

**EUROPEAN NATIONAL MEDICAL ASSOCIATIONS / MEDICAL CHAMBERS
EUROPEAN MEDICAL ASSOCIATIONS
CPME, UEMO, CEOM**

Dear Mr. / Madam President,

On behalf of the Medical Chamber of Slovenia and other health care organisations comprising the Coordination of Health Care Organisations, I extend my thanks for the support you have expressed in relation to the unacceptable manner of adopting health legislation in the Republic of Slovenia. Your support has received great attention in the Slovenian public, as well as at the Ministry of Health, and we are therefore most grateful for it.

At a recent press conference, the Coordination of Health Care Organisations (Medical Chamber of Slovenia, Fides - Trade Union of Doctors and Dentists of Slovenia, Slovenian Health Association and Association of Private Practice Doctors and Dentists of Slovenia) again rejected the proposal for the Health Services Act prepared by the Ministry of Health, as health care organisations did not participate in drafting the proposal. We were invited to comment only after the draft act had been published online, as the rest of the interested public and citizens.

In the light of clarifying the letter by Minister for Health Borut Miklavčič, which you received last week in response to your letter, and the statements given by the Ministry of Health State Secretary, who described our letter and request for support with the following words: "This is a pamphlet that has nothing to do with the actual situation", please find below the key starting points that served as a basis in forming health care organisations' response to the proposal for the Health Services Act.

The act has not been designed to serve the public, but to serve the state; it is misleading, as it will not ensure the exercise of provided rights and is not based on any actual analysis of the situation. Financial consequences of the changes the act would introduce to the system are unknown, the act does not bring any improvements for patients in the system, while doctors and other health care workers will not be able to implement it. Furthermore, it will bring excessive burden to the public system, in terms of private health insurances not being accessible for all citizens. The act is unbalanced, too broad and even deficient in certain areas. It removes a large number of powers and other contents, for which no solutions or corresponding substitutes are provided. We estimate that from 60 to 70 additional regulations and other statutory acts will be required, leading to increased administrative decision making and additional lack of transparency in the system. The drafters would like to settle everything arbitrarily and subjugate doctors and other health care service providers in all respects. Even the legal profession opposes restructuring chambers in the manner that would result in optional membership in the Medical Chamber of Slovenia.

Due to reasons unknown to us, the act strongly reduces the powers of autonomous health care organisations and instead transfers them to the state. Moreover, the act limits the freedom of work and free commercial offer and independence of the profession.

The proposal for the act also increases bureaucracy tremendously, raises the number of employment positions in the state administration, duplicates powers, and thus causes additional non-transparency in the system.

Hereinafter, special attention is placed on several policies and solutions of the draft that we find absolutely unacceptable and that we reject in their entirety:

1. Complete **subordination of the health system regulation** to any **political option**. The Ministry plans to take over a number of competences and tasks that modern systems distribute among various professional institutions independent of the state and its current politics.
2. **Proposals in the proposed act are not based on analyses** which would support suggested solutions. The act also introduces **unnecessary additional administration tasks**.
3. **The act eliminates professional independence and self-regulation of the medical profession** as a liberal profession. This is also reflected in withdrawing public authorisations from the medical chamber, which indicates strong centralisation.
4. The proposed act introduces **inequality of concessionaires and other providers** of health care services in the public health network. Consequently, it prevents patients from choosing their personal doctor among different health care service providers. Abolishing the concessionaire practice directly reduces accessibility to doctors and even restricts accessibility to chosen personal doctors.
5. **The management system** in public institutes **practically completely excludes** and forces out doctors from management structures, even with regard to the matters where decision making must include taking account of the medical profession.
6. Duplication in **the field of patient rights protection** covered by: appeal bodies within health care service providers; patient rights representatives; Republic Senate for Patient Rights; human rights ombudsman; municipal ombudsmen of patient rights; chambers; non-governmental organisations; prosecuting authorities; and, introduced anew, a new institute of a patient protection officer.
7. The act eliminates **improvements to the field of traineeship, specialisations and post-graduate education** and training of doctors. It re-devolves payment of specialisations of doctors and dentists upon providers, while no funds are allocated for that. In the past, this had already led to a serious standstill in provision of human resources for health.

8. The act transfers the development of standards and norms for patient treatment, which have so far been prepared by groups of different health care experts, to health insurance companies.

Health care organisations in the Republic of Slovenia expect that the Ministry of Health will show political wisdom and responsibility and withdraw the proposal for the Health Services Act from proceedings. We expect that reason shall prevail and that politicians shall begin to act in the interest of citizens and those who elected them and gave them the mandate to lead the country. We also reasonably expect that the politics will land an ear to and take account of doctors and dentists as the main actors in health service. In achieving that, your support is always most welcome.

Yours faithfully,

prim. Gordana Kalan Živčec, M. D.
P R E S I D E N T
Medical Chamber of Slovenia