

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2022/2306

of 23 November 2022

granting derogations to certain Member States with respect to the transmission of statistics pursuant to Regulation (EC) No 1338/2008 of the European Parliament and of the Council, as regards statistics on healthcare facilities, healthcare human resources and healthcare utilisation

(notified under document C(2022) 8341)

(Only the Czech, Dutch, English, French, German, Greek, Irish, Portuguese, Romanian, Spanish and Swedish texts are authentic)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1338/2008 of the European Parliament and of the Council of 16 December 2008 on Community statistics on public health and health and safety at work ⁽¹⁾, and in particular Article 9(2) thereof,

Having regard to the requests made by the Kingdom of Belgium, the Czech Republic, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Cyprus, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, Romania and the Kingdom of Sweden,

Whereas:

- (1) In accordance with Article 9(2) of Regulation (EC) No 1338/2008, if necessary, derogations and transition periods may be adopted for Member States, provided they are based upon objective grounds.
- (2) The information Member States provided to the Commission indicates that the requests for derogations are due to the need for major adaptations to national administrative and statistical systems in order to comply in full with Regulation (EC) No 1338/2008.
- (3) Such derogations should be therefore granted, at their request, to the Kingdom of Belgium, the Czech Republic, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Cyprus, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, Romania and the Kingdom of Sweden.
- (4) The measures provided for in this Decision are in accordance with the opinion of the European Statistical System Committee, established by Article 7 of Regulation (EC) No 223/2009 of the European Parliament and of the Council ⁽²⁾,

⁽¹⁾ OJ L 354, 31.12.2008, p. 70.

⁽²⁾ Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

HAS ADOPTED THIS DECISION:

Article 1

Derogations as set out in the Annex are granted to the Member States listed therein.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Czech Republic, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Cyprus, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, Romania and the Kingdom of Sweden.

Done at Brussels, 23 November 2022.

For the Commission
Paolo GENTILONI
Member of the Commission

ANNEX

Derogations from Regulation (EC) No 1338/2008, as implemented by the Commission, concerning healthcare facilities, healthcare human resources and healthcare utilisation

For the purpose of the data collection, the following derogations shall be granted:

Czechia, Ireland, Spain, Cyprus, Luxembourg, the Netherlands, Austria, Portugal and Romania shall not be required to deliver the variables, or, where indicated, the breakdown(s) of variables, specified in Table 1 for the reference years specified therein. Where full coverage is not required, the deviations from full coverage shall be explained in the reference metadata.

Table 1

Member State	Variable/breakdown	Reference year(s) covered by derogation
Czechia	The country of residence of discharged non-residents for the following variables: 6.1 Number of hospital inpatient discharges 6.2 Number of hospital inpatient bed-days 6.3 Number of hospital day case discharges	2023-2024
Czechia	7.10 Partial excision of mammary gland 7.11 Total mastectomy	2023-2024
Ireland	Full coverage of the following variables (partial coverage is required): 6.1 Number of hospital inpatient discharges 6.2 Number of hospital inpatient bed-days 6.3 Number of hospital day case discharges	2023-2024
Spain	The age groups '65-74' and '75 and older' for the variable: 1.1 Number of practising physicians by age and sex	2021-2023
Cyprus	Full coverage of all variables in Annex II (partial coverage is required)	2021-2022
Luxembourg	Variables 1.1-1.6 under Data on Health Employment	2023
The Netherlands	Full coverage of the variables under point 6. Data on Hospital Care (partial coverage is required)	2023
Austria	5.1 Immunisation rate for people aged 65 and older against influenza	2021-2022
Portugal	1.1 Number of practising physicians by age and sex 1.2 Number of practising physicians by category 1.3 Number of practising midwives 1.4 Number of practising nurses 1.5 Number of practising dentists	2023-2025

Member State	Variable/breakdown	Reference year(s) covered by derogation
Portugal	2.4 Number of midwifery graduates 3.1 Number of hospital beds for somatic care; function 'Long-term care' 3.3 Number of beds in residential long-term care facilities Variables under point 4. Data on Devices for Medical Imaging. 5.2 Rate of women aged between 50 and 69 screened against breast cancer within a national breast cancer screening (mammography) programme 5.3 Rate of women aged between 20 and 69 screened against cervical cancer within a national cervical cancer screening programme	2021-2023
Portugal	The NUTS2 region of the residence of the discharged patient for the variables: 6.1 Number of hospital inpatient discharges 6.2 Number of hospital inpatient bed-days 6.3 Number of hospital day case discharges	2023-2025
Portugal	Full coverage of the following variables (partial coverage is required): 7.1 Cataract surgery 7.2 Tonsillectomy 7.3 Transluminal coronary angioplasty 7.4 Coronary artery bypass graft 7.5 Cholecystectomy 7.6 Repair of inguinal hernia 7.8 Hip replacement 7.9 Total knee replacement 7.10 Partial excision of mammary gland 7.11 Total mastectomy	2023-2025
Romania	1.3 Number of practising midwives	2021

Belgium, Greece, Spain, France, Luxembourg and Sweden shall be granted derogations concerning the deadline for delivery of data for the variables in Table 2 and for the reference metadata where specified.

Table 2

Member State	Variable	New deadline	Reference year(s) covered by derogation
Belgium	5.2 Rate of women aged between 50 and 69 screened against breast cancer within a national breast cancer screening (mammography) programme	T+26 months	2021-2024
	5.3 Rate of women aged between 20 and 69 screened against cervical cancer within a national cervical cancer screening programme		
Greece	Variables under point 1. Data on Health Employment	T+20 months	2023
Spain	Variables under point 1. Data on Health Employment and reference metadata	T+16 months	2023
Spain	Variables under points 2-5 of Annex II, and reference metadata	T+16 months	2021-2023
France	2.1 Number of medical graduates	T+21 months	2021-2023
	2.2 Number of dentistry graduates		
	2.3 Number of pharmacy graduates		
Luxembourg	Variables under points 6. Data on Hospital care and 7. Data on Surgical procedures	T+38 months	2023
Luxembourg	Variables under points 6. Data on Hospital care and 7. Data on Surgical procedures	T+26 months	2024
Sweden	Variables under point 1. Data on Health Employment	T+21 months	2023-2024