



Legal Framework related to patient mobility and national implementation

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Overview of the two methods of “individual” patient mobility (1)

- Article 22 of Regulation 1408/71
 - “as if he were insured in the State of treatment”
 - 22(1)(a): occasional care
 - 22(1)(c): planned care

Overview of the two methods of “individual” patient mobility (2)

- Article 49 ECT, as interpreted by the Court of Justice
 - Qualification as an economic service
 - Restriction
 - Justification
 - “Voucher system”

Occasional Care

- Introduction of EHIC and amendment of Article 22(1)(a)
- Implementation problems
 - Potential abuse by insured persons
 - Poor acceptance of the EHIC

The ECT-based procedure (1)

-Benefit packages

- Geraets-Smits and Peerbooms
- Framework established by the Dutch Health Care Insurance Board
- Wider implications?

The ECT-based procedure (2)

-Authorisation requirements and contracting

- Foreign providers to be treated as domestic contracted/public providers

The ECT-based procedure (3)

- The foreign provider
- Professional rules and mutual recognition
- Tariffs
- Liability

Undue delay

- Medical condition of the patient: the absolute yardstick
- Distinction planning-related / abnormal waiting times?