

The Directive 24/2011 concerning patients' rights to cross-border Health care

Directiva 24/2011, relativa a los derechos de los pacientes en la asistencia sanitaria transfronteriza

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Resumen

Over the last decades, the European Court of Justice (ECJ) has confirmed Member States' responsibilities in the health care sector, while at the same time it has emphasized patients' **rights** to move freely "cross-border" so as to **access health care** (both medical and thermal) **services**.

Not only has the relevant ECJ case-law (starting with *Kohl* and *Decker* in 1998 until *Femarbel* in 2013) been **codified** in this aforementioned directive, it has also brought additional clarity concerning **responsibilities** of the Member States and set the basis for (voluntary) **cooperation** between them in this field.

Against this background the presentation highlights the potential of the Directive as to Health SPAs services.

In particular the presentation refers to **experience and potential future role** of the EGTC (European grouping of territorial cooperation) named "EuropaRegion – **Euregio**", established and formed by the Land Tyrol (Austria), South Tyrol and Trentino (Italy), as a tool to foster cross-border access to health care services.

In this respect, a strategic partnership between tourism and health needs to be pursued.

From a more general perspective, the author's aim is also to underline any possible **limitations** on the right to access such services that – due to financial restrictions – the single Member States may introduce in the implementation process.

Key words: patients' rights; UE directive 24/2011; euregio; health care services

Palabras clave: derechos de los pacientes; Directiva UE 24/2011; euroregión; servicios de atención médica