

The Belgian coalition stresses the importance of eHealth

Michel government formulates three priority areas for eHealth

On 21 August 2008 Belgium adopted the law on the creation and organisation of the eHealth Platform. The Platform was conceived as a public institution with the objective of exchanging electronic services and information between all stakeholders in the healthcare field. The eHealth Platform was designed to provide safeguards in terms of data security and patient privacy and the quality and continuity of healthcare services, as well as patient safety. At the same time, the eHealth Platform was also expected to promote the simplification of administrative formalities and support the government's healthcare policy.

However, the creation of a Platform did not prove sufficient to adequately respond to the growing need in the healthcare area for exchanging patient data electronically among care providers and other stakeholders at different levels. In December 2012, a group of stakeholders therefore proposed an eHealth Action Plan, which was approved by the federal and regional ministers competent for healthcare policy in April 2013. The Plan sets out concrete objectives that the Belgian and regional governments as well as the different stakeholders intend to pursue between 2013 and 2018. The objectives are aimed at stimulating the electronic exchange of data from patient files in the areas of healthcare and health insurance. Through this exchange - with the consent of patients and subject to strict adherence to privacy and data protection rules - it is expected that the quality of healthcare services in Belgium will significantly improve and the administrative burdens for patients, healthcare providers and health insurance organisations will be eased.

The government's plans to boost eHealth

The new federal government (led by Prime Minister Charles Michel) immediately stressed the importance of eHealth when it came to power in the fall of 2014. The coalition agreement of 9 October 2014 includes a commitment to address - and ultimately remove - all regulatory hurdles to a patient-oriented collaboration between healthcare providers. To make this possible, an obligation to keep electronic patient files at all levels of care will be introduced before the end of the government's term. Also, a high-performance ICT system will be set up that guarantees easy access to patient files by all stakeholders in the healthcare field, access that is restricted to the data that is relevant to them. Last but not least, the new government will further develop existing eHealth tools in order to alleviate the administrative tasks of care providers, improve the exchange of information between them, and avoid unnecessary medical tests. The new government intends to build a centralised healthcare information system to offer better communication between healthcare providers and increase transparency *vis-à-vis* patients. In this context, the eHealth Action Plan 2013-2018 will be transformed into a collaboration agreement between the federal and regional governments, to be implemented by the

end of 2018. To support healthcare providers implementing eHealth-based services, the existing financial incentives for modernising their ICT systems will be evaluated and possibly adjusted. The new government will also develop a legal basis for disclosing and sharing aggregated and anonymised data for the purposes of public and private research, which would presumably supplement the existing regime for research activities under Belgian data protection law.

Building on these objectives, the policy note for healthcare published by the Michel government on 25 November 2014 formulates three priority areas:

- The (online) exchange of healthcare data needs to be improved. With that aim, the eHealth Action Plan 2013-2018 will be evaluated in the course of 2015. Going forward, medical documents (e.g., lab results) should be exchanged via secured online networks, and only care providers involved in treating a patient should be able to access that patient's documents.
- The use of electronic prescriptions for medication will be broadened, and the exchange of medico-pharmaceutical information will be organised via the eHealth Platform.
- Transparency to patients will be increased by introducing a patient invoice that provides an overview of all care and treatments received, as well as the associated costs. Patients will be encouraged to consent to the electronic exchange of their data among the relevant healthcare providers. It is reported that currently approximately 5% of patients have consented to the electronic exchange of their data; the new government would like this increased to approximately 20% by December 2015.

Cross-border eHealth, data protection, and mHealth?

The Michel government's plans to further develop eHealth tools and services include a number of gaps that ultimately need to be addressed. For example, as the European eHealth Network recently pointed out, there is an increasing need for exchanging medical data across borders and so far this has not been a focal point of the new government's healthcare policy. There are also important data protection questions in connection with so-called 'secondary use' of patient data and 'big data' analytics that require careful consideration in light of the recent guidance on this topic issued by the data protection authorities. Specific eHealth data protection guidelines or best practices would probably be welcomed by all who make use of eHealth data. Finally, there are growing concerns around mHealth and the risks that health apps for mobile devices raise from a data security perspective. Since data collected through mHealth applications is likely to be integrated into electronic patient files, the new government cannot be impervious to mHealth issues.

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