

ADMINISTRATIVE AND LEGAL DIMENSION OF MEDICAL REFORM IN UKRAINE

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The actuality of the medical reform in Ukraine is due to the need to change the system of free medical care for the population, to provide it with better and professional assistance, to pay the cost of drugs for budget funds, etc. The mentioned problem with the purpose of a thorough analysis of the content and directions of the ways of reform, elimination of miscalculations and shortcomings, and the improvement of certain aspects of such activity are actively investigated by politicians, physicians, scientists, the public, namely: O. Goncharova, P.Kovtonyuk, E.Komarovsky, R.Lebid, S.Staryh, E.Novitsky, O.Petrenko and others. However, lawyers still do not pay enough attention to the administrative innovations of the reform, which actualizes the need for their consideration.

In this context, it should be considered the expediency and optimality of the resolution of such issues of medical reform as the status of authorized bodies, the procedure for the provision of medical services after the conclusion of the contract on medical care under the program of medical guarantees, their payment for the developed tariffs, the organization of the electronic health system, implementation control over observance of the legislation on reforming the medical sphere.

First of all, we note that the analysis of the adopted Law of Ukraine No. 2168-VIII "On State Financial Guarantees of Medical Care of the Population" indicates that it regulates only the basic principles of medical reform, and certain legal norms are specified by the by-laws (Resolution of the Cabinet of Ministers of Ukraine No. 1077 " On the Supervisory Board of the Health Care Establishment and the Modification of the Standard Form of a Contract with the Head of the State and Communal Healthcare Establishments "and the Order of the Ministry of Health of Ukraine No. 1597" On the Establishment of a State Signature "Electronic Health"). The novelty of the goals and objectives set is ambiguous as a result of the lack of a legal, economic, information base. The main discussion is about the separation of the narrow specialists from the primary level of medical care, the quality of the training of family doctors, the intolerability of the medical insurance mechanism, the effectiveness of the electronic healthcare system through which it is intended to monitor the funds allocated to patients and prevent abuse in the medical sector.

It is worth noting the following organizational aspects of the implementation of the reform, such as: predicting the functions of the Authorized Agency on monitoring, analyzing and forecasting the population in medical services and medicines; development and implementation of medical guarantees; implementation of measures ensuring control over the targeted and effective use of funds for them; creation to ensure transparency and public control over its activities of the Council of Public Control; introduction of a system of medical services contracts; the mechanism of full or partial reimbursement to business entities engaged in retail trade in medicinal products, the cost of medicinal products released to the patient on the basis of a prescription, at the expense of the State Budget of Ukraine (reimbursement) [1]; Establishment of the State Enterprise "Electronic Health" to promote the implementation of state policy in the sphere of sanitary and epidemiological well-being of the population [2].

Thus, in Ukraine, for the first time, medical reform is being implemented, which involves changing the essence of leadership and management, raising the quality and level of organizational and professional provision of the process of providing medical services to the population and protecting its health. Financial guarantees at the primary level of medical care have been introduced since January 2018. The next stages of the implementation of medical reform are planned to be implemented in 2018 - 2019, during which time pilot projects will be implemented for the corresponding types of medical services, individual health care institutions, inhabited points or regions. It is planned that from 1.01/2020, the medical reform will be fully operational at all levels and throughout Ukraine.

References:

1. About state financial guarantees of medical care of the population: Law of Ukraine dated 19.10.2017 № 2168-VIII URL: <http://zakon2.rada.gov.ua/laws/show/2168-19>
2. About the formation of the State Enterprise "Electronic Health": Order of the Ministry of Health of Ukraine No. 1597, December 14, 2017 URL: <https://www.apteka.ua/article/438909>