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Cross-Border Reimbursement

Pan-European legislation clarifying the conditions under which patients may be reimbursed for healthcare they receive in another EU country has moved a significant step closer to its final adoption. In mid-September, EU governments formally set out their proposals that are designed to strike a balance between an individual's right to cross-border healthcare and the ability of national authorities to organise their own healthcare systems.

As a general principle, patients may be treated abroad and reimbursed up to the level they would have received for the same or similar treatment in their national health system. However, a government may limit application of the reimbursement rules if it believes overriding interests of general interest exist, such as the danger of seriously undermining the balance of its social security system.

National authorities would also be able to manage the outward flow of patients by requiring prior authorisation for healthcare, which involves overnight hospital accommodation, or highly specialised and cost-intensive medical procedures or gives rise to concerns over the quality and safety of the care.

Similarly, countries receiving incoming patients would be able to take measures to ensure that their health facilities are not overwhelmed by the extra demand to the detriment of their own nationals. At the same time, they would be responsible for establishing national contact points to provide patients from other countries with the necessary information on safety and quality standards to enable them to make an informed choice. The draft legislation now passes to the European Parliament, which is likely to introduce further amendments in the near future.

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