



A. Adamou



J. Holm

GUE/NGL members of the European Parliament's Committee on the Environment, Public Health and Food Safety

Adamos Adamou (Coordinator)
Jens Holm
Roberto Musacchio
Dimitrios Papadimoulis
Kartika Liotard
Jiří Maštálka
Umberto Guidoni
Bairbre de Brún



R. Musacchio

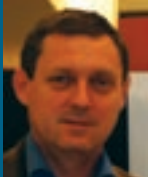


D. Papadimoulis

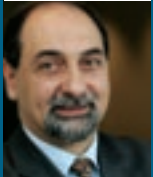
Staff:
Nana Pantazidou (Coordinator)
Vivienne Gadeyne
Lisa Ekstrand
Roberto Lopriore



K. Liotard



J. Maštálka



U. Guidoni



B. de Brún



M. Rizzo



S. Søndergaard

GUE/NGL members of the European Parliament's Committee on the Internal Market and Consumer Protection

Marco Rizzo (Vice-Chair)
Eva-Britt Svensson
André Brie (Coordinator)
Søren Søndergaard



A. Brie



E-B. Svensson

Staff:
Edoardo Ferrara (Coordinator)
Klaus Dräger



European United Left/Nordic Green Left
Rue Wiertz 43
1047 Brussels
Tel: +32 (0)2 284 26 83
Fax: +32 (0)2 284 17 74

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GUENGL-Communications@europarl.europa.eu
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Patients' rights in cross-border healthcare: Bolkestein returns through the back door



European United Left/Nordic Green Left Group in the European Parliament

For more details about the information contained in this leaflet, please contact Vivienne Gadeyne: vivienne.gadeyne@europarl.europa.eu

The application of patients' rights in cross-border healthcare

Excluded from the 2004 Services Directive, the proposed cross-border healthcare directive risks letting Bolkestein "return through the back door".

The proposed directive aims to regulate private and public healthcare services, which were specifically excluded from the scope of the Bolkestein services directive. It relates both to the free movement of persons (patients and healthcare professionals) and the freedom to establish and provide services in the health sector.

The proposal also seeks to codify European Court of Justice rulings according to which access to health services and the payment of treatment costs in any other EU Member State than his/her own is the right of all European patients, even if the way health systems are organised and financed is a matter for Member States alone.

Health is not for sale

The **European United Left/Nordic Green Left Group** (GUE/NGL) in the European Parliament takes the view that the protection, preservation and promotion of health is a public responsibility, and that the provision of safe, efficient and high-quality healthcare services, on the basis of equal access for all, is the responsibility of public services of general interest and social security systems.

► *The GUE/NGL therefore considers that healthcare services cannot become commercial enterprises, subject to free market mechanisms.*



Mobility yes, but not at any cost

The GUE/NGL group does not oppose patient mobility: all citizens have the right to be treated in any EU Member State without advancing treatment costs and are entitled to be considered on an equal footing with the citizens of the Member State in which they are being treated. However, these principles are already enshrined in a Community regulation dating from 1971 on the coordination of social security systems.

The group supports a 'local care approach' to health services: the provision of integrated healthcare, accessible where possible at local or regional level, that is of high quality and affordable for all citizens and that enables patients to be better supported in their own local and social environment.

► *The GUE/NGL considers that patient mobility cannot be used as an excuse for inadequate spending on national healthcare systems, for the lack of provision of treatment of sufficient quality, for the existence of expensive treatment or long waiting lists for proper treatment in patients' home countries. Each Member State is responsible for providing efficient, affordable, high-quality healthcare for its citizens and EU citizens staying in that country. We cannot accept a European directive that would take this responsibility away from Member States.*

Equal health treatment for all – poor or rich

The directive proposes prior payment of treatment costs: patients have to pay these costs out of their own pockets and are reimbursed by the health insurance system in their own country, provided the treatment is included in a catalogue of services in the Member State in which they are insured. The costs of travel, accommodation, legal advice, etc, would not be covered.

GUE/NGL fears that people from higher income groups, with higher levels of education, better knowledge of foreign languages and easy access to legal professionals and advice, have the best chance of finding and using the services of specialists or the 'best' hospitals. Social status would be a significant factor in the uptake of these 'internal market freedoms' in terms of patient mobility.

► *The GUE/NGL considers that the proposed system of reimbursing costs in accordance with the rules in the country of origin amounts to discrimination against poorer citizens and poorer Member States. This form of patient mobility is in breach of the principle of 'equal access for all' to healthcare and the principle of equal treatment of patients, regardless of their income or of treatment costs.*

No to shopping around for healthcare

To seek and obtain healthcare abroad is an acceptable and undeniable right, but GUE/NGL considers that we do not need EU rules that encourage people to shop around Europe for healthcare.

► *The GUE/NGL rejects the Commission's proposed directive on the grounds that it aims to subordinate health services to a greater extent to internal market rules. The problems in the area of EU-wide patient mobility could be resolved more systematically and appropriately under the EU Regulation on the Coordination of Social Security Systems.*

