



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Resource management and better regulation

SANTE.A.1/RMR

Only by email to: ask+request-
7808-ad7c6845@asktheeu.org

Subject: Reply to request for information – EU policies on medical negligence

Dear Mr De,

We refer to your email sent on 23 March 2020 and registered on 26 March 2020 under the reference number “Ares(2020)1782594”.

In your email you request information on the “policy which enables the EC to offer guidance in matters of medical negligence”. You qualify your request as an access to documents request.

However, please note that your request is treated as a request for information in accordance to the Code of Good Administrative Behaviour¹, as in your request you do not make any reference to specific documents.

Information request

After an internal consultation with the relevant Directorates-General, we regret to inform you that we have not identified any specific EU policy or initiatives on medical negligence.

DG SANTE deals with policies on patients’ rights. In 2015, a [mapping exercise](https://ec.europa.eu/info/about-european-commission/service-standards-and-principles/ethics-and-good-administration/good-administration/code-good-administrative-behaviour-and-complaints_en)² of patients’ rights linked to the Cross-border Healthcare Directive was carried out. Financed by the Health Programme, an updated [manual for EU patients’ rights](https://ec.europa.eu/health/sites/health/files/cross_border_care/docs/2018_mapping_patientsrights_frep_en.pdf)³ has been recently published. In these two documents, you may find useful information linked to your request for information.

In case you want to submit a request for specific documents, you are invited to submit a new request indicating your full postal address. In order to enable us to identify the

¹ https://ec.europa.eu/info/about-european-commission/service-standards-and-principles/ethics-and-good-administration/good-administration/code-good-administrative-behaviour-and-complaints_en

² https://ec.europa.eu/health/sites/health/files/cross_border_care/docs/2018_mapping_patientsrights_frep_en.pdf

³ https://ec.europa.eu/health/sites/health/files/cross_border_care/docs/2019_ncptoolbox_manualpatients_en.pdf

concrete documents you seek to obtain, please provide us with a clear description and a detailed information on those documents, such as references, dates or periods during which the documents would have been produced.

You may, of course, use the following electronic form for entering your request:

<http://ec.europa.eu/transparency/regdoc/index.cfm?fuseaction=fmb&language=en>

Yours sincerely,

Carmen GARAU
Head of Unit