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## LEGAL SUPPLY OF PRIMARY HEALTH CARE REFORMATION BASED ON THE FAMILY MEDICINE IN UKRAINE

**Abstract. Background.** The national task of Ukraine is strengthening the health of the population of Ukraine and the strategy for the development of the health care system driven by the accelerated evolution of civilization processes. Primary care on the principles of family medicine plays a decisive role in solving the problems of public health and reducing the prevalence of risk factors, introducing modern strategies for preventing chronic non-communicable diseases and developing a healthy lifestyle. **Materials and methods.** The method of the system approach of analysis was used for studying the legal acts. **Results.** The basis of the regulatory framework in the field of health care is the Constitution of Ukraine, the Fundamentals of Healthcare Legislation of Ukraine, and other regulatory acts. The article represents the stages of reforming primary care during the 21st century, analyzes the regulatory legal acts developed during this period by Ministry of Health of Ukraine and the Parliament of Ukraine. For the effective development of primary care based on the principles of family medicine, the scientific and pedagogical staff of the Shupyk National Medical Academy of Postgraduate Education in cooperation with other specialists developed Law of Ukraine No. 6634 dated June 22, 2017 "About Primary Health Care Based on the Principles of Family Medicine". **Conclusions.** Thus, in modern conditions, new challenges have arisen for the strengthening of preventive services. They are increasing the availability and quality of medical care, improving primary care, staffing, modernizing infrastructure and ensuring equity in health care. The existing problems of health care are not easy to solve. They have a multidimensional complex nature, which necessitates the updating of health policy, the development and implementation of new strategies and programs.

**Keywords:** legal documents; primary care; family medicine; medical education

### Introduction

The strategy of the health care system development in Ukraine is caused by the accelerated evolution of civilization processes in the last quarter of the XX – the beginning of the XXI century. It requires strengthening the Ukrainian population's health as a nationwide task [1].

The level of population's health has a significant impact on the processes and results of its economical, social and cultural development, the demographic situation and the state of national security, and is an important social criterion for the level of social welfare.

The current state of public health in Ukraine is characterized by a crisis that indicates negative trends in the triad of statistical indicators, such as: population reproduction rates (medical and demographic data), indicators of children growth, indicators of physical development of

adult population and population adaptation to environmental conditions (morbidity, disability).

At the same time, WHO experts emphasize the factors of these negative trends in Ukraine are all the main health factors, such as: the socio-economic situation in the country, the state of the environment, the quality of food and water, growing stratification of the population by income, organization of medical care, etc. [1]

In Ukraine, the development strategy of the health care system is due to the accelerated evolution of civilization processes and requires the strengthening of the health of the population of Ukraine - a nationwide task [1].

The situation that arose as a result of a number of objective and subjective reasons is a real threat to the emergence and development of irreversible processes in the state of physical and mental health of the population of

the country and, as a consequence, can be negatively impacted. socio-economic, political and spiritual development of the Ukrainian nation as a whole, which poses a threat to the national interests of the state.

Primary health care systems in different countries vary according to historical and socio-economic conditions of development, but most of them are based on the principles of general practice - family medicine.

Primary care on the basis of family medicine plays a decisive role in solving public health problems and improving its determinants - reducing the prevalence of risk factors, introducing modern strategies for the prevention of chronic non-communicable diseases and the formation of healthy lifestyles.

**The purpose** of the study was to determine the current aspects of primary health care reformation in the systematic analysis of legal acts.

## Materials and methods

The system approach and system analysis were used for studying legal documents.

## Results and discussion

"Primary Health Care" is determined in the Article 3 of the Law of Ukraine "Amendments to the Fundamentals of the Legislation of Ukraine in Health Care Regarding the Improvement of the Provision of Medical Care", dated 07.07.2011 N 3611-VI [2] as: «primary health care (PHC) – medical care provided in outpatient setting or at the place of patient's residence (stay) by a general practitioner/family doctor and involves counseling, making diagnosis and prescription the treatment of the most common diseases, injuries, poisonings, pathological, physiological (pregnancy) conditions, implementation of preventive measures; directing a patient who does not require emergency care to secondary (specialized) or tertiary (highly specialized) medical care according to medical indications; provision of urgent medical care in case of acute physical or mental disorder of a patient who does not need emergency, secondary (specialized) or tertiary (highly specialized) medical care» [3, Article 35-1. Primary health care].

The World Health Organization (WHO) provides the following definition of primary health care: it is a range of treatment and prevention services provided at the local community level, usually by family doctors, nurses, local outpatient staff or other medical staff [3].

Family medicine is an accessible continuous, patient-oriented medical care available to all family and community members, prevention and treatment of the most common diseases, taking into account socio-economic, physical, genetic, psychological, cultural-religious factors, and promotion of a healthy lifestyle [4].

In Ukraine, family medicine has been implemented since 1986-1987, with changes, reforms and improvements. The aim of continuous reformation and improvement is to ensure the availability, quality, timeliness of health care and prevention at the proper level. In other words, it has to adequately meet the population needs

in medical care. Therefore, one of the main priorities of the policy of reforms is the steady increase in the level of people's well-being, improvement of the functioning of the health care system in order to improve the quality of medical services, their availability and the introduction of incentives for healthy lifestyles and decent working conditions [5].

The State programs of 2003-2010 on reducing infant mortality (Goal 4) and improving the maternal health (Goal 5), as part of Ukraine's commitment to the Millennium Development Goals, have got positive results. The mortality rate of children under 5 years has decreased significantly – from 12.3 per 1000 in 2003 to 11.0 in 2010, and the maternal mortality rate - from 19.8 per 100 thousand births to 13.0, respectively [1].

The next step was the reform of 2011-2014, which was regulated by the Law of Ukraine dated 07.07.2011 No. 3611-VI "Amendments to the Fundamentals of the Ukrainian Legislation in Health Care with regard to Improving the Provision of Medical Care" and the Law of Ukraine dated 07.07.2011 No. 3612-VI "The Procedure for Reforming the Health Care System in Vinnytsia, Dnipropetrovsk, Donetsk Regions and Kyiv City", allowed the introduction of new organizational and financial-economic mechanisms and structural-organizational and functional restructuring the health care system by separating PHC facilities with the creation of Primary Health Care Centers (PHCC). The result of this reform in Ukraine was the provision of primary care at PHCC, outpatient family medicine clinics, as well as private general practitioners / family doctors [5, 6].

It is common known, that the basis of the regulatory framework in health care is the Constitution of Ukraine, the Fundamentals of Ukrainian Legislation in Health Care and other normative acts.

Another wave of reorganization and optimization of medical care in Ukraine has started since 2017-2018 with the creation of an effective health care system, aimed at the priority development of primary health care / family medicine [5]. It is noted in the National Program "Health 2020, the Ukrainian Dimension", the Law of Ukraine dated 19.10.2017, No. 2168-VIII "About State Financial Guarantees for the Provision of Medical Services and Medicines", the Law of Ukraine dated 14.11.2017, No. 206- VIII "About improving the accessibility and quality of medical care in rural areas", Law of Ukraine dated 6.04.2017 No. 2002 "Amendments to Certain Legislative Acts of Ukraine Regarding Improvement of Legislation Regarding Activities of Health Care Institutions" (Edited from 06.04.2017) and the current legal documents [5, 7].

According to mentioned legal acts of Ukraine, the communal primary health care establishments were reorganized to communal non-profit enterprises in accordance with the Methodological Recommendations on the transformation of health facilities from budget institutions into communal non-profit enterprises issued by the Ministry of Health. At the same time, a new institution was created – the National Health Service of Ukraine (NHSU) as a new central executive body with a strategic

role in new models of health care procurement (Cabinet of Ministers' Decree dated 27.12.2017, No. 1101 "About the Establishment of the National Health Service of Ukraine").

NHSU signs an agreement with reorganized to the communal non-profit enterprise PHCC according to certain requirements (Cabinet of Ministers' Decree dated 28.03.2018, No. 391 "Approval of Requirements to the Provider of Medical Care Services, with which the Main Managers of Budget Funds Sign Agreements Concerning the Medical Care") and pays the funds on the basis of the capitalization rate depending on the number of patients who signed the declaration with the communal non-profit enterprise PHCC (Cabinet of Ministers' Decree dated 28.03.2018, No. 283 "Approval of the Procedure for Using the Funds Envisaged in the State Budget to Provide Primary Health Care to the Population").

The primary care centers undertake to provide a guaranteed package of free medical services in accordance with the Cabinet of Ministers' Decree (the first one was dated 25.04. 2018 No. 407 "Approval of the Procedure for Implementation of State Guarantees for Medical Care of the Population under the Program of Medical Guarantees for Primary Health Care in 2018", now it is dated 27.11.2019 No. 1124 "On approval of the Procedure for implementation of state guarantees of medical care for the population under the program of medical guarantees in 2020"). In the case of provision of additional medical services, there are a procedure for calculating its value (Cabinet of Ministers' Decree dated 27.12.2017 No. 1075 "Approval of the Method for Calculating Value medical services") [5, 7].

The Ministry of Health of Ukraine developed appropriate orders that regulate the course of reformation [8]:

The Order of the Ministry of Health dated 19.03.2018, No. 503 "Approval of the Procedure for Choosing a Doctor Who Provides Primary Medical Care, and a Form of a Declaration for the Choice of a Doctor Who Provides Primary Care";

The Order of the Ministry of Health of Ukraine dated 19.03. 2015, No.504 "Approval of the Procedure for Provision of Primary Health Care";

The Order of the Ministry of Health of Ukraine dated 26.01. 2018 No. 148 "Approval of the Partial Table of Material and Technical Equipment of Health Care Establishments and Entrepreneurs Who Provide Primary Medical Care";

The Order of the Ministry of Health and the Ministry of Regional Development, Construction and Housing Communal Services of Ukraine dated 6.02.2018 No. 178/24 "Approval of the Procedure for the Formation of Potential Networks of Primary Health Care Providers".

In addition, the Order of the Ministry of Health of Ukraine dated 29.12.2016, No. 1422 "Amendments to the Order of the Ministry of Health of Ukraine dated 28.09.2012, No. 751" permitted to implement in practice international guidelines developed by national and / or professional medical associations of the European Union member states (membership is defined on January

1, 2017), the United States of America, Canada and the Australian Union, written in Ukrainian or English. The Appendix 4 to this Order recommends an Active List of Clinical Guidelines [8].

The results of the first steps of reform were completed at the end of December 2018: the transformation of primary care centers to a new financing model "money follow the patient" was implemented, 97% of primary health care establishments signed agreement with NHSU and moved to a new financing model till February 2019 (1,185 primary health care establishments among them 104 private clinics and 100 entrepreneurs, the rest are communal) [8].

The electronic medical records, e-Health system for its management and patient's attachment and the International Classification of Primary Care ICPC-2 is being implemented in order to provide better control and quality of health care in PHC facilities (Order of the Ministry of Health dated 4.01.2018 No. 13 "About some questions regarding the application of the Ukrainian version of the International Classification of Primary Healthcare ICPC-2-E»).

The electronic healthcare system helps to issue electronic recipes since April 2019 according to the program "The Available medicines" (Cabinet of Ministers Decree dated 25.04.2018, No. 411 "Some issues electronic health system").

The medical records in the electronic health care system will be able to make by specialists of secondary care - laboratories, clinics and consulting and diagnostic centers, and for hospitals' information which started to work with the NHSU under the program "Free Diagnostics" since 2020 [8].

It is planned that the state program of medical guarantees will appear in Ukraine in the end of 2020, which will cover all levels of medical services, including inpatient. In addition, the development of health insurance should begin in 2021.

Today, the policy of the Ministry of Health of Ukraine is aimed at ensuring every person by guaranteed coverage of basic medical services of primary, specialized, emergency care through the NHSU. In addition, giving opportunity to take advantage of insurance benefits for employers, government agencies, local authorities and patients. The Ministry of Health of Ukraine sees the development of insurance medicine in the formation of a competitive market in which the patient and employer have a free choice of insurer.

The strategy of transformations and the main organizational principles of PHC reformation in Ukraine for future includes the following measures [8]:

- the final transition to the provision of PHC on the basis of family medicine;
- determination of a general practitioner / family doctor as a direct supplier;
- improvement of quality of PHC;
- proper equipment of PHC facilities, electronic document circulation, telemedicine;
- increasing the accessibility of PHC and equal access to PHC regardless of residence place by a network

of outpatient facilities in urban and rural areas and their staffing.

It is necessary to develop the legal, organizational, economic and social principles of ensuring the citizens of Ukraine and other persons by primary care, to establish the principles of functioning and development of family medicine on the basis of family medicine, that was done by the pedagogical staff of Shupyk National Medical Academy of Post-Graduate Education along with other specialists in prepared a Draft Law dated 22.11.2017 No. 6634 "About Primary Medical Care on the basis of Family Medicine" [7].

Adoption of this Draft Law will create conditions for the development of primary health care on the basis of family medicine, as well as provide long-term medical supervision and care throughout all periods of human life, to improve the important component of the national security of the state - to preserve and strengthen the health of the population of Ukraine.

Transformation of the health care system is impossible without changes in medical education, since the patient's life and health depend on the knowledge and qualifications of the doctor acquired during the training.

The respecialization courses for retraining (advanced training) of specialists-physicians and pediatricians to "general practice – family doctors" with part-time correspondence form of training using remote training methods, including Internet were implemented in higher educational institutions of the IV level of accreditation and postgraduate education institutions since 2012. The retraining course was approved by the Ministry of Health of Ukraine.

The results of reform and the current WHO recommendations showed the need of improving the quality of training of primary health care providers and scientific staff according to European standard. Today, a unified family doctors vocational training curriculum and requirements developed by the WONCA World and the European Association of Family Medicine Teachers EURACT (2018), as well as the WONCA standards for postgraduate education of family doctors (2016) are taken into account in Ukraine. The residency (internship) in general practice/family medicine in European countries lasts from 3 to 5 years [4].

The Strategy for the Development of Medical Education in Ukraine for next 10 years has been officially approved as the document which provides a comprehensive approach to changes in medical education. It was the first time in the history of Ukraine and its independence when such document was made. The main objective of the Strategy is to increase the competitiveness of higher medical education and, as a result, to improve the quality of provision of medical services. The main task of the Strategy is to change the following directions: improving the quality of higher medical education; qualitative change of postgraduate education; effective funding and management of medical universities; change of academic culture, development of scientific research [8].

The qualitative changes in high medical education were identified with the adoption of the Strategy, particularly the implementation of a new model of vocational training and a system of continuous professional development (Cabinet of Ministers Decree dated 28.03.2018, No. 302 "Approval of the Regulation on the System of Continuous Professional Development of Healthcare Professionals" And the Order of the Ministry of Health of Ukraine dated 22.02.2019 № 446" Some issues of continuous professional development of doctors").

The following steps have already been implemented as part of the improvement of medical education in Ukraine: the threshold for admission to university has been increased in order to allow to enter for motivated and talented entrants; the Unified State Qualification Exam is provided for medical graduates the first time this year; the amendments to the training of scientific and pedagogical staff were made (Cabinet of Ministers Decree dated 6.03.2019, No. 167 "About conducting an experiment on the awarding of the degree of Doctor of Philosophy") [7, 8].

## Conclusions

Thus, in current conditions the health care system faced new challenges in strengthening preventive services, improving accessibility and quality of health care, improving primary health care and staffing, infrastructure modernization and ensuring equity in health care. The existing healthcare problems are complex and multifaceted; it causes the necessity to update the healthcare policy, the development and implementation of new strategies and programs.

**Conflicts of interests.** Authors declare the absence of any conflicts of interests and their own financial interest that might be construed to influence the results or interpretation of their manuscript.

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## НОРМАТИВНО-ПРАВОВЕ ЗАБЕЗПЕЧЕННЯ РЕФОРМИ ПЕРВИННОЇ МЕДИЧНОЇ ДОПОМОГИ НА ЗАСАДАХ СІМЕЙНОЇ МЕДИЦИНИ В УКРАЇНІ

**Резюме. Актуальність.** В Україні стратегія розвитку системи охорони здоров'я обумовлена прискороною еволюцією цивілізаційних процесів і вимагає зміцнення здоров'я населення України – це загальнонаціональне завдання. Визначальну роль у вирішенні проблем громадського здоров'я та поліпшення визначальних його детермінант – скорочення поширеності чинників ризику, впровадженні сучасних стратегій профілактики хронічних неінфекційних захворювань та формування здорового способу життя, грає первинна медична допомога на засадах сімейної медицини. **Матеріали та методи.** Вивчалися нормативно-правові акти, використовувалися методи системного підходу та системного аналізу. **Результати.** Основу нормативно-правової бази у сфері охорони здоров'я становить Конституція України, Основи законодавства України про охорону здоров'я та інші нормативно-правові акти, що регулюють відносини з питань охорони здоров'я. У статті розглянуті етапи реформування первинної медичної допомоги протягом ХХІ століття, при цьому проаналізовані нормативно-правові акти, які в цей період були напрацьовані різними

каденціями МОЗ України, так і Верховною Радою України. Для ефективного розвитку первинної медичної допомоги на засадах сімейної медицини науково-педагогічним складом Національної медичної академії післядипломної освіти імені П. Л. Шупика разом з іншими фахівцями підготовлено Законопроект № 6634 від 22.06.2017 «Про первинну медичну допомогу на засадах сімейної медицини». **Висновки.** Таким чином, в сучасних умовах перед системою охорони здоров'я виникли нові завдання щодо зміцнення профілактичних служб, підвищення доступності та якості медичного обслуговування, удосконалення первинної медичної допомоги, поліпшення кадрового забезпечення, модернізації інфраструктури і забезпечення справедливості в охороні здоров'я. Існуючі проблеми охорони здоров'я є непростими для вирішення, мають багатоаспектний комплексний характер, що обумовлює необхідність оновлення політики охорони здоров'я, розробки і реалізації нових стратегій і програм.

**Ключові слова:** нормативно-правові документи; первинна медична допомога; сімейна медицина; медична освіта

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## НОРМАТИВНО-ПРАВОВОЕ ОБЕСПЕЧЕНИЕ РЕФОРМЫ ПЕРВИЧНОЙ МЕДИЦИНСКОЙ ПОМОЩИ В СООТВЕТСТВИИ С ПРИНЦИПАМИ СЕМЕЙНОЙ МЕДИЦИНЫ В УКРАИНЕ

**Резюме. Актуальность.** В Украине стратегия развития системы здравоохранения обусловлена ускоренной эволюцией цивилизационных процессов и требует укрепления здоровья населения Украины – это общенациональная задача. Определяющую роль в решении проблем общественного здоровья и улучшения определяющих его детерминант – сокращение распространенности факторов риска, внедрении современных стратегий профилактики хронических неинфекционных заболеваний и формирования здорового образа жизни, играет первичная медицинская помощь на принципах семейной медицины. **Материалы и методы.** Изучались нормативно-правовые акты, использовались методы системного подхода и системного анализа. **Результаты.** Основу нормативно-правовой базы в сфере здравоохранения составляет Конституция Украины, Основы законодательства Украины об охране здоровья и другие нормативно-правовые акты, регулирующие отношения по вопросам здравоохранения. В статье рассмотрены этапы реформирования первичной медицинской помощи в течение ХХІ века, при этом проанализированы нормативно-правовые акты, которые в этот период были разработаны разными каденциями МОЗ Украины и Верховной

Радой Украины. Для эффективного развития первичной медицинской помощи на принципах семейной медицины научно-педагогическим составом Национальной медицинской академии последипломного образования имени П. Л. Шупика вместе с другими специалистами подготовлено Законопроект № 6634 от 22.06.2017 «О первичной медицинской помощи на принципах семейной медицины». **Выводы.** Таким образом, в современных условиях перед системой здравоохранения возникли новые задачи по укреплению профилактических служб, повышению доступности и качества медицинского обслуживания, совершенствованию первичной медицинской помощи, улучшению кадрового обеспечения, модернизации инфраструктуры и обеспечения справедливости в здравоохранении. Существующие проблемы здравоохранения являются непростыми для решения, имеют многоаспектный комплексный характер, что обуславливает необходимость обновления политики здравоохранения, разработки и реализации новых стратегий и программ.

**Ключевые слова:** нормативно-правовые документы; первичная медицинская помощь; семейная медицина; медицинское образование