

Question for written answer E-003566/2025
to the Commission
Rule 144
Mircea-Gheorghe Hava (PPE)

Subject: Patients' rights as regards cross-border healthcare

The judgment adopted by the Court of Justice of the European Union in Case C-489/23 (AF vs. Romania),¹ referred to it by the High Court of Cassation and Justice of Romania², recently established that making the reimbursement of medical costs conditional upon a medical assessment carried out exclusively by a health professional from the national public system ran counter to Article 56 TFEU and Directive 2011/24/EU. This practice has a deterrent effect on patients' right of access to cross-border healthcare. The reimbursement of the costs of healthcare services provided to EU citizens in another Member State continues to raise issues of uneven application at national level.

The CJEU confirmed that reimbursement must be based on objective, non-discriminatory and transparent criteria in order to guarantee equal treatment and predictability in the exercise of patients' rights. In the absence of clear and unified rules, EU citizens are liable to be faced with discrimination, legal uncertainty and limited access to cross-border healthcare.

Can the Commission state, in this connection:

1. What tools it has in mind for the monitoring and enforcing, in the Member States, of CJEU case-law on the reimbursement of cross-border healthcare expenses?
2. Whether it plans to propose further harmonisation measures and clear guidelines to help Member States formulate objective, non-discriminatory and transparent criteria and to guarantee a just, cohesive and predictable framework for the settlement of cross-border healthcare costs for patients in the EU?

Submitted: 16.9.2025

¹

<https://curia.europa.eu/juris/document/document.jsf?text=&docid=303864&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=17807392>

² <https://www.iccj.ro/2025/09/05/comunicat-de-presa-privind-hotararea-curtii-de-justitie-a-uniunii-europene-data-la-sesizarea-inaltei-curtii-de-casatie-si-justitie-prin-care-s-a-statuat-in-favoarea-dreptului-pacientilor-la-decontarea/>