

EPSU Comments on the European Commission (EC) Proposal for a Directive on the application of patients' rights in cross-border healthcare

Adopted by the EPSU Executive Committee on 26 November 2008

Introduction

On the 2nd of July the EC published its proposal for a Directive on cross-border healthcare. This text was presented as a codification-exercise of the Court decisions on cross-border patient mobility. The Commission stated that the proposals would only cover situations of cross-border care and are not meant to affect national health systems. After a thorough reading of the text we, however, have to conclude that these proposals could have a much larger impact on health systems than announced and that it would very likely change the organisation of health care in the European Union (EU). The confirmation of the economic nature of health services in the proposed directive for instance would lead to a direct application of market rules in the area of health services.

EPSU is of the opinion that the main priority for European and national governments should be to develop a health sector that best serves the public interest in terms of accessibility, availability, sustainability, democratic control and universality. According to article 152 of the EU Treaty, Member States should maintain a high level of public health; this includes the responsibility for a well-functioning public health care system. These objectives should always prevail to market or competition considerations. Governments must, therefore, be allowed by European law to maintain or develop limitations to internal market and competition regulations, so that they can guarantee accessible, available and quality health services for the public. EPSU is ready to contribute to the political debate by developing concrete proposals and suggestions for EU-policies and legislation.

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