



PATIENT RIGHTS IN CROSS-BORDER HEALTHCARE

Access to safe and high-quality healthcare for all EU citizens is a central element in our effort to create a fair and equitable European Union. In order to highlight the specific nature of healthcare, the Socialists & Democrats successfully fought to exclude healthcare from a wider Services Directive and insisted that the Commission must come up with a separate draft law which could deal more fully with cross-border healthcare issues that can't be dealt with by each Member State on its own.

Most people prefer to receive healthcare close to where they live, but people may sometimes want or need medical help in another EU Member State - for example to get specialist expertise or faster treatment. In border regions, the nearest healthcare facilities may be across the border in a neighbouring country.

EU citizens have a legal right to seek treatment in an EU Member State other than their own and to be reimbursed after treatment. But clear legislation is needed to spell out how that right can be exercised. A draft law dealing with this was proposed by the European Commission in July 2008. The proposal also seeks to ensure that all patients get safe, high-quality treatment and to facilitate co-operation between Member States' healthcare systems.

A Law for Patients, or for Healthcare Firms?

For the Socialists & Democrats, the aim of this legislation must be to set up clear rules for patients who seek healthcare abroad and have the right to be properly reimbursed, without undermining the ability of Member States to organise their own national health systems. To focus on these aims, the Parliament dropped the further aim in the Commission proposal to make it easier for private healthcare firms to operate across borders.

The S&D Group insisted on 8 key points:

1. legal certainty for patients
2. comprehensive information for patients at national contact points on their rights when treated in another EU Member State, including on procedures and systems that patients can turn to if they suffer harm when cross-border healthcare is provided,
3. reimbursement up to the level patients would receive in their home country
4. possibility for Member States to reimburse accommodation and travel costs as well as special costs for people with disabilities
5. sharing of knowledge and best practice in highly specialised fields
6. procedures and systems that patients can turn to if they suffer harm when cross-border healthcare is provided.
7. more leeway for Member States to protect their own systems through prior authorisation of cross-border hospital and specialised treatment, to make it easier to safeguard national health care planning and financial systems.
8. to base the law on EU Treaty powers relating to health for all, not just to building a market in healthcare

At the first legislative stage the right-wing Groups - led by the EPP & ALDE - voted down the last two points. But we made it clear that we would not give in and continue to fight for our priorities.

The subsequent negotiations between the Council and the Parliament led, thanks to the determination of the Socialists and Democrats, to an agreement on a cross-border healthcare law that puts patients' rights and the integrity of national healthcare systems first, rather than business opportunities for private healthcare firms.