

ACCESS TO HEALTH CARE: LOOKING FOR A LEGAL ROAD MAP

EUROPEAN HEALTH LAW CONFERENCE
UNIVERSITY OF LATVIA, RIGA, 28 AND 29 APRIL, 2014

Programme

Health Care is a Human Right

“Everyone, irrespective of their ability to pay, should have access to the health services they need, without putting their families at financial risk”.

Joint WHO and World Bank statement, February 19, 2013

Sunday, 27 April, 2014

Spikeri – district of creative industries, Maskavas street 12/2,
Riga

16.30 **Welcome to Riga** – the **European Capital of Culture 2014**. Guided walking tour from **Albert hotel** through the Art Nouveau and Old Town to the Spikeri

18.30 **Welcome event** followed by **Dirty Deal Teatro** performance **“Change Test”**, sponsored by **BORENIUS Attorneys at Law**.

The creative team left the money and credit cards in Riga and went to rural district to spend ten days there in a simulated financial apocalypse situation where money is lost value. At that point, most likely in urban fast food stocks would end and people would be forced to go to the countryside and to be subject to those grown food. The creative team is inspired by the British New Economy Fund study “The Great Change”. The performance artists will share their experiences and findings with the conference participants.

Monday, 28 April, 2014

Great Hall, University main building, Raina Boulevard 19, Riga

10.00 **Conference Opening**

- ✓ Dr. **Marcis Auzins**, Rector of University of Latvia
- ✓ Dr. **Nils Muiznieks**, Council of Europe Commissioner for Human Rights
- ✓ Dr. **Laimdota Straujuma**, Prime Minister, Republic of Latvia *TBA*

- ✓ Dr. [Solvita Olsena](#), President of European Association of Health Law

10.30 **Opening speech “The Right to Health as a Fundamental Human Right - Is it doable? Bioethics, neo liberalism and the social determinants of health”**

Are traditional bioethics good for our health? Their central notions of autonomy and individualism pay little regard to the needs and interests of communities. Like neo-liberal economics, they promote individual rights and freedom of choice, but have little concern for social equality. Yet, as the World Economic Forum noted in February 2014, widening inequality plays a crucial role in morbidity and mortality and its expanding adverse consequences are overwhelming modern health care systems. How should traditional bioethics modernise to embrace “citizenship” values? And what role should the courts have in the process?

Speaker: Dr. [Christopher Newdick](#), Professor of Health Law at the University of Reading, United Kingdom

11.00 Coffee break

11.30 Panel discussion 1: **“Access to Health Care – What are the Legal and Philosophical milestones?”**

The right to health is by now firmly established under international law. A number of guideposts have been developed for its practical implementation. However, how do we apply these standards in practice? How do we assess practical problems that arise in healthcare settings in light of these standards?

Chair: Dr. [George Ulrich](#), Rector of Riga Graduate School of Law

Keynote speaker: [Dr. Brigit Toebes](#), Associate Professor and Rosalind Franklin Fellow at the Department of International Law at Faculty of Law, the University of Groningen, the Netherlands

Panellists:

- ✓ Dr. Titti Mattsson, Professor at Lund University, Sweden
- ✓ Dr. Michael Ganner, Professor at University of Innsbruck, Austria
- ✓ Dr. Eduardo Dantas, Vice-President of World Association for Medical Law, Brazil
- ✓ Dr. Caroline Voithofer, Researcher at the Department of Civil Law at the University of Innsbruck, Austria
- ✓ Gustavo Merino, Legal Counsellor, Spain

13.15 Lunch

14.45 Panel discussion 2: **“Road Blocks to Access: Priorities, Funding and Rationing – How to Balance Demands with Rights?”**

At the heart of much contemporary health policy lies seemingly irreconcilable conflict. Patient choice, personal responsibility for health and a rights-conscious, medically informed citizenry push in the direction of access, often to expensive new treatments and services. Concurrently, growing concerns as to the sustainability of health systems across Europe in light of financial pressures and demographic change demand that access be restricted through rationing mechanisms while healthcare is

delivered more efficiently. Can these opposing positions be reconciled? Can political or legal mechanisms be designed to assist in such reconciliation?

Chair: Dr. [Karl Harald Sovig](#), Professor at University of Bergen, Norway

Keynote speaker: Dr. [Keith Syrett](#), Professor of Public Health Law at the University of Cardiff, United Kingdom

Panellists:

- ✓ Dr. Mette Hartlev, Professor at the University of Copenhagen, Denmark
- ✓ Dr. Maria Sheppard, Researcher at Law Department, Queen Mary University of London, United Kingdom
- ✓ Athanasios Panagiotou, Attorney at Law, Greece
- ✓ Natalia Lojko, Attorney at Law, Poland

16.30 Coffee break

17.00 An open event for EAHL members and non-members: „**Future of European Association of Health Law: How to achieve strategic goals?**”

Invites EAHL President Dr. Solvita Olsena

19.30 Conference main dinner in restaurant [Kalku Vārti](#), Kaļķu iela 11a, Old Riga

Tuesday, 29 April, 2014

Great Hall, University main building, Raina Boulevard 19, Riga

9.00 Panel discussion 3: “**Widening our Horizons I: Access viewed from Europe and beyond – What are the tools of the future?**”

EU accession and increased collaboration with EU neighbouring countries creates new challenges for European health law, aimed at enhancing equal access to health care, and strengthening health care systems. What are lessons learned from previous accession countries and what are the European tools supporting that process?

Chairing panellist: [Dr. Verena Stühlinger](#), Senior Scientist at UMIT University for Health Sciences, Austria

Keynote speaker: [Tapani Piha](#), Head of Unit at European Commission DG Health and consumers

Panellists:

- ✓ Dr. Alceste Santuari, Professor of Health and Social Care Services at the University of Bologna & Vice-President Femtec Health and Tourism Committee, Italy
- ✓ Dr. Marcus Frischhut, Professor & Study Coordinator European Union Law at MCI Management Centre Innsbruck Austria
- ✓ Dr. Joaquin Cayón, Professor of Health Law at the University of Cantabria, Spain
- ✓ Dr. Katarzyna Miaskowska-Daszkiwicz, Assistant Professor of Law at the John Paul II Catholic University of Lublin, Poland
- ✓ Santa Slokenberga, PhD candidate at Uppsala University, Sweden

10.30 Coffee break

11.00 Panel discussion 4: **“Widening our Horizons II: Access viewed from Europe and beyond – What are the tools of the future?”**

The Council of Europe aims at promoting human rights and health topics within its Member States. Different health systems with different regulations or even tensions within Council of Europe Member States thereby create major challenges for European Union and Council of Europe health policy. What are current issues within Council of Europe countries and what supporting tools do we need to enhance health standards within Europe?

Chairing panellist: [Dr. Andre den Exter](#), A lecturer in health law at Erasmus University Rotterdam, The Netherlands

Keynote speaker: Dr. [Radmyla Hrevstova](#), Assistant Professor & Director of Institute of Medical Law, Pharmaceutical Law and Bioethics at the Academy of Advocacy, Ukraine

Panellists:

- ✓ Dr. Igor Demchenko, Bogomolets National Medical University, Medical and Pharmaceutical Law, Ukraine
- ✓ Dr. Igor Milinkovic, Assistant Professor at Faculty of Law, University of Banjaluka, Bosnia Herzegovina
- ✓ Dr. Alexey Goryainov, Deputy head of the board of the Association of medical law of Saint-Petersburg
- ✓ Sanja Jovanovska, Civil affairs officer, UN, Macedonia

11.00 Parallel Special session **“Access to health care in Latvia: How to find the right way to overcome obstacles”**

Equity of access is a serious issue in the Latvian health care system due to severe shortage in public funding, a high number of low income residents, geographical barriers and cultural traditions. How to find the right solution for the country? Would recently introduced health care financing reform, aimed at restricting access to health care to non -taxpayers be in line with basic rights of equality and health care provided by the Latvian Constitution?

Chair: [Agris Bitans](#), Attorney at Law and managing partner in Eversheds Riga Office & lecturer at University of Latvia

Keynote speaker: Dr. [Solvita Olsena](#), University of Latvia, EAHL President

Experts:

- ✓ Dr. Mette Hartlev, Professor at the University of Copenhagen, Denmark
- ✓ Dr. Keith Syrett, Professor of Public Health Law at the University of Cardiff, United Kingdom
- ✓ Dr. Christopher Newdick, Professor of Health Law at the University of Reading, United Kingdom
- ✓ Ronalds Rozkalns, Attorney at Law at Medical Law Office, Latvia

12.30 Lunch / Press Conference

13.30 Panel discussion 5: **“Privatisation of Health Care – Consequences?”**

Chair: Dr. [Alceste Santuari](#), Professor of Health and Social Care Services at the University of Bologna

✓ **Keynote speaker:** Dr. [Dean Harris](#), Professor at the University of North Carolina Gillings School of Global Public Health, USA

Panellists:

✓ Dr. David Ariel Frenkel, Professor at Ben-Gurion University of the Negev, Israel

✓ Dr. David Wood, Researcher at the King's College London Pharmacy, United Kingdom

✓ Begoña Gomez del Rio, Health lawyer and General Secretary of Health Ministry of Government of Cantabria, Spain

15.00 Coffee break

15.15 Special session **“European Declaration of Patient’s Rights 20 Years Later – Where are we?”**

Year 2014 is important for European health lawyers in a historical perspective. We are celebrating the 20th anniversary of the WHO “Declaration on the protection of patients’ rights in Europe” (Amsterdam, 1994). This document has played an important role in the development of patients’ rights protection systems in many European countries. Let us look how this initiative was developed, implemented and could be used for strengthening patients’ rights in the future.

Chair: [Lauris Liepa](#), Attorney at Law and partner in BORENIUS law firm & lecturer at University of Latvia

Speakers:

✓ Dr. Henriette Roscam Abbing, Professor Emeritus, Editor of the European Journal of Health Law, The Netherlands

✓ Dr. Maria E. Sokalska, Lawyer, independent researcher, Poland

16.00 Closing session **“The benefits of Universal Access to Health Care: Reaching your destination – with content passengers”**

What we can learn from the Case law of the European Court of Human Rights in the field of health care?

Chair: Dr. [Solvita Olsena](#), University of Latvia, EAHL President

Speaker: Dr. [Ineta Ziemele](#), Judge of the European Court of Human Rights

17.00 End of the conference

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[Registration & Payment Form](#)

Wednesday, 30 April, 2014

EU House Conference Hall, 2nd floor, Aspazija Boulevard 28, Riga

9.30 Opening of Satellite Event for PhD Students

- ✓ Dr. Solvita Olsena, Chairwomen of the conference, EAHL President, University of Latvia
- ✓ Dr. Henriette Roscam Abbing, Professor Emeritus, EAHL Vice-President, The Netherlands
- ✓ Santa Slokenberga, Event Facilitator, LL.D candidate in Medical law, Uppsala University, Sweden

9.45 Presentations and discussions

- ✓ **Yana Litinska**, Sweden:

Non-discrimination of persons with mental illnesses in capacity assessment procedures: international human rights perspective

- ✓ **Katarzyna Syroka-Marczevska**, Poland:

The right to health care in Poland

- ✓ **Dmitrios Skempes**, Luxembourg:

The right to rehabilitation for persons with disabilities: Analysing possible States obligations in relation to health under the Convention on the Rights of Persons with Disabilities

- ✓ **Tina Titma**, Estonia:

Medicines in the view of contemporary regulations

11.30 Coffee break

11.45 Presentations and discussions – cont.

- ✓ **Corina Adriana Stanciu**, Romania:

Promoting inclusion of the Roma minority in the Romanian health system: Obstacles faced and solutions proposed

- ✓ **Mary Guy**, United Kingdom:

How does applying EU and national competition law impact healthcare provision in the Netherlands and England?

- ✓ **Hannah Grafl**, Austria TBA:

e-Health and access Electronic Health Record – will it live happily ever after?

13.30 Closing remarks

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