between Health Systems

- *European Reference Networks for patients with low prevalence, rare or complex diseases*
- *E-health*
- *Health Technology Assessment*



European
Reference
Networks

II. Key figures on patient mobility

1. Coordination on social security schemes

- **Necessary (unplanned) healthcare: ± 2 million cases/year;**
- **Planned healthcare: $\pm 55,000$ 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

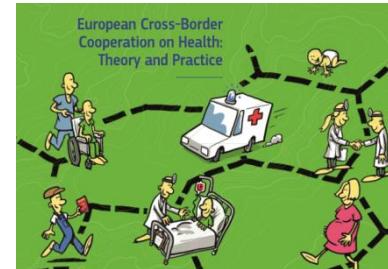
- **CB healthcare without prior authorisation: $\pm 200,000$ reimbursement/year**
- **CB healthcare with prior authorisation: ± 3500 PA/year**



→ 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

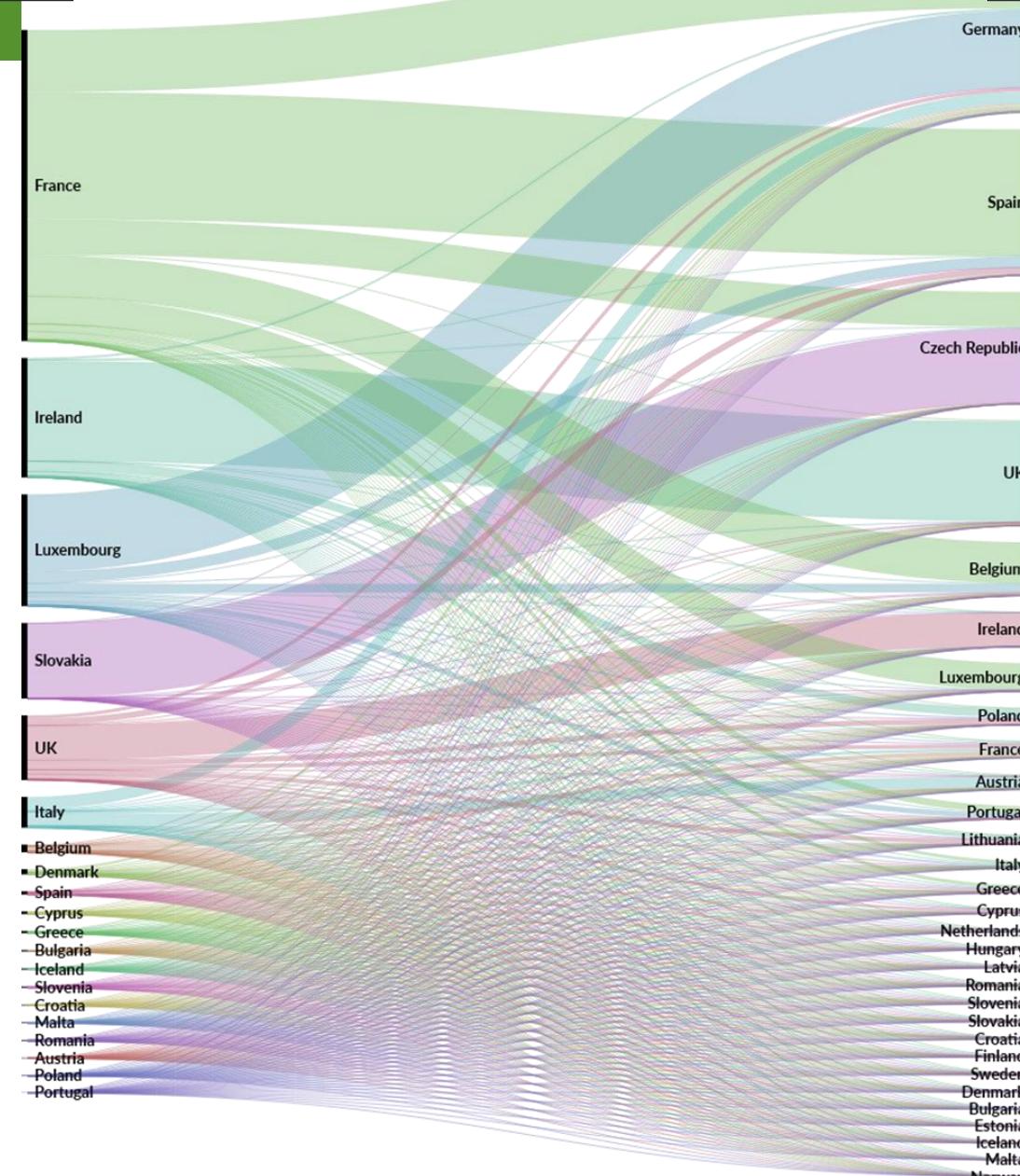
France

Ireland

Luxembourg

Slovakia

UK



MS of treatment

Germany

Spain

Czech Rep.

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?

MS of affiliation

France

Denmark

Poland

Norway

France

Denmark

Poland

Norway

Finland

Slovakia

Sweden

Belgium

Slovenia

UK

Ireland

Czech Republic

Romania

Croatia

Italy

Estonia

Lithuania

Greece

Iceland

Latvia

Spain

Austria

Bulgaria

Malta

Portugal

MS of treatment

Spain

Portugal

Belgium

Germany

Czech Republic

Luxembourg

Italy

Poland

Estonia

Sweden

Greece

Hungary

Austria

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Finland

Denmark

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Ireland

Cyprus

Malta

Norway

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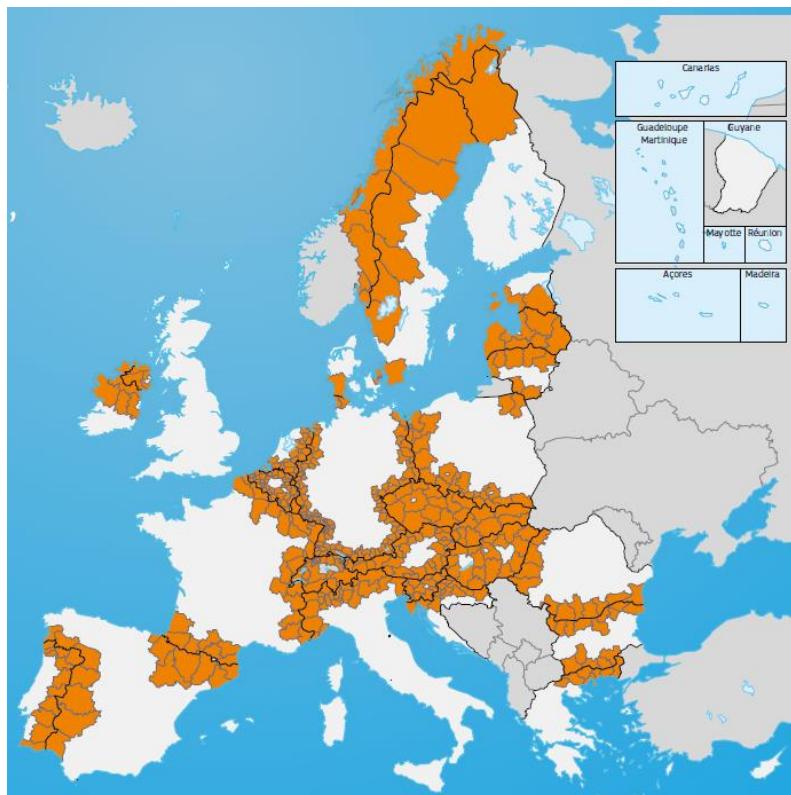
Latvia

Slovakia

Iceland

***Under the Directive
2015-2017**

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*



Reports on implementation



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/>