



Feedback from ESMO - Evaluation of the EU Regulation on serious cross-border threats to health

Representing more than 35,000 oncology professionals from 172 countries, the European Society for Medical Oncology (ESMO) welcomes the evaluation of the European Union's (EU) Regulation on serious cross-border threats to health. Cross-border health emergencies - such as the COVID-19 pandemic - can severely impact care provided to patients with cancer, who are predominantly treated at **secondary and tertiary care levels**. Disruptions to treatment and care at these levels can have a heavy impact on patient survival, and therefore these levels of care should be strengthened for health emergencies and pandemics.

Recital 24 of the Regulation states: "The COVID-19 pandemic has highlighted that major diseases can put severe pressure on the capacities of healthcare systems, with a negative impact, for example, on the provision of healthcare for patients with other communicable or non-communicable diseases, such as the continuity of healthcare, delay of or **interruption to treatment for cancer patients and survivors** and people with mental health issues. The impact of serious cross-border threats to health may thus pose further challenges in ensuring a high level of human health protection. While respecting the responsibilities of Member States for the definition of their health policy and for the organisation and delivery of health services and medical care, **it is important to consider the impact of public health emergencies on the provision of healthcare services for other diseases and conditions, in order to safeguard the detection and treatment of other serious diseases and minimise delays or interruptions to such detection and treatment. Hence, the impact an important outbreak of a communicable disease, which absorbs an important part of health system capacities, can have on the continuity of healthcare and on the prevention and treatment of non-communicable diseases and comorbidities needs to be considered.**"

ESMO fully concurs with the recital and considers it crucial that the Regulation's Article 5 'Union prevention, preparedness and response plan', paragraph (j) takes this into consideration and specifies the different levels of care **[in bold]**:

"support to Member States for the monitoring of the impact of a serious cross-border threat to health on the provision and continuity of healthcare services **at primary, secondary and tertiary care levels**, including for other diseases and conditions during health emergencies."

In addition to the above, ESMO considers it important that the following is taken into account in the evaluation:

- 1. Receiving treatment in another EU Member State can be life-saving for patients with cancer in certain situations. EU response actions during public health emergencies should as such **not disrupt healthcare provided to patients with cancer in cross-border settings** and the rights provided to patients under the Cross-Border Healthcare Directive ([2011/24/EU](#)) should be maintained;
- 2. Sustainable cancer care services must be integrated into **preparedness and response planning for both health emergencies and pandemics**, to ensure:



- Adequate, continued, and timely access to cancer and palliative care services and medicines;
- The continuance of existing clinical trials, avoiding competition with resources required for health emergencies;
- The development of ethical and methodological decision-making guidelines, especially for situations where resources must be re-allocated or are in shortage; and
- Support to healthcare workforce wellbeing.

ESMO stands ready to collaborate with the EU institutions to improve the serious cross-border health threats Regulation and offers to mobilise its expert groups and network of medical oncologists to support the design of policies to protect patients with cancer during health emergencies.

For further information, please contact: publicpolicy@esmo.org