

# Pharmacological and Toxicological Studies

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## EHealth in the EU: An ongoing process towards a better protection of health

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Defined as early as 2004 as the use of information and communication technologies (ICT) in health care products, services and processes to improve the health of citizens, eHealth has gradually established itself in the countries of the European Union as a new paradigm of health care organization capable of ensuring at the same time quality of care, efficient management of new population health needs, resilience of health care systems, scientific research and finally the strengthening of the European integration process through the enhancement of cross-border health care. From a legal point of view, eHealth tools already partially in use such as Telemedicine, Electronic Health Records, Electronic Personal Records, ePrescriptions and Digital Therapeutics need common regulation to support secure and interoperable systems for the exchange of patient data. However, according to the Treaties, the Union has limited powers in the area of health protection, and the organization of health care is a formally exclusive responsibility of the member states, which moreover have different levels of legislative and decision-making devolution and different health care systems within them: according to the Italian Constitution, the management and organization of health services is a competence of the regions, so each of them has deployed digital in health care differently.

This has led to a particularly fragmented and ineffective digitization process, against which Covid19 has brought about a reversal. At the supranational level, a European health eGovernance is emerging, supported by recent pivotal initiatives such as the Proposal for a Regulation on European Health Data Space (COM(2022) 197 final), which allows patients control over their data and deals with fostering the interoperability of health data thus optimizing the functioning of existing and underperforming electronic health records and telemedicine systems; as well as the recent Regulation on Health Technology Assessment (Regulation (EU) 2021/2282), which strengthens cooperation

between member states indirectly reinforcing the EU's influence on the functioning of national health systems. An additional source of support is the huge and extraordinary funding of the Next GenerationEU program, mainly conveyed through the Recovery and Resilience Facility (Regulation (EU) 2021/241), which makes the disbursement of resources to states conditional on national structural reforms in the field of health, expressing a significant impact on the distribution of competences, even in the absence of any formal amendment of the founding Treaties, as shown by Italy's National Recovery and Resilience Plan containing the planning for reform and spending of European funds.

### Recent Publications

1. Tuzii, Jennifer Healthcare information technology in Italy, critiques and suggestions for European digitalization Pharmaceuticals Policy and Law, vol. 19, no. 3-4, pp. 161-176, 2017
2. Jennifer Tuzii Digitizing health data for public health protection in the context of European and international coordination International Journal of Risk & Safety in Medicine 33 (2022) 157–166.

### Biography

Jennifer Tuzii was born on March 18, 1993. In July 2017, she graduated in Law at the University of Bologna with a Health Law thesis on the digital management of patients' health information in the Italian health care system and in March 2019, she received a master's degree in Health Law and Administration at the University of Bologna. In November 2019, she entered the doctoral program in European Law at the Department of Legal Sciences of the University of Bologna and in October 2020, she passed the Italian bar exam and qualified as a lawyer. She is currently attending the last year of her PhD and is writing a thesis on the digitalization process of European health care systems at the intersection of fundamental rights, market and national prerogatives, within the framework of an emerging European health governance that, facing the international dimension of global health emergencies, implies substantial changes in the relationship between the Union and the Member States towards an increasingly supranational and coordinated management of health and public health. In addition, she holds digital health teaching modules in the Master of Forensic Nursing and the Master of Nursing in Primary Care and Public Health.

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