

Impact and consequences of the exclusion of Health Services from the Directive on Services in the Internal Market

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The committee on Internal market and Consumer protection adopted the initiative report drafted by Bernadette **VERGNAUD** (PSE, FR) on the consequences of the exclusion of health services from the Directive on services in the internal market.

Bearing in mind the progressive increase in cross-border mobility of patients and health professionals, MEPs agreed that - whatever their level of income or place of residence - all European citizens should be guaranteed equal and affordable access to health care, regardless of whether they go public or private, in accordance with the principles of universality, quality, safety, continuity, solidarity, thus contributing to the social and territorial cohesion of the Union while ensuring the financial sustainability of national health-care systems. That said, while patients should be free to choose health care in another country, medical tourism should not be actively encouraged. Moreover, the Committee argued that patient mobility cannot be allowed to grow unchecked without concurrent and clear rules governing liability for the provision of cross-border health services.

On the issue of **reimbursement of cross-border health care**, the report calls for: a codification of existing case law on the reimbursement of cross-border health care in order to ensure the proper application of the case law by all Member States; a European reference scheme to be put in place concerning reimbursement in order to allow citizens to make a comparison and to make the most suitable choice of the treatment for them; examination of ways of actively supporting and promoting the work aimed at making use of the European Health Insurance Card with a standardised set of electronic patient data common practice, in order to simplify the procedures for European citizens obtaining health care in other Member States and to ensure confidentiality of sensitive medical data.

The Committee considers that closer cooperation between health systems on local, regional, intergovernmental and European levels should make it possible to obtain appropriate treatment in other Member States, improve the quality of services and thus increase citizens' confidence. The Commission is invited to actively support the introduction of interoperable transparent information systems allowing effective exchange and sharing of information on health between health-care providers in individual Member States. It encourages the development of networks of reference centres, including electronic reference centres that deal with some rare, specific and chronic diseases, and exchange of knowledge between various EU countries on best treatment practices and the organisation of health-care systems.

The Commission is invited to encourage the Member States to actively support the introduction of E-health and telemedicine.

Noting how difficult it is for patients to obtain clear and precise information on health care, especially in relation to cross-border health care, and the complexity of the procedures that have to be followed, the Committee calls for the creation and use of a **single point of contact** on the basis of existing Community instruments, in accordance with the specificity of the organisation of each health-care system, to guarantee access to objective and independent information for patients, health professionals, health-care institutions and the competent authorities.

As regards the issue of health being given a place in the Services Directive, the Committee emphasises that Treaty rules, including the specific provisions on services of a general economic interest, as well as the jurisprudence of the ECJ, apply to health services and stresses that health-service providers are fully entitled to establish and to provide services in any Member State, following national and EU rules. It also emphasises that patients are fully entitled to seek health care in any Member State. In adopting an amendment drafted by Toine **MANDERS** (ALDE, NL), members of the Committee invited the Commission to present a proposal to reintroduce health services into Directive 2006/123/EC - i.e. the Services Directive.

In the same vein, the Committee turned down the rapporteur's call for a separate directive on health services, choosing instead to ask the Commission to propose an appropriate instrument with a view, in particular, to codifying the pertinent case law of the ECJ. Due to the adoption of these amendments, the rapporteur voted against the final report.