The EC's plans to stimulate Europe's high-tech industries

The EC's plans and how they relate to eHealth

In late April 2016, the European Commission ('EC') announced a new plan to stimulate the development of Europe's high tech industries[1]. It hopes to help boost industry revenues by an estimated €110 billion a year, across a range of sectors including eHealth.

New investments

Despite headline claims that the plan will mobilise 'over €50 billion of investment over the next five years,' the EC expects much of it to come from national and private funding. It has however pledged €500 million for the development of digital innovation hubs, to give companies access to digital 'knowledge and testing facilities.' In doing so, it hopes to emulate the success of existing tech clusters in southern Germany and the French Alps.

A new 'European Open Science Cloud' ('EOSC')

The plan announced EOSC to serve as 'a virtual environment with free at the point of use, open and seamless services for storage, management, analysis and re-use of research data, across borders and scientific disciplines' for up to 1.7 million researchers and 70 million science and technology professionals across Europe.

At first, the EOSC will target universities and other higher education institutions, before gradually opening up to government and business users. It will initially leverage existing services and infrastructure from OpenAIRE, EUDAT, EGI, Indigo-DataCloud, HelixNebula, PRACE and GÉANT, to which the EC hopes to add a new world-class supercomputer by 2020.

New laws

The plan also suggests that new legislation might be in the pipeline. The EC referred to its 2015-2016 'free flow of data' work programme, as part of which it recently launched two studies of legal and policy restrictions on the movement of data across the EU. The EC will also examine the need for new laws or guidance around ownership, access and re-use of data, particularly in respect of sensor-generated data. If extended to eHealth, this could have a significant impact, given the sector's dependency on such data.

The plan expresses a related desire to consider whether apps and non-embedded software need to be subject to additional safety rules. eHealth is already subject to extensive safety and data protection rules - so the impact of new rules might be more acutely felt in other sectors.

Also relevant to eHealth, perhaps, could be the EC's announcement of an inquiry into the suitability of existing laws around autonomous systems. The EC is taking a particular interest in regulating liability for the 'acts' of autonomous agents, and finding the right legal conditions for large-scale field tests. Although the focus is on autonomous (self-driving) vehicles, this may result in spill-over regulation of other automated agents, including uses of artificial intelligence for healthcare.

Standards and kite-marks

As for the Internet of Things ('IoT'), the EC expressed an interest in developing a 'Trusted IoT' kite-marking scheme to help promote the security and privacy of internet-connected consumer devices.

The EC also announced its intention to step up its involvement in standards-setting. For the most part, the EC wants to set priorities and coordinate the work of European standard-setting bodies, rather than set standards itself. The EC took the opportunity to restate its support of the eHealth Network, which is currently focused on boosting cross-border exchange and interoperability of summary patient records and e-prescription data. Similar intentions form part of the EC's e-Government Action Plan (2016-2017), which was also mentioned, at a high level, in the recent announcement.

mHealth got a mention, albeit with little added detail: the EC restated its intention to "encourage actions to promote the security, safety and interoperability of mHealth apps, accelerate the deployment and scaling up of tele-medicine and tele-monitoring and support the development and adoption of international standards and terminologies" - especially those that are part of the 'European Reference Networks' of healthcare organisations and research centres being set up under the Cross-Border Patient Rights Directive (2011/24/EU).

Concluding remarks

The EC's 'Digitising Industry' plan is certainly far-reaching. An underlying theme seems to be a desire by the EC to have a 'coordinating' and integrative role for existing initiatives and efforts across Europe. It also seems keen to rely on other sources of funding, if possible, rather than allocating its own limited resources.

Although some legislative action may be in the offing, the plan offered initial hints, but nothing advanced. In light of the EU's historic reluctance to set rules that directly impact national health systems, it remains to be seen whether any measures that do emerge would significantly impact the eHealth sector. In any case, eHealth is already a heavily regulated field, so the EC will need to be cautious that its pursuit of clarity, harmonisation and safety does not simply introduce additional layers of complexity.

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1. https://ec.europa.eu/digital-single-market/en/digitising-european-industry