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1 Public health

➤ **JA-CHRODIS: report on health promotion and primary prevention of chronic diseases**

This summary report derives from the key objective of the joint action (JA), which is to facilitate the exchange of good practices in tackling chronic diseases between the countries and regions of the EU. It contains 41 examples of good practices from 13 partner countries, reflecting a broad range of interventions, covering the whole life-cycle.

DOC [EN](#) PDF

➤ **Launch of a Joint Action on rare diseases**

This joint action involves all Member States as well as other countries. Its objectives are to support the further development and sustainability of the Orphanet database on rare diseases, contribute to the appropriate codification of rare diseases in health information systems, and to continue implementation of the priorities identified in the 2009 Council Recommendation and 2008 Commission Communication on rare diseases, as well as supporting the work of the Commission Expert Group on Rare Diseases.

DOC [EN](#) HTML

➤ **European Commission and EXPH: public consultation on the preliminary opinion on access to health services in the European Union**

The European Commission and the Expert Panel on Effective Ways of Investing in Health (EXPH) have launched a public consultation on the preliminary opinion on 'access to health services in the European Union'. The preliminary opinion addresses barriers to accessing healthcare and explores policy measures that can overcome them. It pays special attention to access to health services for under-served groups.

DOC [EN](#) HTML

➤ **European Commission: public consultation on the preliminary opinion on 'Disruptive innovation. Considerations for health and healthcare in Europe'.**

The European Commission has launched a public consultation on the preliminary opinion on 'Disruptive innovation. Considerations for health and healthcare in Europe', adopted by the Expert Group on Effective Ways of Investing in Health (EXPH).

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➤ **European Commission: scoping study on communication to address and prevent chronic diseases**

The aim of this study is to develop a strong basis for the design of effective communication tools and cross-border campaigns to tackle chronic diseases. It concentrates on the four major risk factors for chronic diseases, i.e. smoking, physical inactivity, unhealthy diet and alcohol consumption.

DOC [EN](#) PDF

European Commission: conference on European Reference Networks

The purpose of the Conference on European Reference Networks (ERN) was to support networks and centres of expertise across the EU interested in setting up this type of network, in response to the call which is to be launched in early 2016. The presentations and addresses given are available.

DOC [EN](#) HTML

European Commission: Frequently Asked Questions (FAQ) on the procedural aspects of establishing European Reference Networks

The European Commission has published a list of answers to frequently asked questions on the procedural aspects of establishing European Reference Networks.

DOC [EN](#) PDF

European Commission: a cost/benefit analysis of self-care systems in the European Union

The Commission has published a study investigating the added value of self-care systems, assessing their economic and societal impact, and offering guidance on how such initiatives should be implemented. Self-care is what individuals, families and communities do with the intention to promote, maintain or restore health, and to cope with illness and disability. This cost/benefit analysis looks at issues such as changes in access to prescription medicines, the possible extension of the range of authorised prescribers, and internet and telephone-based information gateways.

DOC [EN](#) PDF

Informal Council of Health Ministers: dementia, the refugee crisis, the Directive on cross-border healthcare and health in the European Semester

During this informal meeting of 24 and 25 September, ministers were unanimous as to the need to take better account of the public health dimension in all discussions concerning the refugee crisis. The ministers also considered the transposition of the directive on cross-border healthcare, as well as discussing the document prepared by the Luxembourg Presidency on the role of health in the European Semester.

DOC 1 [FR](#) - [EN](#) HTML | DOC 2 [EN](#) PDF | DOC 3 [EN](#) PDF

European Commission: European guidelines for quality assurance in cervical cancer screening

The European Commission has published a supplement to the European guidelines for quality assurance in cervical cancer screening, published in 2008, taking account of recent developments in the field.

DOC [EN](#) HTML

European Commission: project to strengthen the training of health professionals dealing with migrants and ethnic minorities

The aim of this EU initiative is to improve access to and the quality of health services for ethnic minorities and migrants in the EU, by reviewing, developing, testing and evaluating the training of front-line health professionals dealing with migrants and ethnic minorities.

DOC [EN](#) HTML

2 Healthcare services in the internal market

European Commission: report on the state of play of the 'Cross-border Healthcare Directive'

A European Commission report has given a positive assessment of implementation of the

'Cross-border Healthcare Directive', but shows that European citizens are still too often unaware of their rights. Two years after its entry into force, the directive (2011/24) has improved transparency, patient mobility and cooperation between national administrations in many Member States.

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EPHA: report on cross-border healthcare reveals implementation gaps and poor knowledge of patients' rights

A report from the EPHA (European Public Health Alliance) examines the progress of the implementation of the directive on the application of patients' rights in cross-border healthcare (2011/24/EU). The report calls for actions to ensure that the directive does not exacerbate health inequalities.

DOC [EN](#) HTML

European Parliament: report on measures to foster social entrepreneurship

The European Parliament adopted the report on 'social entrepreneurship and social innovation in combating unemployment'. In this report, MEPS call on the European Commission to make legislative proposals to create a European legal framework for these companies. One of the legal forms considered by the Parliament is that of the 'European statute for cooperative societies, associations, foundations and mutual societies'.

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

3 Medicines and medical devices

European Commission, EMA and WHO: stepping up cooperation to better protect world public health

The European Commission and the European Medicines Agency (EMA) have agreed with the World Health Organization (WHO) to share certain non-public information on the safety, quality and efficacy of medicines already authorised or under review in the European Union (EU), or pre-qualified or under review by WHO.

DOC [EN](#) HTML

AIM and ESIP: position paper on access to innovative medicines

AIM (the International Association of Mutual Benefit Societies) and ESIP (European Social Insurance Platform) have published a position paper on access to innovative medicines. According to these two organisations, the aim of innovation in the area of pharmaceutical products should be to maximise the benefits for patients while contributing to the sustainability and universality of health systems.

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European Commission: reform of the International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use

The Commission welcomes the establishment of the International Council for Harmonisation of technical requirements for pharmaceuticals for human use (ICH). The purpose of the Association is to promote the international harmonisation of technical requirements for the authorisation and regulatory oversight of medicinal products.

DOC [EN](#) HTML

EMA: public consultation on PRIME - a new scheme to optimise development of priority medicines and facilitate patients' access

The European Medicines Agency (EMA) has launched a public consultation on the key

principles of its new PRIME scheme. PRIME aims to strengthen support to medicines that have the potential to benefit patients who presently have no treatment options, or that may offer a major therapeutic advantage over existing treatments.

DOC [EN](#) HTML

🔵 **European Ombudsman: decision on the Commission's alleged failure to investigate conflicts of interest relating to the adoption of a report on the safety of removing PIP breast implants**

In the view of the European Ombudsman, Emily O'Reilly, the European Commission should investigate the independence of its scientists in greater depth. In her decision on case 174/2015, she stated that civil society was right to suspect a conflict of interests in relation to the Scientific Committee on Emerging and Newly Identified Health Risks.

DOC [EN](#) HTML

🔵 **Council: adoption of its position on the draft regulations on medical devices and in vitro diagnostic medical devices**

The EPSCO Council formally adopted its position on the draft regulations on medical devices and in vitro diagnostic medical devices. The inter-institutional negotiations with the European Parliament began on 13 October, under the watchful eye of the European Commission.

DOC 1 [EN/FR/NL](#) HTML | DOC 2 [EN](#) - [FR](#) PDF

🔵 **Resolution of the Parliamentary Assembly of the Council of Europe: how to guarantee the primacy of public health interests over those of the pharmaceutical industry**

The Assembly, among other things, calls on Member States to prohibit any agreement between pharmaceutical companies which aims to delay, without medical justification, the marketing of generic medicines, and to impose dissuasive penalties for any illegal practices carried out by pharmaceutical companies.

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🔵 **The Grand Duchy of Luxembourg joins the Belgian-Dutch initiative on orphan drugs**

The Grand Duchy of Luxembourg has joined the Belgian-Dutch cooperation arrangement on orphan drugs. The three countries will negotiate together with pharmaceutical companies, in order to moderate the price of orphan drugs.

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🔵 **Health ministers of German-speaking countries: cooperation on price-setting for medicines**

In a joint declaration, the health ministers of the German-speaking countries (Germany, Luxembourg, Switzerland, Liechtenstein and Austria), agreed to step up the exchange of new strategies for price-setting for medicines, in order to ensure the stability of social-support systems.

DOC [DE](#) PDF

🔵 **European Commission: conference on '50 years of EU Pharma legislation: achievements and future perspectives'**

The European Commission held a conference to mark the 50th anniversary of the adoption of the first piece of EU pharmaceutical legislation.

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4 e-Health

Report on a pan-European project: empowering patients through eHealth

The report summarises the experience developed by the pan-European PALANTE consortium, mandated to produce relevant conclusions on the various eHealth services used to empower patients in nine European regions.

DOC [EN](#) HTML

Council: support for interoperable digital services

The Council adopted a decision on the ISA programme to promote the interoperability of digital services across Europe. The programme aims to help Member States' public administrations interact electronically with each other, and with citizens and businesses, by means of user-friendly digital services. It will provide funding for projects to be carried out by the Commission in cooperation with Member States.

DOC [EN](#) HTML

5 Social policy

The European Commission and Greece: partnership agreement on technical cooperation in support of reforms

The European Commission and Greece have published a partnership agreement on technical cooperation in support of the Greek reform process. The Commission will provide targeted technical assistance and expertise, via its Structural Reforms Support Service. The areas to benefit from this assistance include modernisation of the social protection and health systems.

DOC [EN](#) PDF

Council: endorsement of the key messages in the Social Protection Committee (SPC) report on social policy reforms

The EPSCO Council endorsed the key messages in the SPC report on social policy reforms for growth and cohesion: contribution to the annual growth survey 2016. The areas reviewed in the report are social inclusion, pensions, healthcare and long-term care.

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6 Economic policy

Spain: 4th post-programme surveillance visit

Staff from the European Commission, in liaison with the European Central Bank, carried out a fourth post-programme surveillance visit to Spain. The report indicates that the progress made in recent months includes the adoption of a new fiscal rule on healthcare spending, for voluntary application at regional level, which however has still to be implemented by regional governments.

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Cyprus: 7th review of the Economic Adjustment Programme

The review includes a section on healthcare reform, and concludes that there has been little progress on reforms in the healthcare sector since the last review.

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Portugal: post-programme surveillance report

According to this report, healthcare system reforms with a view to ensuring the sustainability of hospital State-owned enterprises are progressing, but reducing their arrears remains a challenge. The authorities are still fully committed to implementing the ongoing reform of the national health system, to reducing the waiting list for a family doctor by December 2015, and to make the system more sustainable by containing expenditure on medicines and medical devices in 2015.

DOC [EN](#) PDF

European Commission: adoption of opinions on 2016 draft budgetary plans of eurozone Member States

The European Commission has completed its assessment of the 2016 draft budgetary plans (DBPs) submitted by the eurozone Member States. The budgets show the fiscal impact of implementing the country-specific recommendations, including in the healthcare sector. In these opinions, the Commission assesses the compliance of the DBPs with the provisions of the Stability and Growth Pact (SGP). In several cases, it finds that the planned fiscal adjustments fall short, or risk doing so, of what is required by the SGP.

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

7 Competition

Greece: the Greek Supreme Court clarifies the application of the notion of 'association of undertakings' to Greek Dental Bar associations

The Greek Supreme Court has clarified its interpretation of the notion of 'association of undertakings' in the meaning of Article 101 of the TFEU.

DOC [EN](#) HTML

European Commission: Member States' reports on the compliance with EU rules of state aids for the provision of services of general economic interest

The European Commission has published the Member States' reports on compliance with EU state aid rules for the provision of services of general economic interest (SGEI) in 2012-2014. The reports show which sectors have received state support to compensate for the cost of carrying out public services - including health services - and the conditions on which it has been received.

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Sale by Bayer of its diabetes monitoring systems business to Panasonic Healthcare

The European Commission approved the sale by the German group Bayer of its diabetes monitoring systems business to Panasonic Healthcare. Bayer's diabetes care business involves the manufacturing of devices to monitor blood glucose levels and diabetes monitoring software, a sector in which Panasonic Healthcare is also active.

DOC [EN](#) HTML

Acquisition of the German medical group SYNLAB by the British European fund CINVEN

The European Commission cleared the acquisition of the German medical group SYNLAB by the British European fund CINVEN. SYNLAB, based in Augsburg in Bavaria, offers human and veterinary medical analysis services, and environmental analysis services.

DOC [EN](#) HTML

➤ Acquisition by Pfizer of two GSK vaccines

The European Commission has authorised the acquisition by Pfizer Ireland Pharmaceuticals of sole control of the assets constituting the Nimenrix and Mencevax Meningococcal ACWY vaccines business of GSK, by way of purchase of assets. GSK, a global pharmaceutical company, had undertaken to divest the vaccines to gain the Commission's clearance with regard to its transactions with Novartis in January 2015. Pfizer is a global pharmaceutical company which manufactures and sells a large range of pharmaceuticals, including vaccines.

DOC [EN](#) - [FR](#) HTML

8 Judgments of the EU Court of Justice and the General Court

➤ CJEU: the awarding of a public contract may be made subject to a legal requirement to pay a minimum wage

Legislation in a Member State may require tenderers and their sub-contractors who wish to participate in a procedure for the award of a public contract to undertake in their tenders to pay a minimum wage to staff recruited to perform the services covered by the contract. According to the Court's judgment in case C-115/14, such a requirement is in compliance with the Directive on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (Directive 2004/18/EC), and with the Directive on the posting of workers (96/71/EC).

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

➤ CJEU: clarifications concerning the VAT situation of companies providing planning activities for the health service

The autonomous region of the Azores set up a limited company responsible for the planning and management of the health service, with capital exclusively held by the region. In its judgment in case C--174/14 (Saudaçor), the Court of Justice found that this activity constitutes an economic activity. However, if the company can be classified as a body governed by public law, which it is for the referring court to ascertain, and can therefore be said to be acting as a public authority, then it can be exempted from VAT, as long as this exemption is not such as to lead to significant distortions of competition.

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➤ Complaint filed by the pharmaceutical industry against the French temporary recommendation for use regime

On 31 August 2015, a complaint was filed by three associations representing the pharmaceutical industry at European level, against the French 'temporary recommendations for use' (RTU) regime for medicines. The French regime allows for the prescribing of medicines not in accordance with the marketing authorisation, providing that there is a therapeutic need, and a presumed favourable benefit/risk ratio. The associations which have filed the complaint claim that the system is based on economic considerations, undermining quality, safety and efficacy standards and contrary to ECJ case law.

DOC [FR](#) HTML

➤ CJEU: requirement to inform data subjects before personal data are transmitted from one public administration to another

In case C-201/14, the Court issued a judgment concerning the processing of personal data. A number of self-employed Romanian workers challenged the fact that the Romanian tax administration had transferred data relating to their declared income to the National Social Security Administration, which then asked them to pay arrears of contributions. Romanian law allows the tax administration to transfer to the regional health insurance funds the information needed to certify that the person concerned qualifies as an insured person. However, this

does not include information on income. The Court of Justice found that a public administrative body must inform data subjects beforehand of which bodies will be receiving their personal data, and to what purpose, and must do the same before transferring any data to another administration.

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

- **CJEU: is the requirement, which can be stated in public procurement notices relating to the provision of health services, whereby the medical services which are the subject of the call for tender must only be provided in a particular municipality, which is not necessarily that in which the patients reside, in compliance with EU law?**

According to the judgment of the Court in case C-552/13, directive 2004/18/EC precludes a requirement, expressed as a technical specification in public procurement notices, whereby medical services which are the subject of a call for tender must only be provided in private hospital establishments situated exclusively in a particular municipality, which is not necessarily that in which the patients reside. This requirement, the Court finds, automatically excludes tenderers which cannot provide these services in a particular establishment in that municipality, although they meet all the other conditions of the call for tenders.

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

9 Infringement proceeding

- **France: access to the local health insurance system of Alsace-Moselle for pensioners residing in another Member State**

The European Commission has asked France to ensure that pensioners who had worked and contributed to the social security system in Alsace-Moselle can become affiliated to their local health insurance scheme, regardless of whether they reside in another Member State, pursuant to Regulation (EC) no. 883/2004 on the coordination of social security systems.

DOC [EN/FR](#) HTML

10 International trade agreements

- **European Commission: revised proposal for investment protection and the setting up of a court system for TTIP**

The European Commission has formally presented the US with its proposal for a reformed approach on investment protection and investment dispute resolution for the Transatlantic Trade and Investment Partnership (TTIP). The final text contains all the key elements of the Commission's proposal of 16 September, which aims at safeguarding the right to regulate and create a court-like system with an appeal mechanism, with qualified judges and transparent proceedings.

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- **EPHA: rejection of the Commission proposal to establish a court system for TTIP**

EPHA published a position paper, 'Striking the balance: protecting health, protecting investments'. This paper was a response to the Commission's proposal to establish a court system for TTIP. In the view of EPHA, an investor-state dispute settlement system (ISDS), or any other investment court system, is not necessary to govern trade relations between stable democracies with mature established court and legislative systems.

DOC [EN](#) HTML

➤ **Belgian mutual funds: ‘TTIP, a Trojan horse for high-quality healthcare, accessible to all?’**

The Belgian mutual funds have published their position and organised a conference on the potential consequences of TTIP for our healthcare and social protection systems. The mutualities are concerned about the potential inclusion in TTIP of the civil service and social services of general interest not currently covered by European internal market rules. They are also worried about the pharmaceutical industry’s insistence that the price-setting and reimbursement of medicines be included in TTIP, and about the investment court system proposed by the Commission.

DOC 1 [FR](#) - [NL](#) HTML | DOC 2 [NL](#) - [FR](#) PDF | DOC 3 [NL](#) PDF

➤ **European Parliament: state of play of TTIP negotiations**

The European Parliament published a report summarising the progress made, chapter by chapter. ‘It is obvious that the process is moving slowly, hampered by blockages on several issues’, including access to public procurement markets, protection of geographical indications and the inclusion of a chapter on energy and raw materials, write the experts from the secretariat general.

DOC [EN](#) PDF

➤ **Client Earth: private arbitration systems may be contrary to EU law**

Such is the conclusion of a study by the environmental association Client Earth. The same applies to the most recent European Commission proposal, the ‘investment court system’, claim the authors. They explain that investor-state dispute settlement mechanisms would, in particular, undermine the powers of the European Union Court of Justice.

DOC [EN](#) HTML

➤ **Wikileaks: the intellectual property rights chapter in the Trans-Pacific Partnership**

Wikileaks published the text for the Trans-Pacific Partnership on intellectual property, one of the most controversial sections. Its critics claim that it could compromise global access to generic medicines.

DOC [EN](#) HTML

➤ **European Parliament: the investment chapters of the EU’s international trade and investment agreements in a comparative perspective**

This study looks at the coordination between national legal systems and investor-state dispute settlement mechanisms, and at the start of negotiations for the establishment of a permanent appeals mechanism in a regional or bilateral context.

DOC [EN](#) PDF

➤ **Council: conclusion of the EU’s free trade agreement with South Korea**

On 1 October 2015, the Council adopted a decision concerning the conclusion of the EU’s free trade agreement with South Korea. This agreement, signed in October 2010, provides for the progressive liberalisation of trade in goods and services. It includes rules on trade-related issues, such as competition and state aids, intellectual property and public procurement.

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

11 Publications

➤ **Patient mobility in the context of austerity and an enlarged EU: the European Court of Justice’s ruling in the Petru case**

The authors analyse the Petru case and its implications for future patient mobility. This case involved a Romanian citizen who sought healthcare in Germany because of an alleged lack of

basic infrastructure in her local Romanian hospital. It raised the question of whether the patient's interests prevailed over those of the Member State. Although the Court did provide a solution for the Petru case, the authors underline that major challenges remain in this area.

DOC [EN](#) HTML

Varieties of healthcare reform: understanding EU leverage

This publication looks at the controversial influence of the EU on national healthcare reforms, and provides a comparative assessment of these. The English version is currently available, and the French version will be published soon.

DOC [EN](#) PDF

Effect of restricting access to healthcare on health expenditures among asylum-seekers and refugees

Access to healthcare for asylum seekers and refugees in Germany is initially restricted before regular access is granted. This allegedly leads to delayed care and increased costs of care. The article analyses the effects of restricted access, as well as the impact of two major policy reforms (1997, 2007) on health expenditure among asylum seekers and refugees between 1994 and 2013.

DOC [EN](#) HTML

Economic crisis, health systems and health in Europe. Impact and implications for policy

This book looks at how health systems in Europe reacted to pressure created by the economic and financial crisis that began in 2008. The authors analyse the health systems' responses to the crisis, assess the impact of these responses on health systems and population health and identify policies most likely to sustain the performance of health systems.

DOC [EN](#) HTML

WHO: Making progress towards health workforce sustainability

This paper reports on progress in recent years in achieving the aims and objectives of the WHO global code of practice on the international recruitment of health personnel in the European Region, within the broader context of challenges to human resources for health (HRH), and of Health 2020, the European policy for health and well-being.

DOC [EN](#) HTML

The mobility of health professionals in Europe: efficiency and equity

This policy brief entitled 'How can countries address the efficiency and equity implications of health professional mobility in Europe?' analyses the impact of the free movement of health professionals on the destination countries, the source countries and on the EU as a whole. It presents policy options which can be used by decision-makers to address the consequences of free movement on efficiency and equity.

DOC [EN](#) PDF

The impact of the EU directive on patients' rights and cross-border healthcare in Malta

DOC [EN](#) PDF

OECD: Fiscal sustainability of health systems: bridging health and finance perspectives

According to the report 'Fiscal Sustainability of Health Systems: Bridging Health and Finance Perspectives', budgetary overshoots linked to health expenditure are still endemic in most OECD countries. It will therefore be difficult to maintain current levels of care and finance future medical progress without carrying out large-scale reforms, requiring concerted action from the Ministries of Health and Finance.

DOC [EN](#) PDF

WHO: European health report 2015

The most recent European health report describes remarkable success in Europe in the field of health. A number of objectives, such as reduction in premature mortality and the establishment of national health targets, are in the process of being met. The report proceeds to an analysis of the health situation in the European Region, and of progress made towards the objectives set in Health 2020, the global WHO health policy.

DOC 1 [EN](#) PDF | DOC 2 [EN/FR](#) HTML

Eurofound: delivering public services: a greater role for the private sector?

This report explores the increasing role of the private sector in the delivery of public services in the EU. It concentrates particularly on social services of general interest (SSGIs) in the fields of health, education, early childhood education and care (ECEC), employment services and long-term care. The report assesses developments in the delivery of these services and also addresses the impact of the economic crisis on the changing public-private sector relationship in provision.

DOC [EN](#) PDF

Eurohealth: special edition on the European Health Forum Gastein 2015

This issue of 'Eurohealth' includes articles on mental illness, the affordability of medicines, primary healthcare and the health workforce.

DOC [EN](#) PDF

The Observatory for patient mobility: foreign patients hospitalised in Belgium

The Belgian Observatory for patient mobility has published up-dated figures on foreign patients in Belgium, based on data from the Minimum Hospital Summary (RHM).

DOC [FR](#) - [NL](#) HTML

Recruitment and retention of health professionals across Europe: a literature review and multiple case study

Many European countries are faced with health workforce shortages and the need to develop effective recruitment and retention (R & R) strategies. This document gives an overview of the measures in place to improve R & R of health professionals across Europe.

DOC [EN](#) HTML

Corporate Europe: the firepower of the European pharmaceutical lobby and implications for public health

This report reveals the staggering scale of the pharmaceutical industry's lobbying activities to EU decision-makers. It is estimated that its lobbying expenditure is around 15 times more than that of the civil society groups working on public health and access to medicines.

DOC [EN](#) PDF

12 Miscellaneous

WHO Regional Committee for Europe: priorities for health system strengthening

The health ministers and senior officials from the 53 Member States of the WHO European Region, together with representatives from partner organisations and civil society, adopted a resolution setting out strategic priorities for 2015-2020, to strengthen health systems. The resolution encourages action in two priority areas: transforming health services to meet the health challenges of the 21st century; and the achievement of universal health coverage for a Europe free of impoverishing out-of-pocket payments.

DOC 1 [FR](#) - [EN](#) HTML | DOC 2 [EN](#) - [FR](#) PDF

Updating radiation safety standards in medicine

International and European basic safety standards that protect people from the dangers of radiation in medicine have recently been updated. The EU is now working hard on implementing them.

DOC [EN](#) HTML

«European Health Care News»

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