

Ms. Françoise Grossetête
Parlement européen
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Via email to: francoise.grossetete@europarl.europa.eu

Vienna, July 13, 2010

Proposal for a Directive on the application of patients' rights in cross-border healthcare

Dear Ms. Grossetête,

The European Society of Radiology (ESR) would like to address you in your function as Rapporteur for the Proposal for a Directive on the application of patients' rights in cross-border healthcare. The ESR welcomes the development of such a directive, which emphasises the importance of quality and safety of care for patients travelling across borders for healthcare.

However, the ESR is concerned that the Spanish presidency compromise proposal does not sufficiently ensure the quality and safety of patients whose treatment involves cross border eHealth.

We have already outlined this to you and your colleagues during the first reading of the dossier in the European Parliament. We were very pleased that some of our concerns were incorporated in the legislative resolution amending the proposal of the Directive (Bowis Report). However, the common position adopted by the Council in its first reading has not taken up these essential amendments proposed by the Parliament.

The ESR strongly requests that amendments 100 and 110 of the Bowis report are re-introduced in the common position document.

Article 11

Add Amendment 100 of Bowis Report

2a. Member States shall guarantee that registers in which health professionals are listed can be consulted by relevant authorities of other Member States.

Maximilian F. Reiser, Munich/DE
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András Palkó, Szeged/HU
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Gabriel P. Krestin, Rotterdam/NL
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2b. Member States shall exchange information about disciplinary and criminal findings against health professionals.

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Article 14

Add new paragraph 1. (=Amendment 110 of Bowis Report)

14. 1. "The Member States shall ensure that the use of e-Health and other telemedicine services:

a) adhere to the same professional medical quality and safety standards as those in use in non-electronic healthcare provision:

b) offer adequate protection to patients notably through the introduction of appropriate regulatory requirements for practitioners similar to those in use for non-electronic healthcare provision."

In addition, the ESR would like to propose a number of additional amendments to the common position document, which we have outlined in the enclosed document that highlights again the main issues related to cross border telemedicine and teleradiology.

We appreciate that the directive is a succinct document and do not wish to lengthen it to any significant degree. We are also aware that there is a draft eHealth communication on Teleradiology and Telemedicine and are in close contact with DG ICT to contribute to the further development of a legal basis for eHealth.

However, in view of the clear objective of the Cross Border Healthcare Directive to ensure a high quality of care for all EU citizens wherever healthcare is provided, we believe that it is essential that eHealth is properly regulated in the formal directive.

We would like to kindly request a meeting with you in order to allow our experts to provide you with background information and to outline ESR's concerns with regard to patient safety.

Yours sincerely,



Prof. Maximilian Reiser
ESR President