

**Question for written answer P-011095/2012
to the Commission**
Rule 117
Morten Løkkegaard (ALDE)

Subject: Directive on patients' rights

According to the Directive on patients' rights, '*Ensuring continuity of cross-border healthcare depends on timely transfer of data concerning patient's health. The framework provided by Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data, provides for patient's right to have access to his personal data concerning his health. This includes also right to access to the patient's medical records, such as diagnosis, examination results, assessments by treating physicians and any treatment or interventions provided.*'

1. Can the Commission confirm that this directive gives patients in any Member State the right to obtain their medical records, so that patients can take these away with them – even to another EU Member State?
2. Will the Commission also state if there is any special implementing provision in Belgian law that would allow a Belgian doctor to refuse to provide a copy of a patient's medical record?
3. By way of example, a Danish citizen receives surgical treatment in Belgium, but must make an insurance claim in Denmark. The patient and the patient's insurance company ask for a copy of the patient's medical record for use in the insurance claim in Denmark, but the Belgian doctor refuses to provide this on the grounds that the record is his/her property and that it is illegal to hand it over under Belgian law. Can the Commission confirm or deny that this is the case?