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Extract of the Text of the Directive submitted by the European Commission and adopted by the European parliament at the seeting of 23 April 2009.

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Patients' rights in cross-border healthcare *I**

European Parliament legislative resolution of 23 April 2009 on the proposal for a directive of the European Parliament and of the Council on the application of patients' rights in cross-border healthcare (COM(2008)0414 – C6-0257/2008 – 2008/0142(COD))

(Codecision procedure: first reading)

Amendment 75

**Proposal for a directive
Article 8 – paragraphs 1 and 2**

Amendment

(30) There is no definition of what constitutes hospital care throughout the different health systems of the Community, and different interpretations could therefore constitute an obstacle to the freedom for patients to receive healthcare. In order to overcome that obstacle, it is necessary to provide a Community definition of hospital care. Hospital care generally means care requiring the overnight accommodation of the patient. However, it may be appropriate to submit to the same regime of hospital care also certain other kinds of healthcare, if that healthcare requires use of highly specialised and cost-intensive medical infrastructure or medical equipment (e.g. high-technology scanners used for diagnosis) or involving treatments presenting a particular risk for the patient or the population (e.g. treatment of serious infectious diseases).

The draft of the Commission included “A regularly updated list of such treatments shall be specifically defined by the Commission through the comitology procedure.”

This proposal was deleted.

Amendment 75

**Proposal for a directive
Article 8 – paragraphs 1 and 2**

Amendment

1. For the purposes of reimbursement of healthcare provided in another Member State in accordance with this Directive, ***the definition of hospital care, as established by the Member State of affiliation, shall be limited to:***

- (a) healthcare which requires overnight accommodation of the patient in question for at least one night; ***or***
- (b) healthcare ***which is highly specialised and/or requires use of cost-intensive medical***

infrastructure or medical equipment; or

(ba) healthcare involving treatments presenting a particular risk for the patient or the population.

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Replies delegations:

Dr Hawliczek, Austrian Medical Chamber :

I would prefer point (b), but it is also very dependent to interpretation!

Kind regards

R. Hawliczek

Dr Maria Madureira - F NAM/Portugal – FEMS Member

Our option is: *(ba) healthcare involving treatments presenting a particular risk for the patient or the population.*

Our comments: *It must be safeguarded the interests of health of people in transit for work or tourism suffering from acute illness or exacerbation of chronic unpredictable.

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Draft Proposal AEMH Plenary Meeting 8-9 May 2009

The definition of Hospital care should not be related to the length of stay in the hospital. New technologies enable the use of less invasive medical procedures, which accelerate healing and recovery and improve patients' safety and comfort.

Hospital care relies more and more on different professional skills, interacting in multiple cycles demanding a complex organization. This complexity is mastered in hospitals by a team of health professionals in a most efficient manner and period of time. This period can differ and depend on the general state of health of the patient.

Hospital care is the “*treatment which requires use of highly specialized, cost-intensive medical infrastructure or medical equipment, or involving treatments presenting a particular risk for the patient or the population*”, provided by a multidisciplinary team of highly specialized healthcare professionals .