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Die grenzüberschreitende Mobilität der Patienten wirft zahlreiche Rechts- und Wirtschaftsfragen auf. Es geht um die Vereinbarkeit der finanziellen Auswirkungen der von den Mitgliedstaaten getroffenen Maßnahmen zur Kosteneindämmung mit dem Recht des Unionsbürgers auf Freizügigkeit. Es geht auch um den Zugang zu Leistungen. Die Koordinierungs-Verordnungen und die Richtlinie 2011/24/EU über die Patientenrechte in der grenzüberschreitenden Gesundheitsversorgung, aber auch länderübergreifende Vereinbarungen sind dafür Grundlage. Rechtsnormen zum Datenschutz und zum Berufsgeheimnis, die bei grenzüberschreitender Mobilität auch den Leistungserbringern und Versicherern obliegen, sind ebenfalls zu berücksichtigen.

Cross-border patient mobility raises numerous legal and economic issues. The financial impact of cost-containment measures taken by the Member States must be compatible with the right of EU citizens to free movement. Access to benefits and services must also be guaranteed. The coordination regulations and Directive 2011/24/EU on the application of patients' rights in cross-border healthcare, as well as transnational agreements, serve as the basis for these considerations. Furthermore, the legal norms regarding data protection and professional confidentiality must be taken into account, since in the context of cross-border mobility they also apply to service providers and insurers.

La mobilité transfrontalière des patients dans l'Union européenne soulève de nombreuses interrogations économiques et juridiques. Il s'agit de concilier les conséquences financières des mesures prises par les Etats membres pour contenir les coûts des soins de santé avec le droit du citoyen européen de librement circuler dans l'Union européenne et d'accéder à ces prestations et services. Les règlements de coordination des systèmes de sécurité sociale, la directive 2011/24/UE relative à l'application des droits des patients en matière de soins de santé transfrontaliers ainsi que des accords transfrontaliers constituent des réponses à ces enjeux. Mais ces normes suscitent de nombreuses interrogations de mise en œuvre, de conciliation avec les droits des patients tant dans la protection des données personnelles dans le cadre de la télémédecine que dans le respect du secret professionnel.

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