

Council, 11 December 2008

Directive on the application of patients' rights in cross-border healthcare - update

Executive summary and recommendations

Introduction

The European Commission proposal for a directive on the application of patients' rights in cross-border healthcare was published on 2 July 2008.

The European Parliament is considering the draft directive. The draft text sets out the administrative procedures by which an EU citizen could access treatment in another European member state at the same cost of that of their home healthcare system. It also emphasises the need for safe and high-quality healthcare across the European Union and highlights the responsibility of member states to ensure this.

Article 5 of the draft directive sets out the responsibilities of authorities in the Member State of treatment, this includes:

- making sure there are clear quality and safety standards;
- providing information to enable service users to make an informed choice;
- making sure service users have a means to make complaints; and
- setting a duty of cooperation between Member States.

The draft text refers to financial redress for patients and acknowledges they must have information about how to complain about health providers and practitioners. However, there is no direct reference to regulatory redress and the need for patients to have firm assurance that if they are avoidably harmed by a health professional a regulator will take fair and effective action.

We are working closely with the European institutions, the UK Government, other UK and European regulators, and stakeholder groups, to make sure there are robust mechanisms across Europe to ensure patient safety whether it is the patient or the health professional moving. This includes calling on the European Commission to introduce a legal duty on all competent authorities to share registration and fitness to practise information proactively with other competent authorities in Europe.

The Executive will keep the Council updated with further developments in this area.

Decision

This paper is to note.

Background information

A copy of the draft directive can be accessed from:

http://ec.europa.eu/health/ph_overview/co_operation/healthcare/docs/COM_en.pdf

Resource implications

None

Financial implications

None

Appendices

None

Date of paper

28 November 2008

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2008-11-14	a	POL	PPR	Directive on Cross-Border Healthcare - coversheet	Final DD: None	Public RD: None