



European Association of E-Pharmacies

ENHANCING CROSS-BORDER HEALTHCARE THROUGH DIGITAL SOLUTIONS

**Position paper on the European Parliament's legislative
initiative procedure 2025/2206(INL) on modernised
rules for patients' rights in cross-border healthcare**

The European Association of E-Pharmacies (EAEP) welcomes the European Parliament's legislative initiative 2025/2206(INL) to modernise patients' rights in cross-border healthcare. The EAEP calls on the European Parliament to integrate digital tools as a cornerstone of this report, given their **contribution in streamlining access, enhancing availability, and reducing administrative friction across Member States.**

We recommend the INL report to include the following:

- ✦ **Legal recognition of telepharmacy** with a clear definition to ensure consistent cross-border application.
- ✦ **Safe, pharmacist-led cross-border e-dispensing** enabled via MyHealth@EU and EHDS, grounded in valid e-prescriptions, secure authentication, and professional oversight.
- ✦ **Non-discriminatory reimbursement principles** ensuring patients are not financially disadvantaged when equivalent pharmaceutical care is delivered remotely, while fully respecting national competences on healthcare financing.
- ✦ **Update the Mutual Recognition of Professional Qualifications rules to support digital pharmacy roles**, in order to ensure workforce flexibility while maintaining rigorous safety standards.

Embedding these measures, alongside robust safety and data safeguards, will close implementation gaps, reduce administrative friction, and deliver on the Directive's original promise.

The EU's cross-border healthcare framework stands at a critical juncture. Despite the foundational promise of Directive 2011/24/EU, patients face fragmented administrative procedures, uneven reimbursement landscapes, and persistent barriers **to timely, equitable healthcare across borders**. In light of the current shortcomings of the directive, the European Association of E-Pharmacies (EAEP) is calling for the recognition of **regulated, secure, and traceable digital care that upholds patient safety** while providing enhanced accessibility to healthcare for patients across Europe.

As flagged by the European Commission's report on the operation of Directive 2011/24/EU (2022)¹ and the European Court of Auditors' (ECA) Special Report 07/2019,² **supporting patient access to healthcare through digital solutions remains pivotal in bridging the gap between the legal framework's intent and real-world patient experience**, helping guarantee the full extent of healthcare patients are entitled to.

Current Implementation Gaps

The European Commission's Supporting Study on the application of Directive 2011/24/EU (2022)³ and the ECA's Special Report 07/2019 confirm that the **Directive's impact remains restricted due to several unresolved barriers:**

- ✚ **Fragmented standards:** the absence of common definitions and guiding principles has led to inconsistent national application of digital tools, leaving telemedicine legally undetermined.
- ✚ **Unclear reimbursement for digital care:** as the Supporting Study (2022) notes, a critical gap remains on the "way in which Member States apply the provisions of the Directive in relation to the reimbursement of telemedicine services". This ambiguity actively deters patient uptake of these digital solutions such as telemedicine and telepharmacy due to financial uncertainty.
- ✚ **Cross-border prescription challenges:** verification, language, and authenticity hurdles persist, compounded by the EU's reliance on a fragmented, voluntary eHealth infrastructure rollout.
- ✚ **Disproportionately complex administrative procedures:** administrative burdens represent a significant cost for patients who face unnecessary hurdles in accessing treatment abroad.

Impact & Benefits of Digital Tools and Telepharmacy

Implementing the EAEP's policy recommendations would significantly enhance the effectiveness of Directive 2011/24/EU by enabling a more patient-centred, digitally integrated model of cross-border healthcare:

- Rural and remote access:** telepharmacy enables patients to consult pharmacists and receive professional guidance regardless of their location, reducing disparities in access to care, particularly for patients in remote, rural, or underserved regions where access gaps are most acute. Additionally, by complementing physical pharmacy services telepharmacy ensures continuity of care beyond national borders without requiring patient mobility.
- Patient safety:** by supporting interoperable e-prescriptions and integrating e-pharmacies into EU digital health infrastructure, medicines can be dispensed across borders in a secure and traceable manner. This reduces delays in treatment, improves adherence, and ensures that patients can reliably access prescribed therapies when travelling or residing in another Member State.
- Continuity of care:** the use of shared digital infrastructure, including e-prescription services under MyHealth@EU and future EHDS frameworks, allows pharmacists to access relevant patient and prescription data across borders. This enhances patient safety, reduces the risk of errors, and supports continuity of care through greater cooperation between healthcare providers in different Member States.
- Administrative simplification:** harmonised rules and interoperable systems simplify verification, authentication, and reimbursement processes. This drastically reduces the administrative complexity currently associated with cross-border healthcare, lowering friction for both patients and providers and making it significantly easier for citizens to exercise their rights under Directive 2011/24/EU.
- Resilience and workforce shortages:** by enabling digital and hybrid models of pharmaceutical care, including remote consultations and cross-border dispensing, telepharmacy strengthens the resilience of healthcare systems. It ensures continuity of care during crises, supports workforce flexibility, and contributes to a more integrated European health ecosystem, ensuring a future-proof healthcare system.

EAEP Policy Recommendations

To fully integrate digital tools into the EU cross-border healthcare framework, the EAEP calls for an **overarching revision of Directive 2011/24/EU** through four targeted measures:

✦ **Ensure legal harmonisation and equal treatment for telepharmacy**

While telepharmacy uptake has grown significantly, key patient groups in remote or underserved areas, particularly those in rural regions, remain disadvantaged by fragmented national rules. The EAEP proposes establishing a level playing field by adopting a common legal definition and clear regulatory parameters to allow the natural scaling of telepharmacy across borders:

***Suggested definition of telepharmacy:** a service that includes location-independent communication between authorised pharmacy staff and patients as well as interprofessional consultations with other healthcare professionals within the scope of pharmaceutical activities. Communication takes place by means of electronic media, in particular telephone or video, synchronously or asynchronously. The applicable data protection regulations must be complied with.⁴*

✦ **Enabling the safe cross-border e-dispensing through the existing EU digital health infrastructure**

To unlock the full potential of digital health and improve continuity of care for all EU patients, Member States should build on existing infrastructure, such as e-prescriptions, MyHealth@EU, and the broader European Health Data Space (EHDS), to ultimately enable the secure cross-border dispensing of prescription-only medicines via pharmacies. The EU should encourage Member States to harmonise rules on access to prescription medicines online, based on the EU infrastructure for the cross-border sharing of e-prescriptions and coupled with professional oversight, through interoperable standards for authentication, data sharing, and pharmacovigilance to ensure patient safety and privacy. Enabling these capabilities within the MyHealth@EU and EHDS frameworks will promote trust, traceability, and a more resilient European health system.

✦ **Ensure reimbursement parity for equivalent digital health services**

Significant variance in national reimbursement rules creates obstacles for patients accessing treatment. Effective implementation of the Directive is hindered by a lack of clear rules for reimbursing digital pharmaceutical care, including telepharmacy consultations, along with the absence of a framework to ensure parity between remote and in-person access to medications. The EAEP calls on the European Parliament to clarify that the Directive's principles apply equally to digital and in-person pharmaceutical services, subject to national competences on reimbursement and healthcare organisation.

✦ **Assess whether the Mutual Recognition of Professional Qualifications rules support digital pharmacy roles**

As pharmacists' responsibilities evolve - from medication experts to digital health navigators - the Mutual Recognition of Professional Qualifications Directive (Directive 2005/36/EC) needs a comprehensive assessment to see if current recognition of professional qualifications accommodates remote and hybrid practice models. Modern legal frameworks currently do not explicitly allow home office and hybrid arrangements, restricting pharmacy employee's flexibility and making pharmacies less attractive employers. With the right rules in place, brick-and-mortar and online services could complement one another and jointly underpin a resilient pharmaceutical supply system.

References

1. European Commission (2022), "Report on the operation of Directive 2011/24/EU"
2. European Court of Auditors (2019) "Special Report No 07/2019: EU actions for cross-border healthcare"
3. European Commission (2022), "Supporting Study for the Report on the operation of Directive 2011/24/EU"
4. Consultations can also be carried out by appropriately authorised pharmacy staff by means of telepharmacy via a state-of-the-art end-to-end encrypted, synchronous real-time video connection without switching advertisements

Safety First: How E-Pharmacies Protect Patients

- ✚ Every e-pharmacy is tied to a physical, inspected pharmacy registered with national health authorities and displaying the EU Common Logo.
- ✚ Every prescription medicine order is checked by a licensed pharmacist before being dispensed.
- ✚ Medicines are handled according to the Falsified Medicines Directive (FMD), ensuring full traceability and product authenticity.
- ✚ The medicines offered by e-pharmacies are the exact same as those offered in brick-and-mortar pharmacies. There are no differences.
- ✚ E-pharmacies operate secure, GDPR-compliant platforms that protect patient data and confidentiality.

Conclusion

Further **modernisation of the cross-border healthcare framework is essential** to safeguard the enhanced patient access and continuity of care promised by **Directive 2011/24/EU**. As highlighted by recent EU institutional evaluations and broad stakeholder feedback, fully embedding interoperable digital tools remains critical to the Directive's success. Timely integration of these recommendations will ensure the revised framework is future-proof, patient-centred, and digitally enabled.

The EAEP calls on policymakers to update outdated provisions to fully reflect digital and hybrid care models, thus directly addressing persistent fragmentation in reimbursement and the limited uptake of cross-border prescriptions.

The EAEP stands ready to work closely with EU institutions and Member States to accelerate digital health integration and ensure that the revised cross-border healthcare framework delivers on its original promise of safe, equitable, and high-quality care for all European citizens.

About the EAEP:

The **European Association of E-Pharmacies (EAEP)**  represents the interests of e-pharmacies on the European continent. The EAEP voices its interests mainly with political stakeholders, regional and business actors, with the ultimate aim to improve the health of Europe's citizens and strengthen the European healthcare system. E-pharmacies have digitalised the classical pharmacy, and therefore act at the crossroads of digitalisation, healthcare, e-commerce and sustainability. As pioneers in providing digital solutions and our innovative and secure processes in dealing with health data, offering medicinal products and digital healthcare service while complying with national and EU law, the EAEP members continuously seek for ways to enhance the quality, safety and efficiency of healthcare for Europeans.

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