

## **ELDR briefing: Patients rights in the European Union**

In July 2008, the European Commission launched a health care package designed to facilitate the opportunities for patients from an EU country to receive treatment in another Member State. In April 2009 the European Parliament adopted a report that sets out the guidelines under which this can take place. Cross border health care is something that is strongly supported by Europe's Liberal Democrats who believe that easier access to health care will help to raise the standard of treatment across the EU. Extension of the EU Single Market to include health care is one of ELDR's priorities in its manifesto for the European elections.

### **WHY is health care an important EU issue?**

The thinking behind the directive, led by liberal European Health Commissioner, Androula Vassiliou, is that patients in the EU should have greater freedom to choose where they are treated and should be able to receive faster, and in some cases, more expert treatment even if that means going to another Member State.

### **HOW does treatment in another country benefit people?**

This concept has the potential to considerably improve the standard of treatment and care that EU citizens receive through increasing cooperation between health care systems and by sharing expertise, innovation and information. The directive ensures free movement of and better information for patients.

The added value created by this initiative is in instances where there are long waiting lists in a person's home country, when specialist technologies are available in another Member State, and when people live close to country borders.

### **WHAT does this actually mean?**

Up to now, complex rules and legal uncertainty can be a barrier for people without financial means to access private health care. This directive ensures equal access for all patients to cross border health services.

Following the adoption of the European Parliament's report, patients have the right to non-hospitalisation care in other Member States. They do not need prior authorisation and will be reimbursed by their own social security system.

Patients may also seek hospital care in another Member State and get the costs reimbursed, but in this case the Member States can require prior authorisation.

### **WHAT do the doubters say?**

Concerns have been raised about the concept of 'health tourism' developing, in which patients could travel to a different Member State, where treatment is more expensive, and not have to pay any extra for it, thus putting huge financial burdens on national healthcare systems.

Androula Vassiliou has stated, however, that the directive is about “ensuring that patients can exercise their right to health care in another member state and be reimbursed up to the amount the care would have cost at home. This is in many ways a natural liberal issue. It is about the freedom of movement of patients, and about their right to information about how to exercise their rights.”

The report had the backing of the Liberals and the Christian Democrats, whilst the Greens and the Communists tried to block the report and the Socialists abstained altogether.

WHEN will this become a reality?
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The concept of cross border health care as presented here is not expected to become law before 2010 at the earliest.

For more information about this issue please consult the following links:

ALDE press release

<http://www.alde.eu/en/details/news/parliament-backs-rights-of-patients-to-healthcare-without-borders-2/>

ALDE website for patients' rights

<http://www.patients-rights.eu/>

ELDR Manifesto 2009 elections

<http://www.eldr.eu/en/press/electoral-program-2009.php>