



**Minutes of Meeting:  
Cross-border Healthcare Expert Group  
15 November 2018, 10:00-17:00  
Chair: Mr Andrzej RYS (EC Director),  
Ms Thea EMMERLING (EC Head of Unit)**

**PARTICIPANTS:**

- Present: Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom and Norway.
- Excused: Austria, Croatia, Greece and Malta.

**1. WELCOME AND INTRODUCTORY REMARKS**

The Chair welcomed the participants and referred to the objectives of the meeting.

Objectives:

- Exchange of views on the Commission's 2018 Report on the operation of Directive 2011/42/EU on the application of patients' rights on cross-border healthcare and share experiences implementing the Directive 2011/24/EU;
- Inform on the initial reactions of the co-legislators and media attention;
- Discuss the preliminary results of the data collection exercise for 2017;
- Disseminate and discuss the outcomes of the study on cross-border cooperation and follow up on results;
- Disseminate and discuss the outcomes of the study on enhancing information provision to patients and follow up on results.

**2. IMPLEMENTATION OF THE DIRECTIVE 2011/24/EU**

DG SANTE presented the latest Report on the Implementation of the Directive 2011/24/EU, also in relation to the Regulation (EC) 883/2004 of the European Parliament and of the Council on the coordination of social security systems.

## 2.1 Exchange of views on the 2018 Report on the operation of Directive 2011/24/EU on the application on patients' rights in cross-border healthcare

The Commission presented the latest 2018 Implementation Report to the European Parliament and the Council and welcomed the exchange of views on the implementation of the Directive. Some MSs referred to the increase in patients' mobility under the Directive 2011/24/EU and under the Regulation (EC) 883/2004 and explained the main reasons why some patients prefer to opt for a treatment under the Regulation (EC) 883/2004 (i.e. no upfront payment). Moreover, the Chair touched upon the matter of the administration of patients' complaints and some MSs explained the national procedure regarding the matter. Also, MSs shared information on the types of treatment patients tend to seek in different countries and on guidelines which hospitals are recommended to use when negotiating a contract with foreign actors for the treatment of foreign insured patients<sup>1</sup>.

The Commission thanked for the input provided on the 2018 Implementation Report and announced that in the next period, on the horizon will be the adoption and publication of the respective reports of the European Parliament and of the European Court of Auditors.

## 2.2 Presentation of the 2017 data collection exercise

The presentation by the Health Connect Partners referred to the data collection and more specifically the requests for information regarding patients' mobility. There was also a comparison of the number of requests during 2015, 2016 and 2017.

The contractor pointed out that the data does not give a clear picture because not all Member States were in a position to provide data in a correctly and timely manner. The Chair thanked MSs that already submitted data, advised the remaining MSs to intensify efforts to collect data and welcomed the Health Connect Partners to suggest methods of collecting the data correctly.

For a possible evaluation at a later stage in line with the Better Regulation policy, clear figures are needed on patient flows. The Commission asked Member States to do every effort to work together and duly support the Commission in its reporting obligations to the European Parliament and the Council.

<sup>1</sup> [https://www.inami.fgov.be/SiteCollectionDocuments/observatoire\\_mobilite\\_guide\\_convention.pdf](https://www.inami.fgov.be/SiteCollectionDocuments/observatoire_mobilite_guide_convention.pdf)  
[https://www.health.belgium.be/sites/default/files/uploads/fields/fpshealth\\_theme\\_file/leidraad\\_voor\\_afsluiten\\_van\\_overeenkomsten\\_inzake\\_patientenmobiliteit\\_met\\_buitenlandse\\_zorgactoren.pdf](https://www.health.belgium.be/sites/default/files/uploads/fields/fpshealth_theme_file/leidraad_voor_afsluiten_van_overeenkomsten_inzake_patientenmobiliteit_met_buitenlandse_zorgactoren.pdf)

### **3. STUDY ON CROSS-BORDER COOPERATION: CAPITALISING ON EXISTING INITIATIVES FOR COOPERATION IN CROSS-BORDER REGIONS AND FOLLOW-UP**

The first part of the presentation by Gesundheit Oesterreich focused on the mapping of existing health-related cross-border initiatives. The second part of the presentation highlighted the “Cross-border: Care manual and tools”, one of the main deliverables of the study.

The Expert Group took good note of and welcomed the outcomes of the study and its deliverables in all their parts.

### **4. CROSS-BORDER COOPERATION: UPDATE ON THE COMMISSION COMMUNICATION ON BOOSTING GROWTH IN EU BORDER REGIONS AND IN PARTICULAR ON THE ECBM (EUROPEAN CROSS-BORDER MECHANISM) PROPOSAL**

The presentation by DG REGIO introduced the European Cross Border Mechanism (ECBM) Proposal. DG REGIO clarified that ECBM is a non-mandatory, legal mechanism to overcome existing obstacles and to help stronger cross-border interaction. Furthermore, it was explained that ECBM is only for regions that share a common border, i.e. a border between neighbouring countries.

The Commission drew the attention of the participants to the importance of the proposal which is currently in its incipient co-decision stages and invited the delegates to liaise with their respective authorities for endorsing the initiative in the co-legislative bodies.

### **5. PROVIDING INFORMATION TO CITIZENS – STUDY ON CROSS-BORDER HEALTH SERVICES: ENHANCING INFORMATION PROVISION TO PATIENTS AND FOLLOW-UP**

The main objective of the study is to support NCPs to follow a uniform practice, of high quality, always patient-oriented.

The Guiding Principles for Good NCP Practice presented in the session are likely to be welcomed also by other institutions and the MSs agreed that they are willing to endorse them. With regards to the toolbox, MSs unanimously agreed to publish it.

## **6. WORKING TOGETHER**

### **6.1 Upcoming conferences of relevance in the field**

DG SANTE informed the MSs about the upcoming conference "Enhancing Healthcare Cooperation in Cross-border Regions"<sup>2</sup> on 4.12.2018 in Brussels and encouraged them to pass the invitation on to their networks of contacts and to participate themselves.

### **6.2. Exchange of views**

A selection of MSs briefed the participants on their experiences with the European Court of Auditors.

## **7. AOB AND CLOSING OF THE MEETING**

Romania informed the Chair and the rest of the MSs that their administration would organise and host the eHealth week on 10-16/6/2018.

The Chair closed the meeting and thanked the participants and the colleagues who organised the meeting.

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<sup>2</sup> <https://www.crossborderhealthcare-conference.com/crossborder-healthcare>