



**Medical confidentiality:  
basic legal documents.**

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The information is presented abbreviated, so you can get to know it in more detail by following the link that I will leave at the end of this presentation.



# The concept of medical secrecy

Medical secrecy - information that became known to medical workers and other persons who, in connection with the performance of professional or official duties, became aware of the disease, medical examination, examination and results, intimate and family aspects of a citizen's life, have no right to disclose this information.



## **Medical secret can be understood as:**

- a secret about a person's state of health;
- the fact of seeking medical help;
- diagnosis;
- other information obtained during the medical examination of the person.

## **Medical secrecy includes the following information:**

- about the transferred and existing diseases of the donor;
- about the use of narcotic substances by the donor person and other forms of risky behavior characteristic of him, which may contribute to the infection of the donor with infectious diseases that are transmitted through blood and in the presence of which the performance of the donor function may be limited.





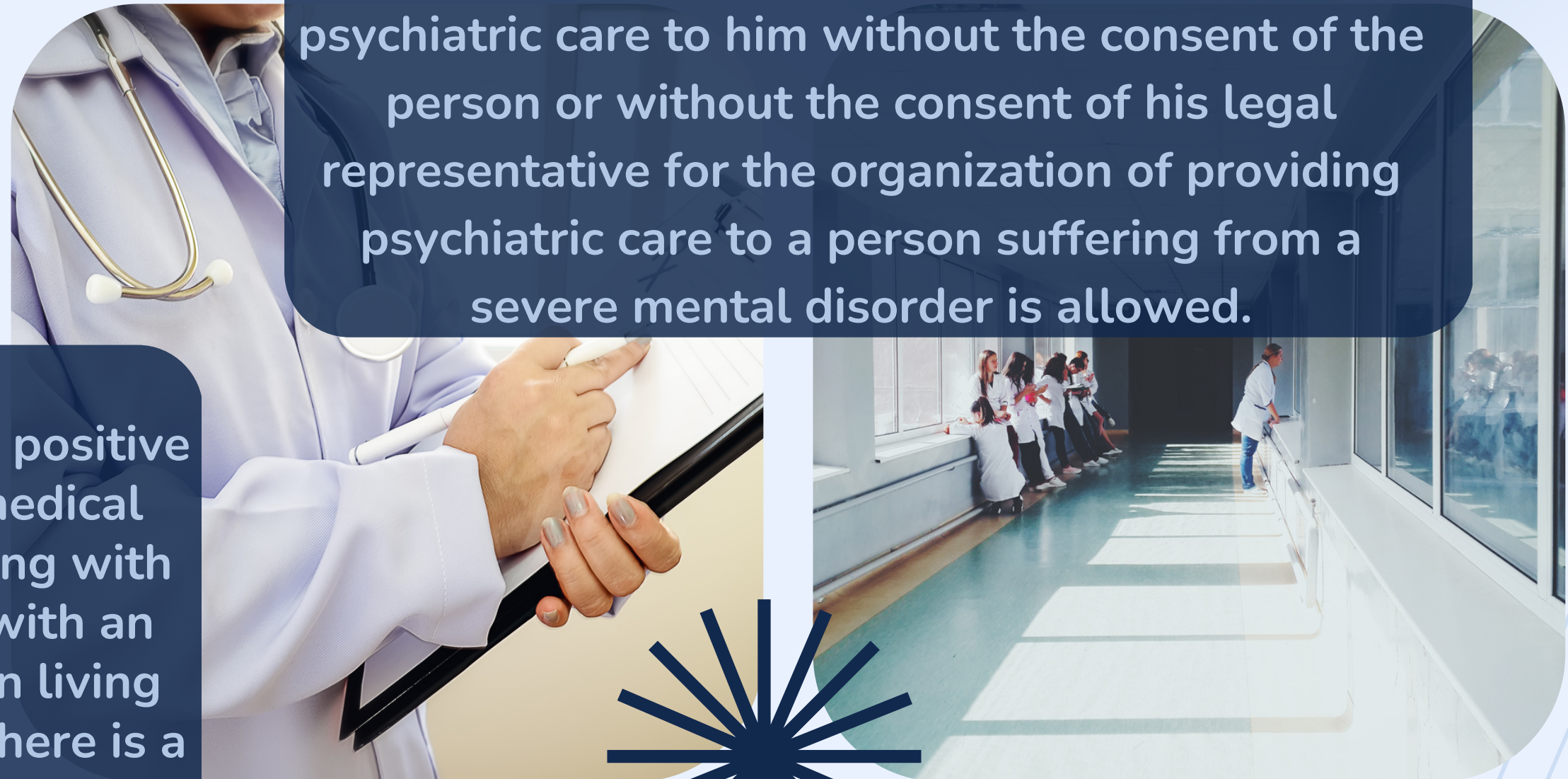
# Procedure for disclosure of medical secrets

Parents (adoptive parents), guardians, custodians have the right to receive information about the health status of a child (up to 18 years old) or ward (disabled person).

Disclosure of information about a person's positive HIV status to a partner (partners) by a medical professional is permitted if the person living with HIV addresses the medical professional with an appropriate written request, or the person living with HIV has died, lost consciousness, or there is a possibility that , that she will not come to her senses and regain her ability to give conscious informed consent.

Medical confidentiality can also be disclosed without the patient's consent in the following cases:

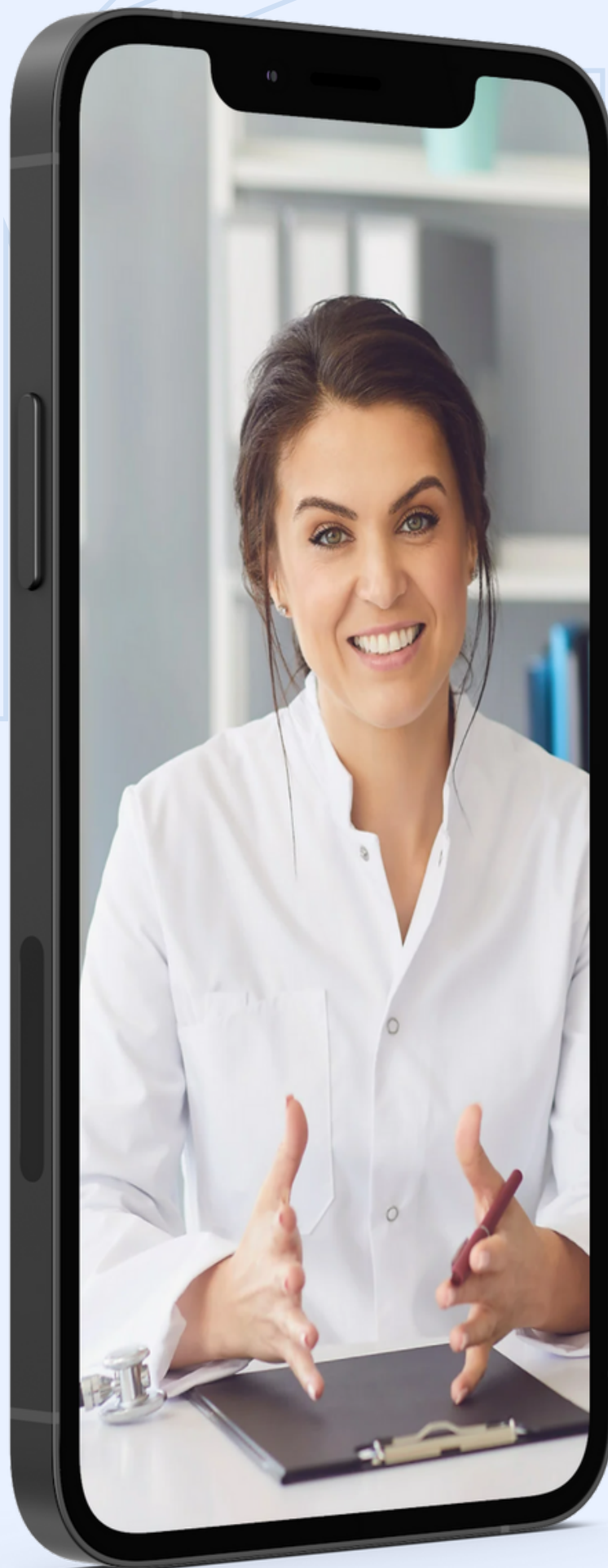
The transfer of information about the state of mental health of a person and the provision of psychiatric care to him without the consent of the person or without the consent of his legal representative for the organization of providing psychiatric care to a person suffering from a severe mental disorder is allowed.





# Responsibility for disclosure of medical secrets

Criminal liability is established for illegal disclosure of medical secrets. Thus, the intentional disclosure of a medical secret by a person to whom it became known in connection with the performance of professional or official duties, if such an act caused serious consequences, is punishable by a fine of up to fifty tax-free minimum incomes of citizens or community service for a period of up to two hundred forty hours, or deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years, or corrective labor for a period of up to two years.



# Legislation regulating medical secrecy



Legislation regulating the issue of medical secrecy The difficulty of keeping information about the patient, which constitutes a medical secret, is that there is no single regulatory act in the current legislation of Ukraine that would fully regulate this issue. Medical secrecy is regulated by a number of legal acts. The right to medical confidentiality derives from the provision enshrined in Article 32 of the Constitution of Ukraine of June 28, 1996 No. 254k/96-BP (as amended), that no one can be subjected to interference in his personal and family life.



THANK YOU FOR  
ATTENTION!