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1 Health care services in the internal market

➤ **Transposition of the directive on patients' rights in cross-border health care: National contact points**

Member States were to transpose directive 2011/24/EU on patients' rights in cross-border health care by 25 October 2013 at the latest. National contact points will inform patients who decide to use cross-border health care as to their rights.

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➤ **Transposition of the directive on patients' rights in cross-border health care: Belgium**

In order to transpose the directive, Belgium has amended the Royal Decree of 03/07/1996 on the compulsory health care and disability insurance, and the Ministerial Decree of 05/06/1990 on the cost of a hospital stay, if the patient is hospitalised abroad.

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A circular sets out the list of health care services subject to prior authorisation.

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➤ **Advance warning concerning the tariff agreement between health insurance funds and doctors' associations: Belgium**

In line with the provisions on financial transparency contained in the European directive on patients' rights in cross-border health care, a preliminary draft law on transparency in health care is being negotiated in Belgium. According to the Belgian Association of Medical Syndicates (ABSyM/Bvas), certain provisions in this text go further than the objectives of the European directive.

ABSyM/Bvas has therefore launched a precautionary procedure to abandon the current Medicomut agreement (2013-2014). This system of collective agreements between health insurance funds and doctors' associations has existed for 50 years, and sets maximum rates for services, as long as at least 60% of doctors undertake to respect these tariffs.

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➤ **Transposition of the directive on patients' rights in cross-border health care: Luxembourg**

In order to transpose the directive into Luxembourg law, a bill has been submitted to the Chamber of Deputies.

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➤ **Transposition of the directive on patients' rights in cross-border health care: France**

In order to transpose the directive into French law, a bill has been submitted to the French National Assembly.

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➤ **Compatibility of the directive on patients' rights in cross-border health care with a Dutch piece of draft legislation: Parliamentary questions**

MEPs Ria Oomen-Ruijten (EPP) and Esther de Lange (EPP) have put a question to the European Commissioner responsible for health issues as to whether a Dutch draft bill is compatible with the directive. According to the Commissioner, the application of reimbursement rates lower than those used for care from contracted providers in the Netherlands would constitute an obstacle to the exercise of free movement and would need to be justified with reference to overriding reasons of general interest, and be both proportionate and necessary with regard to the desired objective.

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➤ **Transposition of the directive on patients' rights in cross-border health care: The United Kingdom**

For England and Wales, the directive has now been included in the National Health Service

(Cross-Border Healthcare) Regulations 2013.

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➤ **Transposition of the directive on patients' rights in cross-border health care: Ireland**

The procedure for accessing cross-border health care from Ireland, through the directive, is described on the HSE website.

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➤ **Communication on evaluating national regulations on access to professions: European Commission**

The Communication sets out a work plan for carrying out a mutual evaluation of the regulated professions listed in the revised Professional Qualifications directive. A large number of these professions are in the health care sector. The evaluation will examine the requirements and regulations on access to professions on the basis of three criteria: the regulation must be compatible with the principle of non-discrimination by nationality or place of residence, justified with reference to an overriding reason of general interest; and proportionate, i.e. national measures must be appropriate with regard to the desired objectives and should not go beyond what is necessary to achieve these.

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➤ **Updating of the Professional Qualifications directive: European Parliament**

The Parliament adopted, at its first reading, the Commission's legislative proposal to update Directive 2005/36/EC on the recognition of professional qualifications. The text must now be adopted by Council.

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➤ **Statute for a European Mutual: European Commission**

The Commission published the results of its public consultation on mutual societies in Europe, as well as a synthesis report, which stresses that most respondents see the idea of a statute for a European mutual as a possible solution to the difficulties involved in conducting cross-border activities.

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2 Medicines and medical devices

➤ **Safety of medical devices: European Commission**

In order to improve the safety of medical devices, the Commission adopted an implementing regulation on the notified bodies which are responsible for inspecting manufacturers of medical devices, and a recommendation on the audits and assessments carried out by these bodies.

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➤ **Stricter controls on medical devices: European Parliament**

The texts adopted by the European Parliament strengthen the requirements in the initial Commission proposals by introducing stricter criteria for checking devices already in circulation. These must now be discussed in negotiations with the Member States.

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➤ **Clinical trials on medicinal products for human use: Parliament and Council**

The COREPER mandated the Lithuanian Presidency of the Council to enter into negotiations

with the European Parliament and the Commission on the proposal for a regulation on clinical trials of medicinal products for human use.

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Personalised medicine: Report

The Commission published a report which examines the progress made in the field of personalised medicine, as well as taking stock of the potentials and issues related to its use.

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Platform on access to medicines in Europe: Reports

As part of the Process on Corporate responsibility in the field of pharmaceuticals in Europe, the platform on access to medicines published several reports and recommendations on non-prescription drugs, orphan medicinal products, and access to medicinal products in small markets.

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3 Public health

The Union adopts its public health programme 2014-2020

The programme, the result of a compromise agreement between the Lithuanian Presidency, the Parliament and the Commission, has been adopted.

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Effective ways of investing in health: European Commission

The panel of independent experts tasked with assisting the Commission in examining effective ways of investing in health held its second meeting on 24 October.

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Use and impact of the European Community Health Indicators (ECHI): Report

The study carried out for the Commission evaluates the use of the ECHIs, and provides indications on how to reach a higher level of consensus on their use in the participating countries.

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Final report on chronic diseases: European Commission

The Commission published its final report of the reflection process launched in June 2011, aiming to optimise the EU response to the challenges of chronic diseases.

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'Towards modern health systems' reflection process: Final reports

The subgroups of the reflection process 'Towards modern, responsive and sustainable health systems' submitted their final reports.

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4 Social policy

Strengthening the social dimension of the EMU: European Commission

The Commission's communication proposes, in particular, to strengthen the annual economic surveillance cycle, by the use of a scoreboard with five social policy indicators. This scoreboard does not include health indicators.

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The social dimension of the EMU: Council

The Social Affairs ministers discussed the social dimension of the EMU at the EPSCO Council meeting. They agreed on the need to reinforce this dimension, and on the importance of consistency between fiscal, economic and social policies. They also stressed the importance of monitoring economic and social indicators. In their view, the indicators used should be further refined and analysed on the basis of current instruments. The scoreboard should be applicable to all Member States, but without triggering automatic recommendations.

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Draft joint employment report: European Commission

The draft report accompanies the annual growth survey. It analyses labour market and social developments, as well as the measures taken by Member States in response to these. This year, for the first time, it contains a scoreboard of key social and employment indicators.

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Report on developments in social protection policies: Social Protection Committee

The Council adopted the conclusions of the Social Protection Committee report on recent structural reforms in the area of social policy. The report contains an analysis of health care reforms, and indicates, in particular, that the reforms in this sector are not just focused on fiscal consolidation.

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Peer review on the performance of the Belgian health system

In 2008, Belgium piloted its first Health System Performance Assessment (HSPA) framework. This is intended to provide information to improve the basis for decision-making in health systems. In 2014, participants in this peer review will examine and learn from the Belgian HSPA.

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Social expenditure in the EU: Eurostat

The figures for 2011 show that Member States spent 29.1% of their GDP on social protection.

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Quarterly review of the employment and social situation in the EU: European Commission

The report highlights the fragility of the economic recovery and the inequalities that persist within the EU. It emphasises the need for a more efficient use of the resources allocated to health care, and the importance of long-term care.

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Impact of mobile EU citizens on national social security systems: Report

This study carried out for the Commission underlines, in particular, the low impact of health care expenditure for non-active EU migrants on the total health expenditure of the host countries, or their GDP.

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5 eHealth

➤ **A common eHealth interoperability framework: European Commission**

A study financed by the Commission lays the foundations for a future common interoperability framework with four levels: technical, semantic, organisational and legal.

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➤ **Guidelines on the cross-border exchange of patient data**

At the 4th eHealth network meeting in Brussels, guidelines were adopted to make it possible to share basic health information on a patient across borders.

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6 Economic policy

➤ **Annual Growth Survey: European Commission**

The 2014 Annual Growth Survey sets out the EU priorities for the year to come, and is the first step in the annual economic surveillance cycle. It also addresses the reform of health systems, and in particular the need to improve the efficiency and financial viability of health care systems, strengthening their effectiveness and ability to meet social needs, while maintaining essential social safety nets.

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It is accompanied by a working document on implementation of the country-specific recommendations.

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➤ **Macroeconomic imbalances: 2014 Alert mechanism report**

The excessive macroeconomic imbalance procedure uses a scoreboard with 11 indicators. There are auxiliary indicators, including social indicators, but none relates to health.

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➤ **12th Troika review mission to Ireland**

The Commission, the ECB and the IMF recalled, in particular, the need to keep spending under control, particularly in the health sector, while protecting essential services.

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➤ **IMF and European Commission review mission to Romania**

Teams from the two institutions made a first visit to Bucharest in relation to the economic programmes implemented in the country. The programmes contain a chapter on reform of the Romanian health system.

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➤ **Thematic summaries to compare health system performances: European Commission**

The Commission has developed thematic summaries covering the main policy themes of the Europe 2020 strategy, to facilitate a comparison between Member States. One of these summaries relates to health and health care systems.

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7 Court of Justice of the European Union

Limitations on the opening of new opticians' shops: Judgment

In judgment C-539/11, the Court holds that the demographic and geographical limitations laid down in Italian legislation on the opening of new opticians' shops constitute a restriction on the freedom of establishment. Nonetheless, those limitations may be compatible with EU law if the competent authorities use their discretionary powers in accordance with transparent and objective criteria.

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Health insurance funds and unfair commercial practices: Judgment

In response to a reference for a preliminary ruling from the Bundesgerichtshof (Germany), the Court finds, in case C-59/12, that directive 2005/29/EC on unfair commercial practices also applies to health insurance funds which are part of the statutory system.

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Common training in oral surgery for dental and medical students: Judgment

According to judgment C-492/12, the creation by a Member State of a specialised training course, either in the field of medicine or that of dentistry, the title of which does not correspond to those listed, in respect of that Member State, in Annex V to directive 2005/36/EC on the recognition of professional qualifications, is compatible with that directive. Such a specialised course may be open both to persons who have completed only a basic medical training course and to those who have completed and validated only studies in the context of a basic dental training course.

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Prior authorisation for hospital care: Order of the Court

The Court rules, in case C-430/12, that regulation 1408/71 does not preclude national legislation requiring prior authorisation for full reimbursement of hospital care provided in another Member State. However, such legislation must not rule out full reimbursement of such care in all cases where no prior authorisation has been given.

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Medicinal product or medical device: Judgment

In case C-109/12, the Court confirms the possibility of the same product being marketed as a 'medical device' in one Member State and as a 'medicinal product' in another.

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Sickness insurance benefits to pensioners residing in another Member State: Judgment

According to judgment C-321/12, the cost of sickness insurance benefits paid to a pensioner residing in a Member State other than that which pays his pension should be borne by the Member State to whose pension legislation the pensioner has been subject for the longest period of time.

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Professional associations and the public procurement directive: Judgment

According to Court judgment C-526/11, a professional association governed by public law is not a contracting authority in the meaning of directive 2004/18/EC on public procurement, when it is financed for the most part by contributions paid by its members.

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Rules relating to the level of medical fees: Judgment

In its judgment C-475/11, the Court rules that national rules relating to the level of medical fees or prohibiting advertising contrary to the rules of professional conduct do not fall within the scope of directive 2005/36/EC on the recognition of professional qualifications.

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Plasma prepared by a method involving an industrial process: Opinion of the Advocate General

In case C-512/12, Advocate General Jääskinen concludes that plasma prepared by a method involving an industrial process falls exclusively within the scope of directive 2001/83/EC relating to medicinal products for human use, and not that of directive 2002/98/EC on human blood.

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Maternity leave and surrogacy: Divergent opinions of two Advocates General

In cases C-363/12 and 167/12, Advocates General Wahl and Kokott reach different conclusions as to who is entitled to maternity leave in cases of surrogacy.

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Possibility of obtaining the necessary treatment in the country of residence: Request for a preliminary ruling

In case C-268/13, the Sibiu Tribunal (Romania) puts a question to the Court on how to interpret the requirement for a person to be unable to obtain treatment in his country of residence, in the meaning of regulation 1408/71.

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8 Competition

Acquisition of MPG Hospital Holdings by the Goldman Sachs Group, TPG LundyCo and Max Property Group approved: European Commission

MPG manages a portfolio of four private hospitals in the United Kingdom and is currently solely controlled by Max Property.

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Acquisition of DLH by Amvest, NPM Capital, DGH Participaties, Jopli Participaties and Erve Hulshorts Participaties approved: European Commission

The joint venture will be active in the development and operation of residential nursing units for elderly people with memory difficulties in the Netherlands.

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Creation of Device Company BV: European Commission

The new company, controlled by the Dutch companies DSM R&D Solutions B.V. and Maastricht UMC-Holding B.V., will develop and commercialise mobile infrared devices able to measure the components of pharmaceutical products.

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Public consultation on the prescription medicine distribution sector: France

As part of its enquiry into the sector, the Autorité de la concurrence is submitting to public consultation an initial assessment in which it identifies several potential sticking points.

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➤ **Hospitals merger: United Kingdom**

The British Competition Commission gave a negative opinion on the merger between The Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust and Poole Hospital NHS Foundation, deciding there was not enough evidence that the proposed merger would result in overall benefits for local patients.

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➤ **Health insurance fund and competition law: Bulgaria**

The Bulgarian competition authority holds that a national health insurance fund is not an undertaking for the purpose of competition law.

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9 **Infringement proceedings**

➤ **Directive on the quality and safety of human tissues and cells: Poland**

The Commission is taking Poland to the Court of Justice for failing to transpose completely into its national legislation directive 2004/23/EC on the quality and safety of human tissues and cells.

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➤ **Working hours of hospital doctors: France**

The Commission has sent a reasoned opinion to France, formally requesting it to respect the right of hospital doctors to a limit on working hours and minimum rest periods.

DOC [EN/FR/NL](#) HTML

➤ **Reduced VAT rate for medical equipment: Poland**

The Commission has decided to refer Poland to the Court of Justice for the application of a reduced rate of VAT to medical equipment for general use and to pharmaceutical products.

DOC [EN/FR/NL](#) HTML

➤ **Working time for doctors in public health services: Ireland**

The European Commission is referring Ireland to the Court of Justice for not complying with the EU rules setting a limit to working time for doctors in public health services.

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➤ **Working time for doctors in public health services: Greece**

The Commission is referring Greece to the Court of Justice for not complying with the European Union rules in its public health services.

DOC [EN/FR](#) HTML

➤ **Falsified medicines: Italy, Poland, Slovenia and Finland**

The Commission has sent a formal request to Italy, Poland, Slovenia and Finland, asking them to comply fully with directive 2011/62/EU on falsified medicines, which aims at stopping such medicines reaching patients.

DOC [EN/FR/NL](#) HTML

➤ **Health and safety: Italy**

The Commission has sent a reasoned opinion to Italy, asking it to transpose into national law the European directive on the prevention of injuries from sharp medical instruments in the

hospital and health care sector (2010/32/EU).

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10 Miscellaneous

➤ **The EIB is financing a new regional hospital: Belgium**

The EIB is to provide a loan of 150 million euros to Emmaüs/AZ Sint-Maarten for building the new hospital of AZ Sint-Maarten in Mechelen.

DOC [EN/FR/NL](#) HTML

➤ **Health systems in the new economic governance: Commissioner Mimica**

In his speech 'Medical Devices: new legislation to tackle new challenges', the Commissioner for consumer protection, Neven Mimica, refers to the increasing attention given to health policies in the new economic governance in Europe.

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➤ **Health at a Glance 2013: OECD**

This most recent edition of 'Health at a Glance' provides the latest comparable data on different aspects of the performance of health systems in OECD countries.

DOC [EN/FR](#) HTML

➤ **Follow-up meeting 'Health systems for health and wealth in the context of Health 2020': WHO**

Five years on from the signing of the Tallinn Charter, ministers, civil servants and experts from 38 countries met in Tallinn for a follow-up meeting.

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➤ **Speech by Yves Leterme on the future of public health: OECD**

Yves Leterme, the Deputy Secretary-General of the OECD, held a speech on 'The future of public health: policy decisions today for tomorrow's populations' at the EPHA 4th annual conference, 'Our health, our economy, our society, our future: a Brave New World'.

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➤ **National Organisation for Health Care Provision severely in debt: Greece**

Greece's private clinics will not accept patients insured by the main health insurance fund in the country, as this organisation owes 800 million euros to the private clinics.

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➤ **Review of social determinants and the health divide: WHO**

This report from the WHO regional office for Europe looks at the 53 Member States of the region and notes both remarkable health gains, but also the persistence of inequities between and within countries.

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➤ **Revision of the EU data protection rules: European Parliament**

The text adopted by the European Parliament's Civil Liberties Committee aims at harmonising and updating the existing data protection provisions. It also covers health data and their use for social security purposes.

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➤ **Joint statement on the Horizon 2020 research programme: IEA, ISEE, EUPHA**

The three public health associations express their concern, in a joint statement, about the approach taken by the Commission in this programme, which they deem to be inadequate, incomplete and imbalanced.

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➤ **Analysis of the 2013 country-specific recommendations from the viewpoint of health: EPHA**

EPHA's analysis highlights the growing importance of recommendations relating to health in the country-specific recommendations published by the Commission at the end of the annual surveillance cycle.

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➤ **Guide on the EU and Health: EPHA**

This guide provides a thorough update of public health policies in the EU.

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➤ **Hospitals and borders: Book**

This book examines cross-border collaboration between hospitals and other health care actors, looking at seven case-studies.

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➤ **Advantages of the lifting of secrecy rules concerning clinical trials: Article**

In an article published in the New England Journal of Medicine, the Director of the European Medicines Agency argues that lifting the secrecy surrounding clinical trials would be a boon for producers of medicines.

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➤ **New platforms on health systems, and health and the financial crisis**

The European Observatory on Health Systems and Policies has launched two new tools to facilitate comparisons between countries.

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➤ **Mutual recognition of medical prescriptions: Articles**

As part of the ECAB (7th framework programme) project on cross-border health care, the various aspects relating to recognition of medical prescriptions issued in another Member State were examined. Two articles were published giving the results of this research.

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➤ **European citizens' initiative and the destruction of human embryos**

The citizens' initiative 'one of us', one of the three initiatives which have gathered more than one million signatures, aims to stop EU funding of activities involving the destruction of human embryos, particularly in the area of research.

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➤ **Health and economic crisis: Study**

This study analyses the impact of the economic crisis on health and health systems.

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