



Brussels, 02 June 2021

**MINUTES OF TEAMS MEETING:  
CROSS-BORDER HEALTHCARE EXPERT SUB-GROUP  
6 MAY 2021, 13:30 – 16:30  
CHAIR: MS THEA EMMERLING (HEAD OF UNIT, CROSS-BORDER  
HEALTHCARE)**

**PARTICIPANTS:**

- Present: Austria, Belgium, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, The Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, and Norway.

Apologies: Bulgaria, Cyprus, Hungary, Romania

**1. Welcome and introductory remarks**

Thea Emmerling welcomed the participants, introduced the Cross-Border Healthcare team, noting that DG SANTE will add an information point about Brexit and the Directive. Agenda adopted.

**2. EU Regulation on a Single Digital Gateway – Update for NCP as assistance services**

**The Chair** recalled that the Single Digital Gateway (SDG) will facilitate online access to the information, administrative procedures and assistance services that citizens and businesses need to get in another EU country. The SDG went live on 12 December 2020, and the NCPs were required to provide a link to a user feedback form under the SDG. The Chair reminded that this is a legal requirement under the SDG Regulation, Most NCPs have complied. She informed that the next step will be to collect and report on the information requests received.

DG GROW explained that the NCPs need to provide data on citizen information requests bi-annually to comply with the SDG Regulation. He presented an update on where the NCPs stand and explained how NCPs should submit their case data. He debriefed on (1) the nature of the data that will need to be submitted (numbers, calendar days, subject matters), (2) the reasons why the data is being collected (development of services under the SDG, observation of how Europeans use their rights, identification of obstacles in the Single Market), (3) the practical details of the actual submission of data (date: from 01/01/2021 to 30/06/2021, to be submitted at the latest on 31/08/2021), either automatically (via the Application Programming Interface – API) or manually

(uploading of CSV file to the SDG dashboard). He shared technical documentation for support, which can be found in his presentation, published also on the [CBHC website](#).

DG SANTE reminded a few countries to integrate the feedback tool and make it more visible, especially in its EN version.

**Conclusion:** the Chair invited the NCPs who have not yet added the link to the user feedback to upload it as soon as possible to be legally compliant with the Regulation. All NCPs should ensure that the invitation for the user feedback is clearly visible on their home page. NCPs are invited to provide 2021 data on information requests as required by 31 August 2021 (no further reminders will be sent).

### **3. Support for Better Implementation of the Directive - Update on Commission Study**

**The Chair** recalled that, after the meetings with NCPs and the Cross-Border Healthcare Expert Group last year, DG SANTE contracted a study to support the better implementation of the Directive. The contractor Ecorys gave an update on the study work packages (prior authorization mapping & guiding principles, indicators for the Directive's evaluation and NCP capacity-building workshop on consultation arrangements) and future activities that involve the NCPs. A draft on prior authorization mapping had been distributed before the NCP meeting.

**Conclusion:** NCPs are invited to provide any final comments on prior authorization mapping by 17 May to Ecorys, with copy to Sante cross-border healthcare functional mailbox. The Chair recalled that as a number of NCPs are part of the health insurance competent body in their countries they may be contacted by Sparks for fact-checking and validation on the administrative procedures for prior authorization and reimbursement. She reminded NCPs that they can still register for the workshop organized by Ecorys' sub-contractor Technopolis on the indicators for the evaluation of the Directive taking place on 20 May. Finally, she informed that the NCPs will be invited to participate in Ecorys' research on the NCP consultation arrangements where necessary and that a physical workshop may be organized in Berlin at the end of the year.

### **4. Report on the operation of the Directive (third implementation report), including the Directive's evaluation.**

**The Chair** recalled that the Directive was adopted 10 years ago and informed that the Commission decided to bring forward the evaluation of the Directive by one year so as to be timely within the context of EU solidarity and cross-border healthcare cooperation in response to COVID-19. DG SANTE presented the Directive's evaluation objectives and updated NCPs on the consultation strategy and the work plan for the Directive's evaluation.

One NCP representative asked whether the Administrative Commission will also be involved and consulted in the evaluation process. DG SANTE confirmed that it is gathering views widely in cooperation with DG EMPL on the Regulations and will consider interaction with the Administrative Commission. DG SANTE is consulting stakeholders to find out whether citizens have problems on coherence between the Directive and the Social Security Coordination Regulations and the different legal routes that are available to patients to seek reimbursement of costs.

DG SANTE invited the NCPs to share any information which can contribute to the evaluation, such as articles, recent researches, evaluations regarding CBHC.

**Conclusion:** The Chair invited NCPs to respond to the public consultation launched on 4 May with a deadline of 27 July. She thanked the NCPs for their participation in surveys and interviews. She recognized that 2021 is a busy year as regards data collection and consultation of the NCPs. However, a good quality evaluation including identifying the steps for improving patients' rights depends on the MS contribution.

## 5. Data collection on patient mobility under the Directive 2011//24/EU

### 5.a. Annual report on patient mobility 2020

**The Chair noted the change of contractor on patient mobility data, and announced that,** that this year, the contract was awarded to Jonathan Olsson Consulting and Frederic De Wispelaere, KU Leuven, who will be responsible for the annual data collection 2020 and 2021. Frederic de Wispelaere briefed the NCPs on the launch of the data collection for 2020 and explained the trend analysis they will carry out for the Commission's three year report on the operation of the Directive. The methodology and questions will not change compared to the previous data collection.

**Conclusion:** The Chair recapped that NCPs will receive the invitation to complete the usual questionnaire next week, to be completed by 31 July 2021 (2020 expected to be an exceptional year due to COVID-19). She mentioned that the three year trend report – 2018, 2019 and 2020 – will feed into the Commission's upcoming third report on the operation of the Directive.

### 5.b. Commission study on “Patient mobility in selected EU border regions”

**The Chair** stated that the data on patient mobility is the key indicator for measuring cross-border healthcare in the EU. DG SANTE works with NCPs to improve the data collection and to better understand the impact of the Directive in different MS. However, data remains inconsistent and is still lacking completely from some MS (for different reasons). As the highest mobility of patients occurs in border regions, DG SANTE launched a study earlier this year to collect more detailed information and data on patient mobility in four case study border regions covering 9 Member

States. . The Association of European Border Regions presented the Commission study on “Patient mobility in selected EU border regions”.

**Conclusion:** the Chair thanked the cooperation between AEBR and NCPs on this case study regions and took note of this work.

## 6. Information points by DG SANTE

DG SANTE presented the evaluation of article 14 on e-health and the online consultation on a European Health Data Space and the European Reference Networks and latest developments.

In response to a question from a Member State on the number of patients and cases the ERNs were able to assist, DG SANTE replied that currently there were no exact figures but it is currently estimated that 1.7 million patients with rare diseases benefit from the activities of ERNs, but more concrete data are expected from the evaluation of the Directive and the ERN five year performance assessment in 2022 and 2023. Several countries raised concerns about the inclusion in the public consultation questionnaire of the necessity to have a home country’s general practitioner referral as a possible barrier to healthcare.

**Conclusion:** the Chair invited NCPs to include information on their websites on the ERNs for rare disease patients and, if they wish, to respond to [the public consultation on the European Health Data Space](#).

## 7. AOB – Point on Brexit and the Directive

As DG SANTE had received questions about the impact of BREXIT on the application of the Directive, Ruta Janeckaite provided an explanation based on the Commission’s Legal Service advice on this topic.

In response to a question about the consequences of Brexit for healthcare provided under the social security coordination regulations, Ruta Janeckaite explained that the social security coordination regulations no longer apply between the EU and the UK. However, the rules on social security coordination, including the rules on sickness benefits, between the EU Member States and the UK are currently set out in the Withdrawal Agreement and the Trade and Cooperation Agreement.

**Conclusion:** the Chair confirmed that DG SANTE will e-mail the information on Brexit to the NCPs and CBHC experts

## 8. The Chair – Final Conclusions

The Chair re-confirmed the follow-up actions for NCPs:

- to report on the information requests as required under the Single Digital Gateway Regulation by end of August 2021.
- to provide final comments on the report “mapping prior authorisation under the Directive” by 17 May and to register for the workshop on indicators for evaluation purposes taking place on 20 May. The Commission will inform of the dates for further workshops in due time.
- to respond to the public consultation on the Directive’s evaluation and any targeted consultations to assess the impact of the Directive since its adoption in 2011.
- to respond to the annual patient mobility data collection by 31 July.
- to provide information on the European Reference Networks on NCP websites.
- DG SANTE sent information on Brexit and the Directive via email on 17 May 2021.