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Abstract

Objective: The aim: To review of existing approaches regarding the ratio of private and public interests in the content of the right to health care.

Patients and methods: Materials and methods: In this paper, a systemic approach was used, which made it possible to analyze public-law and private-law interests as part of the content of the right to health care in their systemic unity. The application of the comparative research method and the dialectical method made it possible to investigate the dynamic relationship between public legal and private legal interests as part of the right to health care.

Conclusion: Conclusions: In the context of the analysis of the content of the right to health care, it was determined that private and public interests find their form in the institutions of individual and public health. In conditions of economic stability and the absence of threats to the realization of the right to health care, the state of realization of the right to individual health and public health can be described by the categories of «binary» or «synergy», when public health and individual health strengthen each other one. Private and public interests in the content of the right to health care can be in a state of conflict in conditions of limited resources. Taking into account the need to legitimately regulate the conflict between private and public interests in the content of the right to health care, states establish legal norms, which we defined as «axiological collisions».

Keywords: health care system; private interest; public interest; right to health care.