



# CHECKLIST FOR NATIONAL CONTACT POINTS

*for good patient information  
provision on cross-border  
healthcare<sup>1</sup>*

# Checklist for National Contact Points

for good information provision in cross-border healthcare<sup>1</sup>

## Patient organisations

Directive 2011/24/EU\* points out the need of appropriate and clear information on all aspects of cross-border healthcare\* in order to enable patients to exercise their rights in practice. National Contact Points\* for Cross-border Healthcare (NCPs) bear crucial responsibility for such information provision to mobile patients.

Besides, NCPs are obliged to inform patients indirectly, through the provision of information to other actors in cross-border healthcare\*, such as healthcare providers, national health services\*/or health insurance providers\* and patient organisations.

The following document expands a checklist for good information provision to patient organisations.

### *Disclaimer*

This document was produced under the Health Programme (2014-2020) in the frame of a specific contract with the Consumers, Health, Agriculture and Food Executive Agency (CHAFEA) acting under the mandate of the European Commission. The content of this report represents the views of the contractor and is its sole responsibility; it can in no way be taken to reflect the views of the European Commission and/or CHAFEA or any other body of the European Union. The European Commission and/or CHAFEA do not guarantee the accuracy of the data included in this report, nor do they accept responsibility for any use made by third parties thereof.

---

<sup>1</sup> For each word or concept in this checklist directly followed by an asterisk (\*), corresponding definitions and explanations are provided in the accompanying alphabetical glossary.

## ① Patients' rights on cross-border healthcare

### 1.1 Patients' rights and entitlements

- ✓ Explain to patient organisations what is exactly to be understood under the right on cross-border healthcare\*
- ✓ Be clear there are two possible ways for obtaining cross-border healthcare\*: Directive 2011/24/EU\* and the Social Security Regulations (EC) 883/2004 and 987/2009\*
- ✓ Provide information on the (material, personal and territorial) scope of application of both Directive 2011/24/EU\* and the Social Security Regulations (EC) 883/2004 and 987/2009\*
- ✓ Provide information on the general principles of both EU legal instruments. For example:
  - "Under the Social Security Regulations (EC) 883/2004 and 987/2009 patients are entitled to assumption of costs incurred abroad as though the patient were insured under the social security system of that country."
  - "Under Directive 2011/24/EU patients are entitled to assumption of costs for treatment abroad as though the treatment was provided in the patient's home country."
- ✓ Make a clear distinction between unplanned\* and planned\* medical treatment abroad
- ✓ Inform patient organisations on which healthcare is subject to prior authorisation\* (under both the Social Security Regulations (EC) 883/2004 and 987/2009\* and Directive 2011/24/EU\*)  
*When a public list on healthcare subject to prior authorisation\* is made available, reference to or publication of this list should be provided*
- ✓ Provide information on the situations where a request for prior authorisation\* must be granted by the national health service\*/ health insurance provider\* (*namely, where the treatment is covered under the social security legislation of the patient's home country and cannot be provided there within a medically justifiable time limit*)
- ✓ Be clear on the patient's right to assumption of all or part of the costs incurred abroad on behalf of his or her national health service\*/ health insurance provider\* under the Social Security Regulations\* and under Directive 2011/24/EU\*
- ✓ Provide information on reimbursement and costs under both the Social Security Regulations (EC) 883/2004 and 987/2009\* and Directive 2011/24/EU\*

- ✓ Inform patient organisations on the applicable complaint procedures and mechanisms for seeking redress
- ✓ Refer to possible rights and entitlements on treatment abroad derived from purely national legislation, as for example under national healthcare projects for border regions

### **1.2. Directive 2011/24/EU\* versus Social Security Regulations\***

- ✓ Inform patient organisations on the different consequences of both routes regarding the range of covered healthcare services, the conditions to access medical treatment as well as the financial implications
- ✓ Outline the advantages and disadvantages of cross-border healthcare\* under both Directive 2011/24/EU\* and the Social Security Regulations (EC) 883/2004 and 987/2009\*
- ✓ Emphasise the differences in applicable tariffs and payment methods under both Directive 2011/24/EU\* and the Social Security Regulations (EC) 883/2004 and 987/2009\*
- ✓ Inform patient organisations on the priority of the Social Security Regulations (EC) 883/2004 and 987/2009\* when the conditions to grant prior authorisation\* under its provisions are met, unless explicit request from the patient

## **② Broader range of health services**

- ✓ Provide foreign patient organisations with information on available treatment in your country. Besides, inform local patient organisations with information on available treatment in another EU\*/EEA\* country. Gather this information with the National Contact Point\* of the country concerned.
- ✓ Inform patient organisations on the possibilities for patients to try to obtain prior authorisation\* under the Social Security Regulations 883/2004 and 987/2009\* for treatment that is not covered under the social security scheme of the patient's home country\*, but that is, however, included in the range of sickness benefits in the social security legislation of the country of treatment\*

Inform patient organisations on the fact that, when prescribed in the Social Security Regulations\* or Directive 2011/24/EU\*, the treatment must be included in the range of sickness benefits covered under the social security scheme of the patient's home country\* (- *for example regarding the obligation to grant a request for prior*

*authorisation\* in case of undue delay -), such does not mean that the treatment procedure abroad must be exactly the same. As long as the treatment itself is covered, the patient is entitled to receive equal treatment abroad even when the treatment is provided according to new techniques and methods or alternative procedures. However, these techniques should be based on the state of the art and on scientific thinking at international level. Besides, the treatment must be regarded as normal treatment, in the light of the state of national and international science (see C-157/99 Smits-Peerbooms).*

- ✓ Inform patient organisations on the possibilities for the Member State of affiliation\* to decide to reimburse other related costs, such as costs for accommodation and travel, or extra costs which persons with disabilities might incur, in accordance with art. 7(4) of Directive 2011/24/EU.
- ✓ Inform patient organisations on the focus under Directive 2011/24/EU\* to encourage the cooperation between countries (for example by the establishment of European Reference Networks\* or e-Health), aiming to offer patients in need of specialised treatment or patients with rare diseases the possibility to choose from a wider range of healthcare providers and to easier access alternative or specialised treatment abroad

### ③ Accessing healthcare abroad

- ✓ Provide information on waiting lists
- ✓ Inform patient organisations on the possible need of a GP\* referral in case of specialised treatment
- ✓ Provide information on possible restrictions on the admission of foreign patients
- ✓ Provide information on the accessibility of hospitals in your country

### ④ Importance that patients are well-prepared

- ✓ Inform patient organisations on the importance that patients are well-informed and well-prepared before seeking healthcare abroad:

#### Before deciding on cross-border healthcare:

- *Before travelling abroad to seek treatment, patients need to inform themselves on their rights and entitlements to cross-border healthcare\* under both the Social Security Regulations\* and Directive 2011/24/EU\**

- *Patients need to be well-aware of the financial implications and on the conditions to enjoy assumption of costs*
- *Patients must be well-aware of the costs of treatment they will have to pay privately and bear themselves*
- *Patients must be informed of the fact that often prior authorisation\* from the patient's national health service\*/ health insurance provider\* may be required*
- *When the patient is travelling without a valid European S2 form\* issued by his or her national health service\*/ health insurance provider\*, the patient must be aware that he or she will have to pay for the treatment privately. The patient can only request for retrospective reimbursement upon return home*
- *The patient must inform him- or herself on the treatment he or she wishes to receive, as well as on the healthcare provider or hospital he or she wishes to go to*
- *The patient must inform him- or herself on whether or not a GP\* referral will be needed*
- *The patient must be informed on the importance of private travel insurance or supplementary health insurance*

#### **Before travelling abroad for treatment:**

- *Patients must be well-informed on their right to informed consent*
- *Patients must be aware of the importance to arrange transfer of medical records to the healthcare provider abroad and of the possibility that they need to arrange for translation of these records*
- *Patients must be aware of the possible need to arrange interpretation themselves in case they do not speak the same language as the healthcare provider or medical staff abroad*
- *Patients must be informed on the importance of arranging follow-up care upon return home in order to ensure continuity of treatment*

#### **During treatment abroad:**

- *Patients must be informed on the importance that the treating healthcare provider abroad documents medical records, either in written or electronically*
- *Patients need to be aware of the importance to collect and save all documents they will later on have to present to their national health service\*/ health insurance provider\* in order to obtain reimbursement. In some cases, the patient will have to provide translation of such documents*

#### **After treatment abroad:**

- *Patients must be aware on their right to equal prices of treatment as domestic patients*
- *Patients must be aware of the importance to inform the treating healthcare provider in case they intend to use any prescriptions issued by the latter back in their home country*
- *Patients must be informed on the importance to arrange transfer of the medical records documented by the treating healthcare provider abroad to the patient's healthcare provider(s) at home*

## ⑤ European Reference Networks

- ✓ Inform patient organisations on the existence of European Reference Networks\*

## ⑥ Patient organisations

- ✓ Inform patient organisations on the existence and tasks of the European Patients' Forum
- ✓ Make sure patient organisations are aware of the possibility to contact a National Contact Point\* of another EU\*/EEA\* country to find out more on the patient organisations located in that country

## ⑦ Patients' rights

- ✓ Provide patient organisations with information on patient's rights in cross-border healthcare\* under Directive 2011/24/EU\*  
*Including:*
  - *The right to receive information from both the National Contact Point\* of the patient's home country\* and of the country of treatment\**
  - *The right to informed consent and to receive certain information from the healthcare provider abroad*
  - *The right to be charged with the same fees as domestic patients*
  - *The right to protection of personal data*
  - *The right to access and transfer of medical records*
  - *The right to transparent complaint procedures and mechanisms for seeking redress*
  - *The right to accessibility of hospitals*
- ✓ Provide foreign patient organisations with information on patients' rights under national legislation in your country. Besides, provide local patient organisations with information on patients' rights in other EU\*/EEA\* countries. Gather this information with the National Contact Point\* of the country concerned.

## ⑧ National Contact Points

- ✓ Inform patient organisations on the existence and tasks of National Contact Points\* (NCPs)
- ✓ Make a distinction between information that must be provided by the NCP of the patient's home country\* or Member State of affiliation\* and by the NCP of the country of treatment\*

