

ABSTRACT

'The European Patient and National Public Policy'

Dr. Jacobien Rutgers

VU University Amsterdam

Within the European Union, a patient can have treatment in another Member State than where he lives. Directive 2011/24/EU on the application of patients' rights in the case of cross-border health-care is established to facilitate the access to cross-border health care. This Directive neither deals with issues of private law elaborately nor with issues of private international law in case something goes wrong during treatment. This paper focuses on the question whether this Directive includes a specific conflict rule with respect to medical liability and to what extent a Member State may apply its own law concerning medical liability insofar as it is considered a *loi de police*.