

Directive 2011/24/EU on patients' rights in cross-border healthcare

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Problems addressed

The Directive is an important achievement of the 'patient empowerment' policy of the EC and enabling European citizens to benefit from cross-border healthcare services. It is a natural extension of the fundamental freedoms enshrined into the EU Treaties. The Cross-Border Healthcare Directive clarifies the legal rights of patients.

Objective

The cross-border health services domain is now largely regulated by Directive 2011/24/EU1 on the application of patients' rights in cross-border healthcare, which provides the overall legal framework for the Patient Summary and e-Prescription pilot within the e-SENS project. Furthermore, the e-Confirmation pilot, which addresses administrative issues when accessing healthcare abroad, builds forward on Regulations 883/2004 and 987/2009 on the coordination of social security systems.

The Directive provides a detailed legal framework focused on main areas:

- Rules concerning the reimbursement of costs of cross-border healthcare
- Responsibilities of the Member States with regard to cross-border healthcare
- Cooperation between healthcare systems
- Development of National Contact Points (NCPs) and European Reference Networks (ERN).

Solutions

The use cases Patient Summary and ePrescription support the implementation of the Directive 2011/24 on the application of patients' rights in cross-border healthcare. The Directive regulates patients' rights for cross border care and makes provisions for continuity of care through the sharing of patient summary and e-Prescription/e-Dispensation and creates clarity about obligations for reimbursement of these services. Moreover, the Directive obliges Member States to set up National Contact Points (NCP) for cross-border healthcare.

The e-SENS pilots aim to facilitate cross border care processes for health professionals and patients from clinical and administrative point of view.

Use Case examples

As a result of piloting use cases, the e-Health domain and its services may benefit through:

- Secured access Patient Summary and electronic Prescription by health professionals from another Participating Nation.
- Access, across Europe, to health insurance affiliation data by health professionals, from another Participating Nation, for third payment procedure.
- Seamless electronic identification of patient by health professional to access health document abroad.

- Tool kit software (openNCP) to support national/regional authorities to implement, deploy and maintain secure e-Health infrastructures and services.
- Measurable increases in patient key medical information availability in unplanned scenarios leading to better patient safety,
- A higher degree of compliance to advancing regulatory concerns such as patient-controlled access, data mobility, and patient supervision.
- Mutualised cross domain technological assets for non-repudiation and refactoring central services with new document discovery mechanism document to enable sustainability of e-Health cross-border services through maintenance cost reduction.

Use of e-SENS BBs:

e-Prescription and Patient summary shares the same infrastructure and will take benefit of the same e-SENS BB. The proposed solution strives to pursue the enhancement of the cross border services started in the former Large Scale pilot epSOS by adjunction and replacement in OpenNCP software some e-SENS common Building Block.

- Non-Repudiation
- Trust Establishment
- e-Signatures
- Metadata Locator Service
- e-ID