

Preface

European Health law is the result of a long-term collaboration project between legal scholars working at various European research institutions on health law. The ambitious aim of this project is writing a comprehensive volume on health law, exploring various aspects helping the reader to understand this relatively new branch of law, its underlying principles, key elements, current and future dilemmas. So far, such an extensive work was missing for European health lawyers.

Health law – as understood by the authors – reflects a so-called triangular relationship between the patient, health provider, and health financier. As such, this volume covers a wide range of topics focussing on patients' rights and duties, the role of health professionals, and health care financing and rationing, as well as public health and health related issues, such as occupational health and environmental health. As international and European human rights and trade law may influence different aspects of the organisation, provision and financing of health care, the international dimension of health law will be incorporated in various topics.

Starting with the principles of health law and related disciplines (part One), the book's structure follows the so-called social-individual rights dichotomy, e.g., health care access issues addressing the patient-financier and health professional-financier relationship (part Two), whereas the following part (part Three) covers the individual rights in health care. Although the focus is on the doctor-patient relationship in general, this part also explores the situation of a number of patient groups. A separate part explains the regulation of health professions and practice of healthcare, as well as the role of disciplinary rules in case of breach of professional ethics (part Four). Part five highlights the future of health law in Europe.

By explaining the concept of health law, each chapter addresses a separate aspect of health law from a European perspective, explaining the relevant legal context, analysing the main legal issues, and the relevant case law from different legal systems and judicial fora. The examples mentioned illustrate the main legal issues concerning the selected topic but, by no means, pretend to be comprehensive.

Despite its ambitious aim, there are existing and emerging topics which have not been covered by this book, such as confidentiality, expanding the category of vulnerable groups with e.g., refugees, the relationship between health ethics and law, new reproductive technologies and human enhancement. Without doubt, technological and societal developments may require updates, adjustment or changes in successive

editions, making this volume a dynamic “living” document that addresses key areas in European health law.

Exploring health from a European perspective, the book is written by lawyers for lawyers working in the field of health law. As the discipline of health law is increasingly being incorporated in Law School curricula, this book is also aiming at law students and other persons interested in this relatively new branch of law.

Finishing this four-year project, the editor would like to thank the authors for their contribution, patience, and apologize for “bullying” on keeping deadlines and critical requests. Some special words of appreciation for our research assistants Astrid van der Wal and Toby Hollen, for their valuable support during the editing process.

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