

# healthcare in europe - a safe haven?

"standard of care" from a multidisciplinary perspective



Conference  
**September 26 – 27, 2016**  
Management Center Innsbruck  
Innsbruck / Austria

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# healthcare in europe – a safe haven?

## “standard of care” from a multidisciplinary perspective

Health systems in Europe face major challenges after the economic crisis and against the background of increasing healthcare costs. Providing innovative personalized treatments to European citizens, as well as an increasing healthcare need of **ageing societies** will further intensify this situation.

In this context, **cross-border healthcare** can be seen as a chance for states to better coordinate specialized treatment centres offering necessary innovative, high quality, but expensive, care. Recent developments (e.g. **migration**) or biomedical advancements (e.g. in **reproductive care**) thereby influence the **standard of care** states are willing to provide, while legal developments and **human rights** can further determine what states have to provide.

This conference will explore various aspects regarding standard of care by exploring, amongst others, the following questions from a **multidisciplinary** perspective, considering aspects of ethics, law, policy, (bio) medicine, and economics.

- Which standard of care do countries **have to provide** to their citizens from a (bio) medical, legal and ethical perspective?
- Which standard of care is required by **law**; of the European Union (EU), the Council of Europe, or by national constitutional law?
- Which role does healthcare **rationing** and **cost-effectiveness** play in the decision process?
- Above all, is it possible to **define** a standard of care, and how do **human rights** influence this standard?
- Do we have to adapt this standard of care due to **ageing societies**?
- How could innovative but expensive treatments that provide patient-relevant benefits (e.g. for rare diseases or personalised cancer treatments) enhance access to **affordable** care, and what role does Health Technology Assessment (HTA) play in this context?
- Which standard of care do patients **expect**?
- What does this mean for the situation of patients receiving highly innovative medical treatments abroad, facing discrimination or a lack of treatment supply after returning to their home countries – e.g. in **reproductive care**?

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**DFP-Continuing Education:** The Conference is certified and registered with the Continuing Education Programme of the Austrian Medical Chamber (ID: 549422, 8 points)

### Organizing Committee:

- Verena Stühlinger, Magdalena Flatscher-Thöni, Department of Public Health, Health Services Research and Health Technology Assessment, UMIT
- Markus Frischhut, Department Management & Law, MCI
- Michael Ganner, Caroline Voithofer, Institute of Private Law, LFU
- Gabriele Werner-Felmayer, Biological Chemistry & Education, MUI

## Conference programme

time	Monday, September 26	
09:00 – 12:45	Arrival of participants and speakers, registration	
12:45 – 13:15	Official opening of Conference with Funding Bodies + Organizing Committee	
13:15 – 14:15	<b>Access to healthcare and human rights</b> <b>Ineta Ziemele (LV)</b> Judge at the European Court of Human Rights (ECtHR): 2005 – 2014 Constitutional Court of Latvia (since 2015) <b>Commentator: Engelbert Theurl (AT)</b> Professor, Institute of Financial Studies, Faculty of Economics and Statistics, Leopold-Franzens University, Innsbruck	
14:15 – 15:45 (90 min)	<b>Participant presentations – Session I</b> <b>Healthcare in Europe – Insights on the standard of care</b> <b>Chair: Joaquín Cayón-De las Cuevas (ES)</b> I.1. André den Exter (NL): What's in, what's out of the health benefit package and the relevance of human rights I.2. Cinzia Piciocchi (IT): Standard of care and over-medicalization: Rationing or rationalization? I.3. Evangelos Katsikis (GR): The Sisyphus approach in the Greek healthcare system reforms. European lessons (ought to be) learned?	
15:45 – 16:15	<b>Coffee Break (3rd Floor)</b>	
16:15 – 17:15 (60 min)	<b>Participant presentations – Session II A</b> <b>Rationing – European perspective</b> <b>Chair: Markus Frischhut (AT)</b> II.A.1. Elvira Häusler (CH): Standard of care – From volume to value II.A.2. Dawid Sześciło (PL): Is the equity of access to healthcare a European constitutional standard? A comparative review II.A.3. Susan Zinner (US): The EU standard of care in a mobile society: Lessons from the U.S.	<b>Participant presentations – Session II B</b> <b>Rationing – Perspectives on selected issues</b> <b>Chair: Thomas Dolezal (CZ)</b> II.B.1. Michal Koscić (CZ): Access to high-priced medicines in the Czech Republic: A case study of legal responsibility and liability II.B.2. Katarzyna Miaskowska-Daszkiwicz (PL): The oncological package – Polish idea of a fast oncological therapy – assessment of implementation II.B.3. Dean Harris (US): The effects of age on the standard of care: Rationing and cultural variation
17:15 – 17:30	<b>Break</b>	
17:30 – 19:00	<b>Choosing wisely – challenges in modern medicine</b> <b>Herbert Tilg (AT)</b> Professor, Director, Department of Internal Medicine I, Medical University, Innsbruck <b>Commentator: Andre den Exter (NL)</b> Jean Monnet Chair EU Health Law, Erasmus University Rotterdam	

<b>time</b>	<b>Tuesday, September 27</b>	
09:00 – 10:00	<b>Access to healthcare for migrants in the Nordic countries</b> <b>Karl Solveig (NO)</b> Professor of Health Law, Faculty of Law, University of Bergen <b>Commentator: Barbara Sperner-Unterweger (AT)</b> Professor, Deputy Director of the Department of Psychiatry and Psychotherapy, Medical University, Innsbruck	
10:00 – 10:30	<b>Coffee Break (3rd Floor)</b>	
10:30 – 12:00 (90 min)	<b>Participant presentations – Session III A</b> <b>Migration and health</b> <b>Chair: Bela Gebrewold (AT)</b> III.A.1. Tomislav Sokol (HR): Standard of care, health insurance and European Union? A path towards harmonisation? III.A.2. Elisa Rossetti (IT): The access to healthcare for asylum seekers in Italy: Disparities between legislation and practice III.A.3. Rachid Khaldoun (MA): Do migrants with short term asylum have access to innovative healthcare after returning to their home countries? III.A.4. Tomasz Sroka (PL): The impact of standardization of procedures in medicine on limits of physicians' liability	<b>Participant presentations – Session III B</b> <b>New technologies and healthcare</b> <b>Chair: Martina Überall (AT)</b> III.B.1. Vera Raposo (CN): Does cybermedicine require a new and specific standard of care? III.B.2. Juan Ignacio Ochagavía (ES): mHealth: A new challenge for health systems III.B.3. Matthias Pirs (AT): Citizen participation in new health technologies – Europe's legal perspective on the standard of care III.B.4. Róise Connolly (UK): Health and human rights – Is access to diagnostic technology the next frontier?
12:00 – 12:30 (30 min)	<b>Poster presentations</b> <b>Chair: Organizing Committee</b> P.1. Stefan Oberbichler (AT): Covering changing needs in long term medical data collection – Preliminary results? P.2. Estrada Milagros (ES): Doctors as patients – Fostering a change in health behaviours P.3. Alessandra Pentone (IT): An apple a day keeps the patient away: When autonomous therapeutic choices result in danger for healthcare professionals P.4. Melodi Kosaner Kliess (AT): Health technology assessment (HTA) for better resource utilization: An example of implantable medical devices P.5. Nikola Komlenac (AT): The negative association between the adherence to masculine norms and medical or psychological help-seeking behaviour: A review on the literature about homosexual men P.6. Michelle Falkenbach, Anna-Sophia Bilgeri (AT): Undo Mentalis: A concept reducing the stigmatization associated with mental health P.7. Gloria Tauber (AT): Violence in LGBT relationships – Discussion in the medical curriculum? P.8. Mahmoud Salama (AT): Global cross-border reproductive care: More questions and less answers P.9. Helena Krejčíková (CZ): (Mal)functioning Interconnection between the systems of healthcare and social services in the Czech Republic P.10. Theodoros Trokanas (CY): Standards of care and medical malpractice in modern Cypriot case-law P.11. Belén Trigo García (ES): Cosmetic procedures, informed consent and standard of care	
12:30 – 13:30	<b>Lunch (4th Floor)</b>	

<b>time</b>	<b>Tuesday, September 27</b>		
13:30 – 15:00 (90 min)	<b>Participant presentations – Session IV A</b> <b>Human reproduction I</b> <b>Chair: Magdalena Flatscher-Thöni (AT)</b> IV.A.1. Joaquín Cayón-De las Cuevas (ES): The national margin of appreciation regarding reproductive care: Should it be narrowed in order to ensure a minimum standard for medically-assisted reproduction? IV.A.2. Dobrochna Maria Bach-Golecka (PL): Abortion and the standard of care in reproductive care IV.A.3. Domenico Rosani (IT): The right to know one's origins as a common standard	<b>Participant presentations – Session IV B</b> <b>Access to healthcare</b> <b>Chair: Siegfried Walch (AT)</b> IV.B.1. Silvia Angerer (AT): The influence of socioeconomic status on physicians' appointment waiting time: Evidence from an exploratory field experiment in Austria IV.B.2. Dominik Matt (IT): Success factors of implementing lean principles to healthcare delivery processes? A case based research IV.B.3. Grzegorz Glanowski (PL): Physician's due diligence and medical standards in Polish jurisprudence IV.B.4. Anna Katarzyna Jacek (PL): Does Poland provide its citizens treatment?	<b>Participant presentations – Session IV C</b> <b>Decisions and health</b> <b>Chair: Caroline Voithofer (AT)</b> IV.C.1. Gustavo Merino Gómez (ES): Measures against vaccination rejection IV.C.2. Simone Schumann (AT): Involving citizens in conceptualizing the genetics clinic of the future IV.C.3. Brigitte Gschmeidler (AT): Challenges of genetic counselling: A survey among Austrian health professionals IV.C.4. Michael Urban (AT): Access to hearing aids and implantable devices in Europe
15:00 – 15:30	<b>Coffee Break (3rd Floor)</b>		
15:30 – 17:00 (90 min)	<b>Participant presentations – Session V A</b> <b>Human reproduction II</b> <b>Chair: Gabriele Werner-Felmayer (AT)</b> V.A.1. Alexander Schuster (IT): Cross-border surrogacy and ART services in the context of the EU: Economic freedoms and human rights V.A.2. Teresa Hofstätter (AT): Ethical implications of international surrogacy arrangements V.A.3. Antonios Tsalidis (GR): Reforming surrogacy laws in Europe as a prerequisite for improvement of the current standards of reproductive care V.A.4. Mariia Gonchar (CH): The principle of the best interests of the child in cross-border surrogacy	<b>Participant presentations – Session V B</b> <b>Ageing societies</b> <b>Chair: Michael Ganner (AT)</b> V.B.1. Patrick D'Haese (AT): What role can innovative medical technologies play in active-ageing and creating sustainable healthcare systems? V.B.2. Nertila Podgorica (AT): Ethical and legal issues in geriatric care? A systematic literature review V.B.3. Stefan Dinges (AT): Using ethics consultation in long-term care facilities V.B.4. Silvia Prosser (AT): Elder care in Austria – A gender perspective V.B.5. Anne-Marie Duguet, Daniela Galea, Pierre Mallia (FR): End of life and palliative care: Differences in healthcare laws and strategies in Europe	<b>Participant presentations – Session V C</b> <b>Cross-border healthcare and implementation</b> <b>Chair: Verena Stühlinger (AT)</b> V.C.1. Zuzana Nordeng (NO): Moving towards convergence? The implementation of EU rules on cross-border care in Germany and Norway V.C.2. Lucia Busatta (IT): Standard of care for patients with rare diseases in Europe V.C.3. Monica Cappelletti (IT): European cross-border healthcare mobility: Italian case-study V.C.4. Robert Gradischnig (AT): Standard of care and the implementation of the cross-border healthcare directive (2011/24/EU - CBHD): The Austrian perspective
17:00 – 17:15	Conference closing + summary by Organizing Committee		