



**FEDERATION EUROPEENNE DES MEDECINS SALARIES  
EUROPEAN FEDERATION OF SALARIED DOCTORS**

**Registered Office/Siège  
Social :**  
39, rue Victor Massé  
F-75009 Paris/France

<http://www.fems.net>

**Presidency:**  
Dr. Claude Wetzel  
Hôpitaux Universitaires  
F-67098 Strasbourg/France  
Tel +33 3 88 12 70 75 ou 76  
GSM +33 6 60 55 56 16  
Fax +33 3 88 12 70 74  
[claudewetzel@chru-strasbourg.fr](mailto:claudewetzel@chru-strasbourg.fr)

**Permanent Secretariat:**  
Mrs Brigitte Jencik  
Rue Guimard 15  
B-1040 Brussels/Belgium  
Tel. + 32 2 280 46 80  
Fax + 32 2 280 47 80  
e-mail: [info@fems.net](mailto:info@fems.net)

<b>Date :</b>		<b>Document</b>	<b>F07-072 EN</b>
<b>Title/ Titre:</b>	<b>Press Release “Directive on cross-border healthcare”</b>		
<b>Author/Auteur:</b>	<b>EUROPEAN COMMISSION</b>		



**IP/08/1080**

Brussels, 2 July 2008

**Commission adopts proposal for directive on patients' rights in cross-border healthcare**

*As part of the Renewed Social Agenda, the Commission adopted today a proposal for a directive to facilitate the application of European patients' rights in relation to cross-border healthcare, as well as a Communication on improving co-operation between Member States in this area. Despite several clear European Court of Justice rulings confirming that the EU Treaty gives individual patients the right to seek healthcare in other Member States and be reimbursed at home, uncertainty remains over how to apply the principles of this jurisprudence more generally. With this proposal the Commission aims to provide legal certainty on this issue. This follows calls from both the European Parliament and the Council of Ministers for the Commission to propose a specific initiative on cross-border healthcare, in a way explicitly adapted to, and respecting, the unique nature of the healthcare sector. In addition, the proposed Directive provides a solid basis to unlock the huge potential for European cooperation to help improve the efficiency and effectiveness of all EU health systems.*

European Health Commissioner Androulla Vassiliou said: “This proposal aims to clarify how patients can exercise their rights to cross-border health care, while at the same time providing legal certainty for Member States and health care providers. It ensures that the quality and safety of health care will be guaranteed throughout the Union, and promotes cooperation between health systems to provide better access to specialised care.”

**The directive's goals**

Overall, this directive, once adopted by the Council and the European Parliament, will provide a clear framework for cross-border care. Under its major provisions:

**Patients have the right to seek healthcare abroad and be reimbursed up to what they would have received at home.** The directive will provide clarity over how these rights can be exercised, including the limits that Member States can place on such healthcare abroad, and the level of financial coverage that is provided for cross-border healthcare.

**Member States are responsible for healthcare provided on their territory.**

Patients should be confident that the quality and safety standards of the treatment they will receive in another Member State are regularly monitored and based on good medical practices.

**The directive will facilitate European cooperation on healthcare.** It will provide a basis to support the development of **European reference networks**, which will bring together, on a voluntary basis, specialised centres in different Member States. This collaboration has great potential to bring benefits to patients through easier access to highly specialised care. It can also be useful to health systems as it would facilitate the efficient use of resources, for example by pooling resources to tackle rare conditions.

**Health technology assessment** is another clear area of European added-value. This initiative will help to reduce overlap and duplication of efforts in this field and hence promote the effective and efficient use of resources.

**Activities in the field of "e-Health"** will also be strengthened. Information and communication technologies have enormous potential to improve the quality, safety and efficiency of healthcare. The Commission already supports existing e-health projects covering areas such as remote provision of specialist support from large hospitals to smaller local facilities. What is lacking, however, are shared formats and standards that can be used between different systems and different countries. The directive will help these to be put in place.

**The need to act**

Discussions about cross-border healthcare and in particular 'patient mobility', were prompted after judgements of the European Court of Justice in a number of cases concerning the mobility of individual citizens from different Member States.

In its judgements on these cases, the Court has consistently ruled that patients have the right to be reimbursed for healthcare received in another Member State that they would have received at home.

**Background**

Healthcare was excluded from the scope of Directive 2006/123/EC on services in the internal market. The Council and the Parliament asked the Commission to address issues relating to cross border healthcare in a separate instrument.

The Commission carried out a public consultation to clearly identify the problems in the field of cross-border healthcare. The majority of the 280 contributions received favoured some form of Community action on healthcare, combining both legislative elements and practical support for cooperation between European health systems.

On that basis, the Commission developed the draft directive it has adopted today.

**The draft directive on application of patients' rights in cross-border healthcare can be found at:**

[http://ec.europa.eu/health/ph\\_overview/co\\_operation/healthcare/docs/COM\\_en.pdf](http://ec.europa.eu/health/ph_overview/co_operation/healthcare/docs/COM_en.pdf)