

ORAL QUESTION WITH DEBATE O-0124/06

pursuant to Rule 108 of the Rules of Procedure

by Jules Maaten, Marios Matsakis, Jorgo Chatzimarkakis, Viktória Mohácsi, Karin Riis-Jørgensen, Georgs Andrejevs, Graham Watson, Holger Kraemer and Marco Cappato, on behalf of the ALDE Group
to the Commission

Subject: Patients' rights in the European Union

The exclusion of health services from the scope of the services directive and the recent decisions of the ECJ on access to medical treatment abroad require urgent decisions. There is a need for a much broader approach and greater emphasis on patients' rights and how to implement them in a uniform manner across the EU, regardless of the ownership of medical facilities, national social security schemes, organisation and management of national health systems, or whether medical treatment is provided in the home country or in another Member State. The fundamental right of access to healthcare services for ethnic minorities (for example the Roma population), refugees, migrants and the homeless is another element which needs careful consideration. Within the European Union, growing numbers of patients are exercising choices about where and how they are treated. There is also an emerging marketplace for health tourism. However, there are no guarantees about the quality and safety of such health services, and no common medical audit and liability system exists. Furthermore, there is no cross-border dimension to patients' entitlement to compensation claims, duty of care and establishment and implementation of professional ethics and principles. There is little information for patients making choices, and there is no common EU standard approach to the issue of patients' rights.

As the democratically elected representatives of citizens, the European Parliament puts the following questions to the Commission.

1. Is the Commission familiar with national legislations on patients' rights and how these established rights could be exercised in another Member State, including the right to cross-border complaints and compensation?
2. Does the Commission intend to identify and address the right to health, the right to be a patient and rights as a patient or consumer of health services?
3. Does the Commission acknowledge that the recent decisions of the ECJ on reimbursement of costs for healthcare in other countries underpin the fundamental freedoms of the single market?
4. Has the Commission taken account of globalisation effects and information flows, and does it intend to identify partnerships to make them clear and understandable for patients?
5. Does the Commission recognise the need to establish a uniform package (Charter) of essential patients' rights in the European Union, and to elaborate their framework and mechanisms as a way to ensure their observance and exercise in practice?
6. Has the Commission taken into consideration the Council of Europe Conventions concerning patients' rights issues?

Tabled: 24.10.2006

Forwarded: 26.10.2006

Deadline for reply: 02.11.2006