



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 18 June 2013**

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**NOTE**

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from: General Secretariat of the Council  
to: Council

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Subject: **Employment, Social Policy, Health and Consumer Affairs** Council meeting on  
20 and 21 June 2013

Transposition of the Directive 2011/24/EU on the application of patient's rights in  
cross-border healthcare  
- *Information from the Commission*  
(Any Other Business item)

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Delegations will find in the Annex an information note on the abovementioned subject.

Directive 2011/24/EU on the application of patients' rights in cross-border healthcare entered into force in April 2011 and is due to be transposed by the Member States by 25 October 2013. It is important that, by 25 October, European citizens can fully enjoy their right to go to another Member State for healthcare and be reimbursed for it, under the conditions enshrined in the Directive.

There is therefore little time for Member States to put in place the necessary structures and the required modifications to their national laws so as to secure the full application of the Directive. The Commission is keen to help Member States in this challenging process. The Commission services have carried out a programme of visits to Member States for bilateral discussions on implementing the Directive in each Member State. In the light of what has been learned during these visits, the major points that need to be tackled in transposition have been identified.

As highlighted at the previous Council, the broad areas of the Directive which were likely to be most challenging to Member States are:

- establishing non-discriminatory reimbursement tariffs (for outgoing patients) and pricing (for incoming patients);
- establishing a prior authorisation system for healthcare in another Member State when for example hospitalisation or use of highly specialised equipment is necessary;
- providing patients with transparent information on their entitlements;
- creating National Contact Points to provide information to citizens.

In order to provide Member States with the maximum amount of assistance during the transposition period, the Commission is therefore offering to make available to Member States the results of its internal reflection on some of the points which are essential for a successful transposition of the Directive and will serve as benchmarks for on-going national transposition. One particular example which may be of interest to Member States is the relationship between the reimbursement tariff for outgoing patients and the price for incoming patients.