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Resolution on Cross-Border Healthcare -

Future Legal Framework of Healthcare Must Include Patients' Rights

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In a resolution on cross-border healthcare adopted on March 15 2007, the European Parliament insisted on the obligation to guarantee absolute protection of health in the EU. The plenary assembly solicited amongst other things, a reinforcement of patient rights and the creation of a legal framework for cross-border arrangements in healthcare matters. In response to several cases of the European Court of Justice, MEPs cited judicial security, especially in regard to pan-European reimbursement of costs, as a priority of the legal framework proposed by the Commission for cross-border healthcare.

To secure the mobility desired by patients, families, concerned professions and healthcare providers, MEPs wanted clear directives to be laid down within the framework of cross-border healthcare measures, with particular note of the definitions for division of tasks of different stages (or eventually in different countries) of a treatment.

Reinforcement of Patient Rights

The improvement of communication channels, the creation of a European network of reference centres and exchanges on 'the accreditation and the specialist status of cross-border health professionals' must also be accelerated. The reinforcement of patient information must result in a common charter of patients' rights in the future community framework, and a central contact point for patient complaints.

The addition of a charter of patient rights is the result of a call by European Liberals and Democrats. Later, March 29 was proclaimed 'European Patient Rights Day' and a first conference organised in Brussels. Numerous patients' rights representatives participated, as well as many European MEPs and wellknown members of the healthcare sector. The European charter of patient rights, which the Active Citizen Network laid out in 2002 was presented. Article 8 of the charter which proclaims the right to high-quality healthcare, is of particular note.

The Commission has not yet adopted a position, as it is not yet certain that a charter of patient rights will be included in its future proposition for the legal framework for healthcare services.

Project for Legal Framework Gives Rise to Criticism

The project of a legal framework for social services of general interest gave rise to certain criticisms. According to the Members of the European Parliament, a legal framework is welcome, within the context of the way in which this kind of service constitutes one of the pillars of the European social model, in relation to which, at a European level, all erroneous interpretations by the law must be avoided. Otherwise the concept of the Commission, which depends on the difference between competition, state aid and the market on one hand, and public service, general interest and social cohesion on the other will be distorted. The lack of definition of services in the proposition is also criticised, such as the fact that health services are excluded, despite the fact that they should be considered as social services of general interest.

MPs propose the creation of public-private partnerships, leaving it up to each state authority to decide if the social services should be insured by public health insurance or by private enterprise. Obviously, it is necessary to guarantee that the common interest is taken into account. In addition, state authorities must check if the social services providers respect the principles and values of the social services of general interest, as well as the specified requirements.

MEPs finally requested the Commission, member states and social services providers to elaborate measures for professional training, so that the professionals of the sector can adapt to conditions of stress, shift-work or working nights, and to dangerous or exhausting activities. The governing bodies must guarantee a high standard of professional training to social workers, in order to assure the future needs in social services.

A Harmonisation of Health Systems in Europe?

In a study recently published by patient association 'Health First Europe', (HFE) and health professionals including doctors, scientists and industrialists, numerous experts came out in favour of a harmonisation, in the long-term, of European health systems. Amongst the people surveyed, were representatives of the European institutions, of the member states of the EU, and from industry and non-governmental organisations. 41% preferred a general harmonisation in the long-term, as opposed to the pursuit of different national systems. The majority of people questioned (58%) were, however, against a unique European health system.

The principle reasons for a harmonisation would be the free mobility of the patient covered, equal rights for patients as well as comparable working conditions for members of the health professions. These objectives could only be guaranteed in a harmonised system, according to advocates.

89% asked for more investment in innovative technology, 86% the creation of a programme of prevention, for example for the prevention of cancer, and 82% the introduction of diagnostics, treatment, and options for electronic documentation, as well as reducing healthcare spending in the EU. Finally, 69% think that the European Commission should publish comparison data on the qualification of healthcare providers.

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