



# SECONDARY USE OF HEALTH AND HEALTH-RELATED DATA IN THE EUROPEAN UNION:

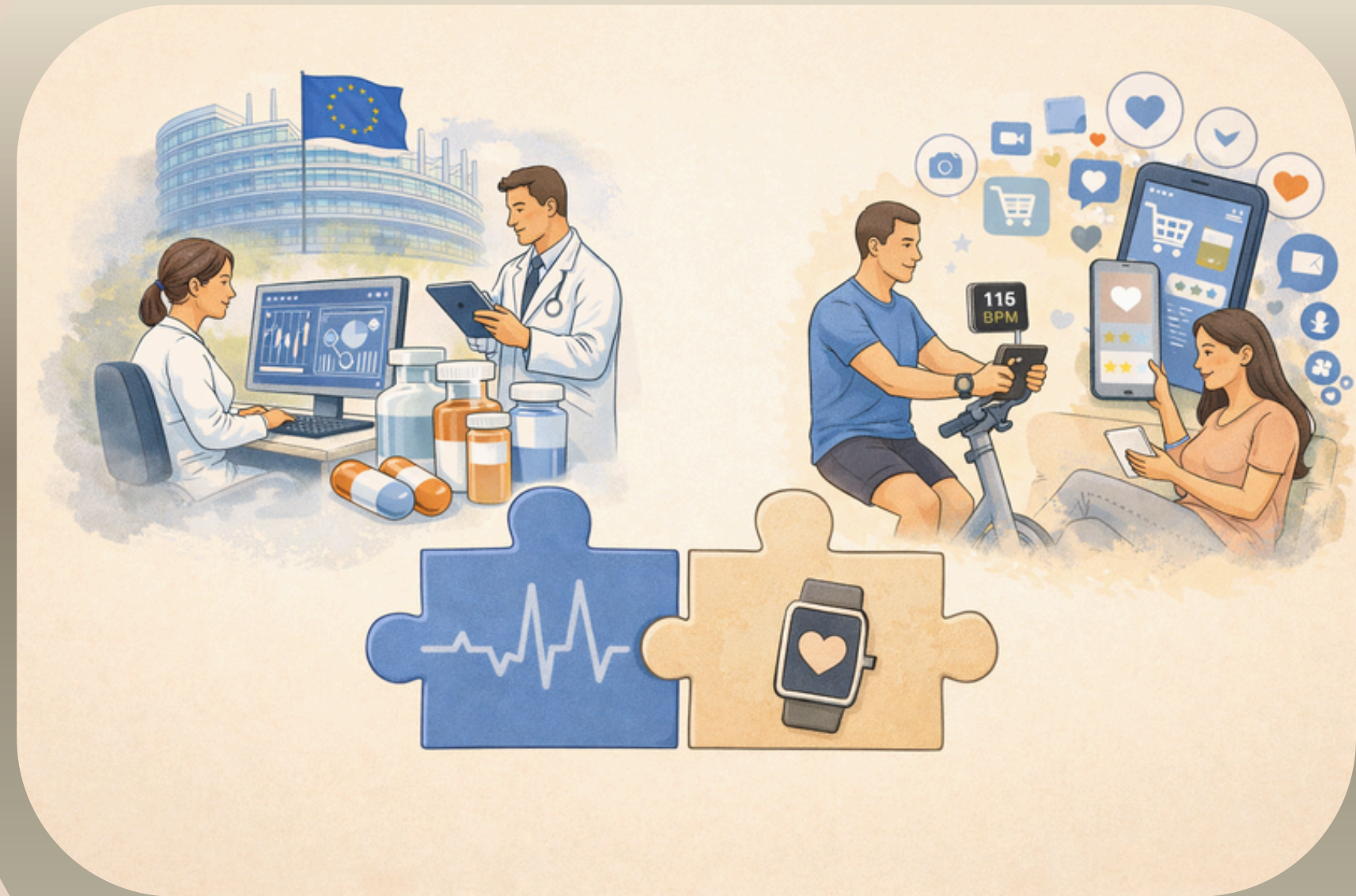
*TOWARDS COORDINATION BETWEEN THE EUROPEAN HEALTH DATA SPACE (EHDS) AND THE DIGITAL SERVICES ACT (DSA)*

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# FRAMING

The secondary use of health data in the European Union is expanding...

but not all relevant data is  
“health data”



# CORE PROBLEM

EHDS provides a comprehensive framework

**BUT**

health-related data is increasingly generated outside healthcare systems





# EUROPEAN HEALTH DATA SPACE

#EUDigitalHealth

## PRIMARY USE

→ continuity of care

## SECONDARY USE

→ research, innovation, public health

## GOVERNANCE

HEALTH DATA ACCESS BODIES

# THE MISSING LAYER

HEALTH KNOWLEDGE ≠ ONLY CLINICAL DATA

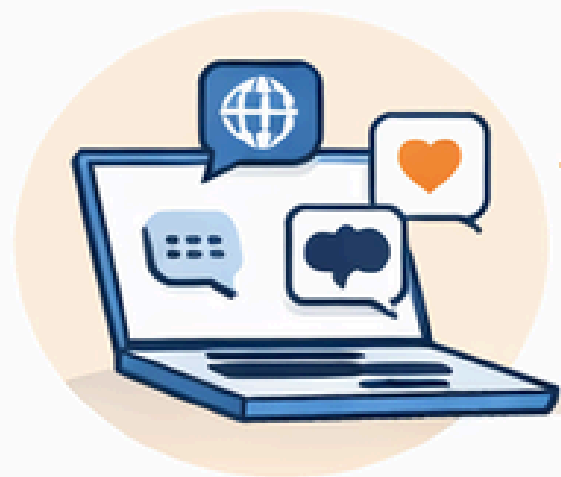
BEHAVIOURAL DATA



MOBILITY DATA



PLATFORM DATA



WEARABLE DATA



# KEY CONCEPT

## HEALTH-RELATED DATA

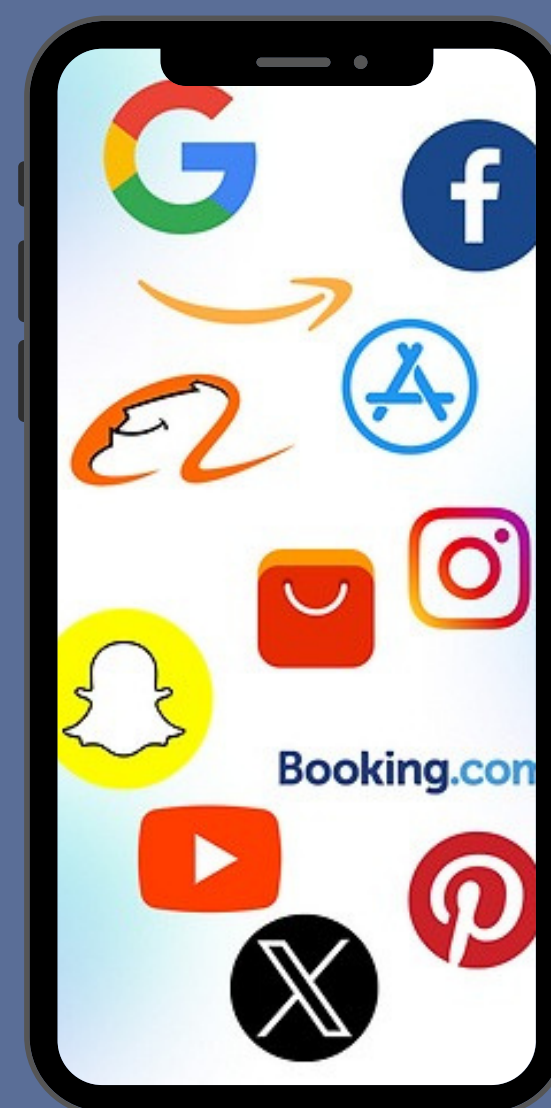
not legally “health data”,  
but relevant for public health  
research



# DIGITAL SERVICES ACT

## Article 40

→ access to platform data for *vetted researchers*



# BIG MOVE

ART. 40(12) DSA

*can provide access  
to health-related  
data*



# CHALLENGES

- Technical → *interoperability*
- Legal → *different regimes*
- Institutional → *HDAB vs DSC*

## RISK

*parallel and  
uncoordinated regimes*



# TWO OPTIONS

1. **Further legislation** (delegated / implementing acts)
2. **Soft law** (guidelines, standards, cooperation) is preferable
  - flexibility;
  - avoids over-regulation;
  - supports coordination

# THANK YOU!



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