



UPPSALA
UNIVERSITET

Invitation to a

Higher Seminar in EU Law with

Dr. Mary Guy

on

**Locating solidarity in European healthcare: insights from the EU free
movement and citizenship rules**

Tuesday April 29, 2025, at 10:15–12:00
Room 1:234, Munken 1 (Trädgårdsgatan 20)

Please register by email no later than **12:00 CEST, April 25, 2025**, at
line.lundstrom@jur.uu.se.

The seminar will be followed by a lunch in 'Gula Rummet'. If you wish to
attend the lunch, kindly inform us of any dietary restrictions when
registering.

For further information, please see below.

We look forward to welcoming you!

Santa Slokenberga and the EU Law Research Group

About the speaker

Dr Mary Guy is Senior Lecturer in EU and Public Law at Liverpool John Moores University (LJMU), co-coordinator of the interdisciplinary EU Health Governance UACES Research Network, and UK National Contact Point for the European Association of Health Law. Her first monograph, *Competition Policy in Healthcare - Frontiers in Insurance-Based and Taxation-Funded Systems* (Intersentia 2019) examined competition reforms in Dutch and English healthcare. This has led to her being invited to present at the Dutch Council of State, and advise the Belgian Competition Authority on hospital mergers, and to her evidence being cited by the Senedd Health and Social Care Committee. Dr Guy's latest work includes an article on solidarity as a political determinant of health in the US *Journal of Health Politics, Policy and Law*, and her second monograph, *Solidarity in European Healthcare*, is under contract with Edward Elgar. More information about Dr Guy's research is available at www.maryguy.com.

Abstract

Healthcare access may be seen as a dimension of wider questions of welfare system change. The elusive concept of solidarity plays a key role in both. Defining “solidarity” is no easy task, but insights can be gained from approaches underpinning the institutionalization of healthcare systems at a national level, and transnational solidarity potentially emerging at an EU level.

This paper examines EU rules relating to patient mobility, citizenship, and insurance as a way to consider questions of healthcare access, thus underscoring “solidarity” as a concept operating at the nexus of the national and EU levels.

Patient mobility as governed by the Cross-Border Healthcare Directive and associated caselaw indicate tensions between national-level solidarity and that at an EU level (e.g. Newdick 2011). This has led to a conflict being identified with the Directive's framing being deemed individualistic (“patient choice”), with suggestions that a refocusing is needed to see cross-border healthcare as having an EU-level, “community” focus (Levaggi and Frischhut 2023).

Solidarity is also key to EU citizenship in the healthcare context, in view of the requirement for access to comprehensive sickness insurance for ‘economically inactive’ persons, recently at issue in [A \(Soins de santé publics\)](#) regarding healthcare access by a Latvian national resident in Italy; and [VI](#) with its consideration of EU nationals in the UK accessing the National Health Service. The former case has been deemed of particular significance for the development of the EU's approach in this area, but the latter may prove informative in the EU's future approach vis-à-vis taxation-funded systems (More 2022). Comparing these also offers learning for how solidarity may be interpreted by both the EU courts and EU Member States.