

// BRUSSELS OFFICE UPDATE

CED BOARD TASK FORCE INTERNAL MARKET

NOVEMBER 2018 GENERAL MEETING

Last BTF IM Meeting: 20 September 2018

Corporate Dentistry

- Corporate dentistry and the investors' approach has been identified as an issue in a number of CED member countries. The BTF has therefore decided to prepare a CED Resolution on Corporate Dentistry that will be presented to the delegates at the November 2018 GM.
- In addition to the resolution, delegates will also receive an annex of case studies that details the malpractice of chains in a few countries. This document is not a public document but is intended for lobbying efforts and can therefore be updated continuously. Please feel free to share your case studies with us if you think they should be included in this document.
- A survey has been sent to CED members in August and the summary is available as part of the GM documents.

Advertising

- The Commission is currently mapping the existing restrictions on advertising for healthcare professionals across the European Union. Even though this is for now an informal exercise, it could lead to infringement procedures further down the line.
- The starting point for their research was that they received a number of complaints in recent years regarding advertising restrictions for doctors, dentists and pharmacists. The complaint relating to dentists was in fact resolved through the European Court of Justice's Vanderborght ruling.
- Their research now is to understand if there is a systemic issue of advertising restrictions across Europe or if it is only specific rules in a minority of countries. If this is only an issue for some countries, it should be dealt with by the national courts, leaning on the ECJ precedence.
- During a meeting on 16 July between the Commission and CED/CPME/PGEU, the Commission inquired if we can provide them with further information on the legal basis for the advertising laws in all EU countries and specifically about the developments in Spain.
- A survey was sent out to the CED members to have more information. The information was collated together with the already existing information from the EU manual.

Commission Study on ‘Behavioural economic analysis of professionals’ incentives in health professions’

- The Commission has [published a tender](#) for a study titled « Behavioural economic analysis of professionals’ incentives in health professions and in business services professions ».
- The deadline for the tender is 24 September 2018. A final report has to be handed in within 12 months after signing the contract and the financial proposal may not exceed 135.000 Euros.
- The study will be separated in two lots, one focusing on health professions and the other on business services professions.
- According to the Commission, this analysis should shed more light on whether and to what extent professional regulation contributes to health professionals’ motivation and likelihood to provide services of a higher quality and to act in the interest of society at large.
- The study is expected to investigate the impact of professional regulation on professionals’ incentives as well as to identify complementarities and/or substitution effects with other relevant intrinsic and extrinsic factors. The study should present policy conclusions, addressing how the findings can be used to foster high quality service provision and ensure the desired public policy outcomes without imposing unnecessary restrictions.
- They expect the contractor to focus on two professions that fulfil the following criteria:
 - a) highly-skilled professionals traditionally enjoying a high degree of independence;
 - b) a profession where the asymmetry of information between the service provider and the user is significant;
 - c) a profession whose members traditionally emphasize public interest orientation as crucial.
- The regulations to be scrutinised include entry restrictions (licensing, reserved activities, title protection) and conduct restrictions (shareholding restrictions, restrictions on corporate form/type of entity, multi-disciplinary/joint practice restrictions, incompatibilities of activities).

Day of Liberal Professions

- The ‘Day of Liberal Professions’ is organised by the European Economic and Social Committee and will take place on 27 November 2019 in Brussels. The title of the conference is ‘Sustainable Transformation of Professional Features’.
- The agenda includes a panel discussion on “Restrictions of equity participation: No longer required or more necessary than ever? Investor interests versus professional requirements” and the issue of corporate dentistry will be raised during that panel.

Future of Health

- CED together with PGEU and CPME decided to postpone a possible European Parliament event on the issue of the new EU budget (Multiannual Financial Framework). This was due to a lack of support from MEPs and a shift in EU policy towards the matter.
- The Commission shifted the funding for the health programme to the European Social Fund Plus (ESF+) which covers a wide range of social programmes.

Standards - CEN

- The CEN Technical Board disbanded the CEN Healthcare Services Focus Group in June 2018.
- CEN continues to work on the standard for patient involvement in person-centred care and has included a case study on dentistry.

Brexit

- The CED co-signed a letter sent to UK Brexit Minister Raab and Commission chief negotiator Barnier to call for the mutual recognition of professional qualifications when the UK leaves the EU.
