



# Factsheet

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## Federal Act on the Electronic Patient Record: The four cornerstones of revision

The comprehensive revision of the Federal Act on the Electronic Patient Record (EPRA) aims to drive forward development of electronic patient records and secure long-term financing for them. The draft revision of the EPRA, which the Federal Council circulated for consultation on 28 June 2023, comprises specific measures to promote the dissemination and use of electronic patient records, financing rules that provide a clear division of tasks and competencies between the Confederation and the cantons and measures intended to make use of the data in research.

### **Requirement for healthcare professionals working in the out-patient environment**

The revised legislation will oblige all healthcare service providers to join a certified community or core community. Patients' treatment-relevant data have to be recorded in their EPR as a simple and secure way of giving all doctors, therapists or nurses involved in treatment access to relevant information and medical data. Healthcare professionals who are not classified as service providers under the Health Insurance Act still retain the option of joining a certified community or core community. At cantonal level, the cantons can oblige other healthcare professionals such as alternative practitioners or osteopaths to join a community or core community.

Healthcare professionals are not under an obligation to record data generated before the EPR was opened.

### **EPRs for everyone with health insurance**

Making EPRs mandatory in the out-patient setting is intended to encourage their dissemination and establish them as a key pillar of the healthcare system.

Under a second measure, an EPR will be opened automatically for everyone resident in Switzerland with mandatory health insurance free of charge. Each individual can decide which healthcare professionals have access to the record.

An EPR will not be opened automatically for people resident in Switzerland who are exempt from mandatory health insurance. This includes foreign diplomats in Switzerland, among others. The same also applies to people who have mandatory health insurance but are not resident in Switzerland (e.g. cross-border commuters). However, these people can open an EPR at no charge.

#### **Further information:**

Federal Office of Public Health, Communication, [www.bag.admin.ch](http://www.bag.admin.ch)  
This publication is also available in French, Italian and German.

People can also choose to opt out of having an EPR. Implementing the opt-out model is a cantonal-level responsibility. Cantons inform people that an EPR is to be opened for them and that they can opt out if they choose. They then have three months to object to the opening of an EPR. If they choose to do so, their canton of residence is responsible for entering their objection in the register of objections. If they do not, the EPR is opened and can be completed or managed by the patient and healthcare professionals. The canton decides which core community hosts the EPR.

When the revised Act comes into force, the cantons will have to ensure that an EPR is opened for everyone within a year.

## **Long-term financing and clear division of responsibility between Confederation and cantons**

Using Article 117 of the Federal Constitution as a basis, the revised legislation provides for the division of tasks and competencies between the Confederation and the cantons. The cantons must ensure that at least one core community of their choice is operating in their territory and must guarantee funding for operation.

The Confederation assumes the costs associated with the ongoing development of EPRs and ensures that development is coordinated in approach and content. Examples include the vaccination module for the electronic vaccination certificate, which will be introduced in 2023, the electronic medication plan or electronic lab results.

The cantons are also responsible for checking whether service providers have fulfilled their obligations and affiliated to a community or core community. They will be able to do so by accessing the query service operated by the Confederation.

## **Data for research**

The medical data stored in EPRs are obviously of interest to researchers. The revised legislation will give patients an opportunity to make the medical data in their EPR available for research purposes. Patients can specifically exclude certain data that they do not want to make available for research.

### **Further information:**

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