

GDPR & eHealth

*An eye on developers*

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# Not only Covid-19

1. Regulatory tensions
2. Challenges for developers
3. Upcoming solutions...?
4. Risks and opportunities



## KEY TENSIONS

Data vs health rules: Covid-19 made it visible

- **Trust:** public health and/or privacy?
  - **Geography:** global need, local reach...
  - **Objectives:** health or competition?
  - **People:** citizens, patients, doctors...
- *Developers sit at the intersection of all this*

*“Code is Law”*

Prof. Lawrence Lessig,  
Harvard Law School

## Developers face challenges too

- Compliance (GDPR and beyond)
- Ensure uptake in diverse markets
- Public health + data objectives
- Innovation & competitiveness

# UPCOMING SOLUTIONS...?

## Guidelines for Covid-19 give a hint to what we might expect

- Focus remain on the individual and on the Member States (GDPR)
- Privacy rights first, public health with the burden of proof.

## European Health Data Space

- Sector specific measures to adapt common data space to health
- More citizen's access and less barriers to cross-border eHealth
- Code of conduct on processing personal data for health
- Infrastructures via EHRs + Exchange Format for their interoperability
- eHSDI and ERN registries
- Big data projects



## EU adds value – let's use it

- ✓ EU cannot shape healthcare delivery
  - ✓ Other EU competences can lead the way
  - ✓ EU Fast Healthcare Interoperability Resources
  - ✓ EU toolbox / environment for developers
- *Developers will gain from more EU in this field*

*“Never let a good crisis go to waste”*

Winston Churchill, as he was working on creating the UN after World War II

## RISKS & OPPORTUNITIES

Mirroring fragmentation of data  
Falling behind competition  
Losing the “post-Covid” moment

Engaging early in wide cooperation  
Ensuring first high-standard eHealth  
Harness digital EU for (public) health

# THANKS!

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