

**Opening Statement on the implications of Brexit for the area of health**  
**Joint Oireachtas Committee on Health**  
**8 March 2017**

**Introduction**

- I would like to begin by thanking the Committee for inviting us here today to talk about the implications for the health sector of the United Kingdom's decision to withdraw from the EU.
- I will introduce myself and my colleagues. I am Muiris O'Connor, Assistant Secretary in charge of the Research and Development and Health Analytics Division in the Department of Health. I am joined by Fergal Goodman, the Assistant Secretary in charge of Primary Care Division, along with Tom Monks from Eligibility and Primary Care Policy Unit. Kieran Smyth, Head of International Unit in my Division and Sarah Rose Flynn from International Unit are also in attendance.
- I will begin by setting out the wider context of the Brexit challenge. I will also use my opening statement to briefly outline the principal impacts for the health sector and the work that we are undertaking to examine and address those impacts.

**General Context**

- The overall priorities of the Government regarding Brexit are clear. They are
  - Minimising the impact on trade and the economy,
  - Protecting the Northern Ireland Peace Process,
  - Maintaining the Common Travel Area,  
and
  - Influencing the future of the European Union.
- Preparing for Brexit is a whole-of-Government task. The Department of Health is participating fully in the structures coordinated centrally by the Department of the Taoiseach to ensure a joined-up approach.
- It is worth remembering that we are at an early stage in the Brexit process. The UK has not yet notified the EU of its intention to leave by invoking Article 50 and negotiations have not yet started. When negotiations do begin, Ireland will participate as one of the 27 Member States which are remaining in the EU.
- We are still at a stage where a great degree of uncertainty remains surrounding Brexit. For example, we don't yet know what new arrangements may emerge as regards the UK's future relationship with the EU. We also don't know whether transitional arrangements will be put in place to bridge the gap between the UK's exit from the EU and the conclusion of an agreement on its future relationship with the EU; or how long a period such transitional arrangements would cover.

- This context of uncertainty makes conducting work to examine and address the implications of Brexit challenging. It also means that a definitive analysis is not possible at this stage. Nevertheless, our preparations are ongoing. The Department of Health will continue to revise and update its analysis as matters become clearer over the period ahead.
- As the Committee will be aware, the Government is determined that all possible preparations will be made ahead of the UK leaving the EU and that the focus will be on protecting and advancing the interests of Ireland's citizens, within the context of this country's continuing membership of the EU.

### **Principal health sector impacts**

- I will now set out some of the principal potential impacts of Brexit for the health sector.
- Firstly, however, I would note that the UK has not yet left the EU and remains a member, with all of its existing rights and responsibilities. This means that there have been no immediate changes in the area of healthcare, nor are any expected during the negotiation period.
- The Department of Health has put in place a process and work is underway to examine and address any implications for the health sector over the longer term. All of our work relating to Brexit is informed by the following key priorities – to ensure continuity in the provision of health services and to avoid any changes to the current situation that would have a negative impact on human health.
- I will give an overview of some of the issues that we have identified in our analysis, which will be deepened and refined as time goes on.
- The principal impacts of Brexit for the health sector cover a number of areas including:
  - (i) Free movement
  - (ii) Rights to health services
  - (iii) Regulatory issues
- Brexit raises a number of issues relating to free movement and these affect all sectors. In the area of health, issues such as emergency ambulance transfers between Ireland and Northern Ireland and mobility for cross-border health workers will need to be given due consideration.
- In relation to health services, ensuring that there is minimum disruption and that essential services are maintained on a cross-border, all-island and Ireland/UK basis will be the key concern for the Department of Health over the period ahead. In particular the Department is conscious that the operation of the EU Treatment Abroad Scheme and the Cross-Border Directive under which Irish patients currently

enjoy the ability to access health services in the UK, and in particular in Northern Ireland, may be affected by the UK leaving the EU.

- The Common Travel Area has been in existence since Irish independence. It allows freedom of travel between the two jurisdictions for Irish and UK citizens, and provides for largely reciprocal benefits of citizenship, in terms of entitlements to reside, work and access services. These arrangements stem from the close historic relationship between the two countries and predate the entry of both to the EU. Both the Irish and British Governments have set out their desire to maintain these arrangements. This, of course, will have relevance for the health sector.
- On regulatory issues, it is clear that having a single set of rules across Europe is enormously helpful – to protect human health, to ensure consumer protection and to provide a level playing field for industry. A UK move away from a harmonised regulatory system in relation to food safety standards, pharmaceuticals, medical devices and cosmetics could disrupt trade between Ireland and the UK or necessitate increased certification requirements.
- It is important to remember that there are other issues that will affect the health system but which may not necessarily be led by the Department of Health. The Department is working collaboratively with other Departments to examine and address these issues, including through the Interdepartmental Group on EU/UK Affairs.
- Cross departmental work is essential in resolving issues. For example, the Minister for Public Expenditure and Reform and his Department have successfully secured certainty for the EU-funded, cross-border cooperation programmes PEACE and INTERREG, which includes a number of health projects, to 2020. The Government is committed to securing EU funding for successor programmes post-2020.
- The strength of the relationships between Ireland and Northern Ireland and the UK will be of benefit as we work to find solutions to any problems that arise for the health sector as a result of Brexit. There are already effective partnerships and working arrangements in place and many examples of practical and effective co-operation between the jurisdictions for mutual benefit in the health sector.
- The Department of Health remains strongly committed to continued cooperation with Northern Ireland and the UK in the health sector.

### **Opportunities under Brexit**

- As well as preparing for the challenges posed by Brexit, we are pursuing opportunities. The Government decided late last year that Dublin should be proposed as a very suitable location for the European Medicines Agency, which will need to move from its present home in London once the UK leave the EU. The EMA is responsible for the scientific assessment with respect to the authorisation, maintenance, and supervision of medicines in prescribed areas developed to protect

human and animal health by pharmaceutical companies for use in the EU. The EMA is also responsible for monitoring the safety of all medicines authorised in the EU.

- Detailed work is underway under the auspices of an interdepartmental/interagency group led by this Department. An extensive programme of ministerial and official-level engagement is also underway in support of Ireland's bid. We will be happy to expand on this if the Committee wishes.

### **Brexit engagement, structures and work to date**

- I will turn now to the programme of engagement underway on Brexit, the structures that have been put in place across Government Departments and the work that the Department of Health has carried out to date.
- An extensive programme of Government engagement is underway on Brexit, led in particular by the Taoiseach, Minister for Foreign Affairs and Trade and Minister of State for European Affairs. Ministers are meeting with their EU partners at Council meetings and at other events, while officials are maintaining contact with their counterparts in other countries.
- The Minister for Health has met with the EU Commissioner for Health and Food Safety twice in recent months to discuss the impact of Brexit on Ireland and the health sector and also to discuss Ireland's bid for the European Medicines Agency.
- The Minister also met his Northern Irish counterpart at the North South Ministerial Council health sectoral meeting in November at which a paper on 'Implications of the UK Referendum' was discussed. He has also discussed Brexit with the UK Parliamentary Under Secretary of State for Health, the UK Secretary of State for Health and the Scottish Cabinet Secretary for Health, Wellbeing and Sport.
- At official level this Department has proactively engaged with officials in the Northern Ireland and UK Departments of Health. The potential impact of Brexit on health services has been examined and explored. It is intended that this engagement will be ongoing and will indeed be strengthened as we get more clarity on the actual Brexit arrangements that might emerge.
- Ireland's preparations for Brexit continue to be strongly co-ordinated from the centre of Government through the new Brexit Cabinet Committee chaired by the Taoiseach. The Department of Health participates fully in the Senior Officials Group on EU Affairs, the Interdepartmental Group on EU/UK Affairs, and its workgroups established to support the Cabinet Committee on Brexit.
- The Department established a Management Board Subcommittee on Brexit in advance of the UK referendum, to examine the implications of a decision to leave the EU. The Subcommittee is chaired by my colleague Colm O'Reardon and made up of representatives from across the Department, as well as from the HSE, which is represented by the National Director of Primary Care.

- Our preparations for Brexit are underway and are progressing well. The Department of Health is building on initial work undertaken to conduct a more detailed analysis on the impacts of Brexit in the area of health. Individual Units in the Department and agencies are conducting analysis and are continuing their contingency planning to identify the best strategies to mitigate each of those impacts. In addition to regular contact with agencies, Brexit is now being formally included as a standing item on the agenda of governance meetings between agencies and their responsible line Unit in the Department.
- The Subcommittee serves as a coordinating body to pull the various strands of this work together and facilitate information-sharing.
- Our continuing assessment of the implications of Brexit in the area of health is part of ongoing Brexit analysis and scenario planning for input into larger Government deliberative processes. Until such time as the UK's relationship with the EU following its withdrawal becomes clear, the precise implications of Brexit for the area of health will remain unclear. A comprehensive analysis of the health implications of Brexit will have to be informed by the UK's intentions in this area. Our focus will remain on ensuring that services for patients are maintained and human health protected.

## **Conclusion**

- By way of conclusion, the Department of Health, in cooperation with its agencies and other stakeholders, will continue to deepen its analysis of how best to mitigate the impact of Brexit for the health sector over the period ahead. We will continue to engage with our EU partners, the UK and Northern Ireland, particularly as positions crystallise on areas of shared interest relating to the health sector in a post-Brexit context.
- I hope my opening statement has been helpful and I look forward to the Committee's questions.