

Artificiële intelligentie in de ouderenzorg

Een voorstel voor een
beoordelingsinstrument voor
patiëntenrechten



Ouderenzorg en AI

- Dubbele vergrijzing
 - AI kan helpen bij schaarste
- Anno 2024 in Europa al volop in gebruik
 - niet-medische hulp en dienstverlening
 - monitoring
 - slimme gezondheidstechnologie
- Technosolutionisme
 - bevorderen vrijheid en zelfbeschikking

Home > Overzicht > Actueel

UMCG beantwoordt vragen patiënten met hulp van AI

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Het UMCG zet kunstmatige intelligentie (artificial intelligence, afgekort AI) in om zorgverleners te helpen bij het beantwoorden van schriftelijke vragen van patiënten. Dit gebeurt in samenwerking met andere ziekenhuizen vanuit de EPIC Nederlandse Vereniging.



Ouderenzorg en AI – risico's

- Bias in de data
 - gevolgen voor de kwaliteit van zorg
- Bescherming mensenrechten
 - non-discriminatie
 - bescherming van persoonsgegevens
 - geïnformeerde toestemming
 - recht op gezondheidszorg
 - respect voor de fysieke en mentale integriteit
- Technologie waardevrij?

Europese regelgeving voor de digitale sector

Table 1: Overview of EU Legislations in the Digital Sector

Applicable law	Published in the Official Journal of the European Union
In negotiation	Proposal by the European Commission entered the legislative process.
Planned initiative	Mentioned by the European Commission as potential legislative initiative

Research & Innovation	Industrial Policy	Connectivity	Data & Privacy	IPR	Cybersecurity	Law Enforcement	Trust & Safety	E-commerce & Consumer Protection	Competition	Media	Finance
Digital Europe Programme Regulation, (EU) 2021/694	Recovery and Resilience Facility Regulation, (EU) 2021/241	Frequency Bands Directive, (EEC) 1987/372	European Statistics, (EC) 2009/223, 2023/0237(COD)	Database Directive, (EC) 1996/9	Regulation for a Cybersecurity Act, (EU) 2019/881, 2023/0108(COD)	Law Enforcement Directive, (EU) 2016/680	Product Liability Directive (PLD), (EEC) 1985/374, 2022/0302(COD)	Unfair Contract Terms Directive (UCTD), (EEC) 1993/13	EC Merger regulation, (EC) 2004/139, update soon	Satellite and Cable I Directive, (EEC) 1993/83	Common VAT system, (EC) 2006/112, 2022/0407(CNS)
Horizon Europe Regulation, (EU) 2021/685, (EU) 2021/764	InvestEU Programme Regulation, (EU) 2021/523	Radio Spectrum Decision, (EC) 2002/676	General Data Protection Regulation (GDPR), (EU) 2016/679	Community Design Directive, (EC) 2002/6, 2022/0391(COD)	Regulation to establish a European Cybersecurity Competence Centre, (EU) 2021/887	Directive on combating fraud and counterfeiting of non-cash means of payment, (EU) 2019/713	Toys Regulation, (EC) 2009/48, 2023/0290(COD)	Price Indication Directive, (EC) 1998/6	Technology Transfer Block Exemption, (EC) 2014/316	Information Society Directive, (EC) 2001/29	Administrative cooperation in the field of taxation, (EU) 2011/16
Regulation on a pilot regime distributed ledger techn. market, (EU) 2022/868	Connecting Europe Facility Regulation, (EU) 2021/1153	Broadband Cost Reduction Directive, (EU) 2014/61, 2023/0946(COD)	Regulation to protect personal data processed by EU institutions, bodies, offices and agencies, (EU) 2018/1725	Enforcement Directive (IPR), (EC) 2004/48	NIS 2 Directive, (EU) 2022/2555	Regulation on interoperability between EU information systems in the field of borders and visa, (EU) 2019/817	European Standardization Regulation, (EU) 2017/1025	E-commerce Directive, (EC) 2000/31	Company Law Directive, (EU) 2017/1132, 2023/0089(COD)	Audio-visual Media Services Directive (AVMSD), (EU) 2010/13	Payment Service Directive 2 (PSD2), (EU) 2015/2366, 2023/0209(COD)
	Regulation on High Performance Computing Joint Undertaking, (EU) 2021/1173	Open Internet Access Regulation, (EU) 2015/2120	Regulation on the free flow of non-personal data, (EU) 2018/1807	Directive on the protection of trade secrets, (EU) 2016/943	Information Security Regulation, 2022/0084(COD)	Regulation on terrorist content online, (EU) 2021/784	eIDAS Regulation, (EU) 2014/910, 2021/0136(COD)	Unfair Commercial Practices Directive (UCPD), (EC) 2005/29	Market Surveillance Regulation, (EU) 2019/1020	Portability Regulation, (EU) 2017/1128	Digital Operational Resilience Act (DORA Regulation), (EU) 2022/2554
	Regulation on Joint Undertakings under Horizon Europe, (EU) 2021/2085, 2022/0033(INL)	European Electronic Communications Code Directive (EECC), (EU) 2018/1972	Open Data Directive (PSI), (EU) 2019/1024	Design Directive, 2022/0392(COD)	Cybersecurity Regulation, 2022/0085(COD)	Temporary CSAM Regulation, (EU) 2021/1232, 2022/0155(COD)	Radio Equipment Directive (RED), (EU) 2014/53	Directive on Consumer Rights (CRD), (EU) 2011/83, 2022/0147(COD)	P2B Regulation, (EU) 2019/1150	Satellite and Cable II Directive, (EU) 2019/789	Crypto-assets Regulation (MCA), (EU) 2023/1114
	Decision on a path to the Digital Decade, (EU) 2022/2481	eu top-level domain Regulation, (EU) 2019/517	Data Governance Act (DGA Regulation), (EU) 2022/868	Compulsory licensing of patents, 2023/0129(COD)	Cyber Resilience Act, 2022/0272(COD)	E-evidence Regulation, (EU) 2023/1543	Regulation for a Single Digital Gateway, (EU) 2018/1724	e-invoicing Directive, (EU) 2014/95	Single Market Programme, (EU) 2021/690	Copyright Directive, (EU) 2019/790	Financial Data Access Regulation, 2023/0205 (COD)
	European Chips Act (Regulation), (EU) 2023/1781	Roaming Regulation, (EU) 2022/612	ePrivacy Regulation, 2017/0008(COD)	Standard essential patents, 2023/0133(COD)	Cyber Solidarity Act (Regulation), 2023/0109(COD)	Directive on combating violence against women, 2022/0066(COD)	General Product Safety Regulation, (EU) 2023/988	Geo-Blocking Regulation, (EU) 2018/302	Vertical Block Exemption Regulation (VBER), (EU) 2022/1720	European Media Freedom Act, 2022/0277(COD)	Payment Services Regulation, 2023/0210(COD)
	European critical raw materials act (Regulation), 2023/0079(COD)	Regulation on the Union Secure Connectivity Programme, (EU) 2023/598	European Data Act (Regulation), 2022/0047(COD)			Digitalization of travel documents	Machinery Regulation, (EU) 2023/1230	Regulation on cooperation for the enforcement of consumer protection laws, (EU) 2017/2394	Digital Market Act (DMA Regulation), (EU) 2022/1925	Remuneration of musicians from third countries for recorded music played in the EU	Digital euro, 2023/0212 (COD)
	Net Zero Industry Act, 2023/0081(COD)	New radio spectrum policy programme (RSPP 2.0)	European Health Data Space (Regulation), 2022/0140(COD)				AI Act (Regulation), 2021/0106(COD)	Digital content Directive, (EU) 2019/770	Regulation on distortive foreign subsidies, (EU) 2022/2560		Regulation on combating late payment, 2023/0323(COD)
	Establishing the Strategic Technologies for Europe Platform (STEP), 2023/0199(COD)	Digital Networks Act	Regulation on data collection for short-term rental, 2022/0358(COD)				Eco-design Regulation, 2022/0095(COD)	Directive on certain aspects concerning contracts for the sale of goods, (EU) 2019/771	Horizontal Block Exemption Regulations (HBER), (EU) 2023/1066, (EU) 2023/1067		
	EU Space Law		Interoperable Europe Act, 2022/0379(COD)				AI Liability Directive, 2022/0303(COD)	Digital Services Act (DSA Regulation), (EU) 2022/2065	Platform Work Directive, 2021/0414(COD)		
	Initiative to open up European supercomputer capacity to AI start-ups		Harmonization of GDPR enforcement 2023/0202(COD)					Political Advertising Regulation, 2021/0381(COD)	Single Market Emergency Instrument (SMEI), 2022/0278(COD)		
			Access to vehicle data, functions and resources					Right to repair Directive, 2023/0083(COD)			
			GreenData4all					Multimodal digital mobility services (MDMS)			
								Consumer protection: strengthened enforcement cooperation			



Patiëntenrechtelijk beoordelingskader

- Europees kader ontbreekt momenteel
- Zorginstellingen, zorgprofessionals, mantelzorgers en patiënten
- Voor de implementatie
 - wie doet de toets?
- Impact Assessment Mensenrechten en Algoritmes
- Voorstel patiëntenrechtelijk beoordelingskader

Conclusies

- Dubbele vergrijzing
- Voorstel voor patiëntenrechtelijk beoordelingskader
- Maatschappelijke discussie
 - wat absoluut niet?
- Discussie tussen de betrokken partijen
 - patiënt (en mantelzorger)

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