

**Declaration**  
  
**of the**  
**EUROPEAN FORUM**  
**of Insurances against accidents at work and occupational diseases**  
**concerning**  
**the directive on the application of patients' rights in cross-border healthcare**  
**(2011/24/EU)**

On April 2011 the directive on the application of patients' rights in cross-border healthcare came into force. A main target of the directive is to clarify and to secure the rights of patients' as described in several decisions of the European Court of Justice. The Member States will have to transpose the directive into their national legislation by the end of October 2013.

The EUROPEAN FORUM welcomes the goal to ensure legal certainty for Union citizens about their rights and entitlements when using healthcare in another Member State.

The EUROPEAN FORUM acknowledges that the directive also concerns patients seeking healthcare after a work related accident or in case of a work related disease.

The EUROPEAN FORUM also welcomes the clear statement in the directive that regulation 883/04 is not affected by the new directive.

The EUROPEAN FORUM recognizes the intention of the European institutions to offer the patient two ways in case of cross border healthcare: a) benefits in kind according to the rules of the Member State where the patient is treated according to the regulation 883/04 or b) autonomous use of healthcare and reimbursement of expenses according to the new regulation 2011/24/EU.

The EUROPEAN FORUM appreciates that the directive contains mechanisms limiting cross-border healthcare with the aim to respect and safeguard the national social security systems, in particular the rules concerning prior authorization and the maintenance of regulatory and administrative conditions for receipt of healthcare and reimbursement of expenses. Such mechanisms help to safeguard the specialities and particularities characteristic for the sector of accidents at work and occupational diseases. In light of the declaration of the EUROPEAN FORUM of 1 December 2007, concerning the recognition of the principle of subsidiarity, the EUROPEAN FORUM welcomes these mechanisms as they also safeguard the principle of subsidiarity which is a fundamental principle of the European Union.

The EUROPEAN FORUM supports the aim of the European Union to encourage Member States in facilitating cooperation in cross-border healthcare. In particular the development of European reference networks as described in the regulation offers an opportunity for institutions providing specialized and high quality medical care in connection with work related accidents and occupational diseases (such as traumatology, severe burn injuries, plastic surgeries etc.) as they can support such networks with their knowledge and experience. The EUROPEAN FORUM invites the European Commission to engage in a dialogue on the development and creation of European reference networks.

The EUROPEAN FORUM of Insurances against accidents at work and occupational diseases represents institutions responsible for statutory accident insurance in 18 countries in Europe. Their common goal is to promote and safeguard the principles of social accident insurance and to serve as focal point for statutory accident insurance matters in Europe and abroad.

01 September 2011

## **Member Organizations**

### **Austria**

Allgemeine Unfallversicherungsanstalt (AUVA)

### **Belgium**

Fonds des Accidents du Travail (FAT)

Fonds des Maladies professionnelles (FMP)

### **Denmark**

Beskaeftigelsesministeriet Arbejdsskadestyrelsen (National Board of Industrial Injuries)

### **Finland**

Tapaturmavakuutuslaitosten Liitto (Federation of Accident Insurance Institutions/FAIL)

### **France**

Caisse Nationale de l'Assurance Maladie des Travailleurs Salariés (CNAMTS)

### **Germany**

Deutsche Gesetzliche Unfallversicherung (DGUV)

Spitzenverband der landwirtschaftlichen Sozialversicherung

### **Greece**

Institution for Social Insurance (IKA)

### **Italy**

INAIL (Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro)

### **Luxembourg**

Association d'Assurance contre les Accidents

### **Norway**

Norwegian Labour and Welfare Organisation (NAV)

### **Poland**

Kasy Rolniczego Ubezpieczenia Społecznego (KRUS)

### **Portugal**

Centro Nacional de Protecção contra os Riscos Profissionais (CNPRD)

### **Romania**

Casa Nationala de Pensii si Alte Drepturi de Asigurari Sociale (CNPAS)

### **Russia**

Social Insurance Fund of the Russian Federation

### **Spain**

Asociacion de Mutuas de Accidentes de Trabajo (AMAT)

**Sweden**  
Försäkringskassan  
AFA Försäkring