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Cᴏᴠᴇʀ ɴᴏᴛᴇ ʙʏ ᴇHᴇᴀʟᴛʜ ɴᴇᴛᴡᴏʀᴋ sᴇᴄʀᴇᴛᴀʀɪᴀᴛ

Agenda point 2a: **Discussion on electronic identification and registries for health professionals**

Issue at stake

This agenda point covers two topics that are related to the implementation of the eHealth Digital Service Infrastructure and they are strongly interlinked with each other:
 	
   o Discussion Paper on policies regarding an eID specific framework for eHealth (Release 2)
   o Discussion Paper on policies regarding the interoperability of electronic registries for health professionals
 	
Both documents lay out the complexity of the topics at stake and are intended to serve as input for further informed discussion.

Summary
Discussion Paper on policies regarding an eID specific framework for eHealth (Release 2) This discussion paper is the sequel to the Policy Paper on eID specific framework for eHealth (Release 1), which was adopted by the eHealth Network in May 2017. The document at hand is not tabled as Policy Paper for adoption as initially planned, as there is no common and assured interpretation of the legal implications of both the GDPR and eIDAS Regulation in Member States for the sustainable provision of CBeHIS. Member States gained an extended awareness towards importance and complexity of the matter as well as on the hard timing for setting up eID in CBeHIS. The document at hand discusses in more detail concerns, challenges and, where possible, provides recommendations to support the establishment of an interoperable eID mechanism in MSs for the provision of Cross-Border eHealth Information Services (CBeHIS) complementing the eIDAS Regulation, the GDPR and the Agreement between national authorities or national organisations responsible for national contact points for eHealth on the criteria required for the participation in cross border eHealth Information Services (*Agreement*). Based on the *Agreement* clause II.1.1.2 and II.1.1.3 Member States participating in CBeHIS remain free to decide if they will use identification and authentication with electronic or non-electronic means for their CBeHIS participation. Electronic means hereby include the two options notified or not notified eID schemes under the eIDAS Regulation. The Discussion Paper on policies regarding an eID specific framework for eHealth (Release 2) focuses therefore only on one possible implementation of identification of patients and health professionals in CBeHIS using notified eID schemes under the eIDAS Regulation.

Some Member States have already jointly submitted a further supporting proposal in a CEF eID Call to build on the work done in this field and to address open questions. If the project will be granted its results will be handed over to the European Commission and the eHealth Network.

It is of utmost importance that all the MS contribute to all activities in the field of eID for eHealth in order to set up a suitable and sustainable solution for CBeHIS with electronic means.

Discussion paper on policies regarding interoperability of electronic professional registries

This paper discusses Registries of Health Professionals in MSs with a focus on cross-border interoperability aspects and data needed for an informed decision of the entitlement of a Health Professional - considering the legal basis for CBeHIS provision in Europe. The document is not tabled as guideline for adoption as initially planned. This is because at this point in time there is no information from the Art. 29 Working Party on the suitability of patient consent with a particular emphasis on patient consent enforcement and recommendations on what identity information of health professionals needs to be exchanged and processed. The document is strongly interlinked with the Discussion Paper on policies regarding an eID specific framework for eHealth (Release 2) due to also addressing the secure and reliable usage of electronic means for identification and especially authentication of Health Professionals in CBeHIS.

Format of procedure in the eHN

The Member State co-chair introduces the agenda point and presents the topics and its relevance to the implementation of the eHDSI.

The eHealth Network Members are then invited to comment both documents and especially address the following points:

1. The Policy Paper on eID specific framework for eHealth (Release 1) does only include an agreed procedure for the first wave of CBeHIS, namely to operate patients' and HPs' identification and authentication non-electronically. A clear way forward needs to be agreed by the eHN.

2. The discussion paper proposes to agree on a level of electronic identification and authentication for CBeHIS, which shall comply with the eIDAS Authentication Assurance Level "high". Member States are asked to investigate their national situation concerning a possible compliance of their national systems to the proposed level and estimate consequences related to possible national legal implications, economic investments as well as the technical implications for their national infrastructure.