Patient mobility and healthcare developments in the European Union

2004/2148(INI) - 20/04/2004 - Non-legislative basic document

PURPOSE : to set out initiatives following the high level reflection process on patient mobility and healthcare developments in the European Union.

CONTENT : Patients wish to benefit from high quality healthcare as close to home and as quickly as possible. Sometimes, however, this can be best achieved through healthcare provided in another Member State. The EU provides freedoms for citizens to seek healthcare in other Member States, as confirmed by the European Court of Justice. The latter has also clarified the conditions under which medical costs may be reimbursed when patients have sought medical treatment in another Member State. When patients seek healthcare in other Member States, it is essential to ensure that the well-being and safety of the patient is properly protected.

Patient mobility also has consequences for health services and medical care both in the country where the patient is insured and the country where care is provided. Health systems across Europe also face common challenges as they adapt to constant developments in medical science, the ageing of the European population, and rising public expectations. Although these health systems are primarily the responsibility of the Member States, cooperation at European level has great potential to bring benefits both to individual patients and to health systems overall. A European strategy is therefore needed to ensure that citizens can exercise their rights to seek care in other Member States if they wish, and that European cooperation can help systems to work together to better meet the challenges they face.

The first step must be to provide citizens with a clearer overview of the existing EU legal framework regarding access to healthcare and the reimbursement of the costs incurred in another Member State. Access to care for individuals is part of the responsibility of Member States for their health care and health insurance systems. Rights under Community law principally concern reimbursement for healthcare provided in another Member State.

The Proposal for a Directive on Services in the Internal Market clarifies the authorisation regime for reimbursement of medical costs incurred in another Member State. The proposal, together with the proposal for implifying Regulation 1408/71/EEC provides greater legal certainty as regards the conditions for the reimbursement of healthcare costs incurred in another Member State. Jurisprudence form the Court of Justice indicates:

- Any non-hospital care to which you are entitled in your own Member State you may also seek in any other Member State without prior authorisation, and be reimbursed up to the level of reimbursement provided by your own system;

- Any hospital care to which you are entitled in your own Member State you may also seek in any other Member State provided you first have the authorisation of your own system;

- If you wish to seek treatment abroad, your health authorities can provide you with information on how you can seek authorisation for care in another Member State, the reimbursement levels that will apply and how you can appeal against decisions. Furthermore, according to Regulation 1408/71, if you are staying temporarily in another Member State than your own - for travel, study, posting, or seeking employment - and if you happen to need healthcare, it will be delivered on the same basis as to people insured in that country. If you have to pay for this care, then you will be reimbursed in your home country, on the basis

of the tariffs and fees in force in the Member State where the care was delivered. After June 1st, 2004, you can show this entitlement using the European health insurance card, which will replace the current paper forms, in particular form E111.

The Communication sets out a range of ways in which European collaboration can bring concrete benefits to the effectiveness and efficiency of health services across Europe. This includes:

- European collaboration to make better use of resources, covering issues such as developing a better understanding of the rights and duties of patients, sharing spare capacity between systems and cross-border care, mobility of health professionals, identifying and networking European centres of reference, and coordinating assessment of new health technologies;

- information requirements for patients, professionals and policy-makers;

- the European contribution to health objectives;

- response to enlargement through investment in health and health infrastructure.

A table summarizing the Commission’s response to the recommendations of the reflection process is also included at Annex one.

The Communication also covers improving information and knowledge about health systems to provide a better basis for identifying best practice and ensuring universal access to high quality services, and the use of the High Level Group on Health Services and Medical Care to help those responsible for health systems to work together at European level.

The new Member States face greater health problems than the rest of the Union but have less economic means to address them. Their health systems are therefore under particular pressure as they strive not just to improve the quality of life of their citizens, but by doing so also to contribute to the overall economic growth and sustainable development of those countries. Collaboration at European level can bring particular benefits to those systems, combined with setting a high priority for investment in health and health infrastructure in the new Member States.

The proposals set out in this communication are the Commission’s response to the recommendations of the high level process of reflection on patient mobility and healthcare developments, which was established following the conclusions of the Health Council of June 2002. This forms part of a wider strategy. It should be noted that a separate communication proposes extending the ‘open method of coordination’ to health care and long-term care, to support the efforts of Member States in developing high-quality, accessible and sustainable health and long-term care services. A further communication sets out an "e-Health action plan"within the framework of a European e-Health Area for using information and communication technologies to help improve access, quality and effectiveness for health services across the Union.