

(English version)

**Question for written answer E-003566/25
to the Commission
Mircea-Gheorghe Hava (PPE)
(16 September 2025)**

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 Romania ⁽²⁾, 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

**Answer given by Mr Várhelyi on behalf of the European Commission
(21 November 2025)**

The judgment will be presented to representatives of the Member States in a meeting of the Administrative Commission on the Coordination of Social Security Systems with a view to ensuring best practice in applying Regulation (EC) No 883/2004 on the coordination of social security systems ⁽¹⁾ and coherence with Directive 2011/24/EU on the application of patients' rights in cross-border healthcare ⁽²⁾.

The Commission is periodically monitoring the implementation of Directive 2011/24/EU in the Member States through an implementation report which is sent to the European Parliament and the Council. The last implementation report ⁽³⁾ was issued in May 2022, and the next report is due in 2027.

The Commission is also regularly exchanging practices and information with Member States' competent authorities, e.g. the expert group on cross-border healthcare and the subgroup of the national contact Points.

The next joint meeting of the expert group and the subgroup of the national contact points is scheduled in November 2025, where the judgment of the Court of the EU C-489/23 ⁽⁴⁾ will be presented and discussed.

Currently the Commission is implementing the action plan for Directive 2011/24/EU attached to the last implementation report and has no plans to propose further legislative measures. The implementation report of the directive in 2027 will guide possible next steps.

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/>

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32004R0883&qid=1760080119491>.

⁽²⁾ <https://eur-lex.europa.eu/eli/dir/2011/24/oj/eng>.

⁽³⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2022:210:FIN>.

⁽⁴⁾ <https://curia.europa.eu/juris/document/document.jsf?text=&docid=303864&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=17807392>.