

CORRUPTION RISKS IN THE SPHERE OF HEALTH PROTECTION

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Abstract. *The article reveals the essence and peculiarities of corruption in the field of health care. The reasons for the underfunding of the health care sector have been studied. The author considered the factors that influence the development of corruption schemes in the medical field, provided statistical data on the motives and options for bribery by patients to medical personnel. **Methodology.** The methodological basis of the article was the dialectical method of learning social relations, phenomena and processes, which consists in identifying the peculiarities of corruption risks in the field of health care. System analysis method, historical method, comparative legal method were also used. **Results.** The article highlights and characterizes the main trends of corruption risks and problems arising in connection with the outbreak of infectious diseases based on the analysis of theoretical foundations and approaches to the study of corruption problems in the health care sector. It is emphasized that the violation of human rights and democratic norms, after all, countries with a high level of corruption, as a rule, violate human rights and democratic norms to a greater extent in the context of the implementation of programs to combat the COVID-19 pandemic. Corrupt regimes use such emergency situations to further strengthen their power and expand their spheres of influence. The author emphasizes that the list of such goods, works or services and the procedure for their procurement is approved by a resolution of the Cabinet of Ministers of Ukraine and includes some medicines, immunobiological preparations, food products, disinfectants, antiseptics, disinfection equipment, medical products, medical equipment and other goods. These goods and services can be purchased without holding a standard tender, public customers are given the right to conclude direct contracts with suppliers. Transparency is considered to be a key to a fair and effective emergency response, as it ensures that resources reach the intended beneficiaries in the right quantity and quality at a reasonable cost.*

Keywords: *corruption, corruption risks, health care, medicine, COVID-19, diseases.*

1. Introduction

The 2020-2021 pandemic led to an unprecedented socio-economic crisis and became a serious test for the entire world economy. For the first time, the international community is faced with problems in the health sector that affect every country. The ongoing outbreak affects both developed and developing countries. The actions of many governments aimed at overcoming the global epidemic of Covid-19 have been characterized by errors and shortcomings. The fact that most countries were not prepared for this pandemic is becoming obvious.

The health care industry suffers from chronic systemic underfunding, which makes it difficult to adequately and sufficiently respond to the emerging crisis. Governments are forced to redirect funds from state budgets to help the health care system and to finance social security programs.

The huge amount of allocated resources, the speed and mechanisms with which they are distributed represent favorable opportunities for committing corruption violations, embezzlement of funds, inflated prices for medicines and medical items, manipulation of procurement processes, etc.

We should not forget how corruption hindered the fight against the Ebola epidemic in West Africa in 2014-2015 or the H1N1 «swine» flu in 2009 [1].

Both in Ukraine and abroad, considerable attention is paid to the issue of corruption in the field of health care. First of all, we note the works of domestic researchers: K. Gorbunova, O. Ustinova, S. Petrashko, T. Popchenko, V. Olefira, M. Spivak, I. Rogalskyi. Among the areas of research on corruption and health, we note: administrative and legal measures to combat corruption, issues of developing anti-corruption strategies and plans, research on corruption in the field of public procurement, issues of criminal liability, etc.

The purpose of the article is to highlight the main trends of corruption risks and problems arising in connection with the outbreak of infectious diseases based on the analysis of theoretical foundations and approaches to the study of corruption problems in the health care sector.

2. Research methodology

To achieve the goals of the article, both scientific and special methods of scientific research were used. The methodological basis of the article was the

dialectical method of learning social relations, phenomena and processes, which consists in identifying the peculiarities of corruption risks in the field of health care.

The method of system analysis was used in the analysis of the definitions of corruption risks in the field of health care. The historical method was used to show the historiography of corruption risks in the field of health care. The comparative legal method showed the development of corruption risks in the field of health care.

3. Results

Of course, medical aspects are important in the development of government strategies. However, as the past and especially the current crisis have shown, the effectiveness of measures to combat diseases largely depends on the extent to which the country adheres to legislative norms, the extent to which the government follows the principles of transparency and accountability when distributing funds and making other management decisions [2].

Thus, the fight against corruption and other economic crimes should be considered as a priority issue during any crisis, including during the pandemic caused by the SARS-CoV-2 virus and the disease caused by it, COVID-19. It is extremely important that existing funds, as well as any additional investments aimed at overcoming the consequences of the epidemic, are used strategically and effectively, benefiting those who need it most [3].

Having analyzed the 2021 corruption perception index study by Transparency International (an international anti-corruption organization), we identified several main trends of corruption risks and problems arising in connection with the outbreak of the disease [4].

The first trend, in our opinion, is corruption and underfunding of the main branches of the state. Systematic chronic corruption diverts funds from the main social sectors, including the health sector, as a result of which countries around the world become vulnerable and insufficiently prepared to overcome crises in this area. A recent international study by the Transparency International Health Initiative gathered evidence of corruption at the point of service delivery during the pandemic, highlighting that it led to a decrease in the availability and quality of health services [4].

The next trend is the violation of human rights and democratic norms, because countries with a high level of corruption, as a rule, violate human rights and democratic norms to a greater extent in the context of implementing programs to combat the COVID-19 pandemic. Corrupt regimes use such emergency situations to further strengthen their power and expand their spheres of influence.

Emergency purchases that increase corruption risks, lack of transparency and control in the system of allocation of budget funds. As procurement of medicines and supplies in healthcare systems is

usually one of the most vulnerable areas for corruption schemes. According to the UN Office on Drugs and Crime, before the pandemic, approximately 10-25% of all money spent on procurement worldwide was lost to corruption. These figures do not take into account the additional financial infusions that have been directed towards the fight against covid.

Emergency situations and urgent need can serve as a reason for simplifying the established procurement procedure, abandoning transparency standards when making decisions on the allocation of budget funds. However, it is worth noting that transparency is the main key to a fair and effective emergency response, as it guarantees that resources will reach the intended beneficiaries in the right quantity and quality at a reasonable price.

In particular, on the basis of the Law of Ukraine «On Amendments to Certain Legislative Acts of Ukraine Aimed at Preventing the Occurrence and Spread of the Coronavirus Disease (COVID-19)» dated March 17, 2020, a number of amendments were made to the Law of Ukraine «On Public Procurement».

Thus, it was established that the Law of Ukraine «On Public Procurement» does not apply to cases where the subject of procurement is goods, works or services necessary for the implementation of measures aimed at preventing the occurrence and spread, localization and elimination of outbreaks, epidemics and pandemics of the coronavirus disease (COVID-19) [5].

The list of such goods, works or services and the procedure for their procurement is approved by a resolution of the Cabinet of Ministers of Ukraine and includes some medicines, immunobiological preparations, food products, disinfectants, antiseptics, disinfection equipment, medical products, medical equipment and other goods. These goods and services can be purchased without holding a standard tender, public customers are given the right to conclude direct contracts with suppliers.

These changes were designed to help hospitals quickly purchase vital supplies to fight the coronavirus.

In practice, the lack of adequate state control in the field of procurement led to the use of such innovations with serious abuses and violations.

The conflict between the heads of the Ministry of Health and the specialized enterprise «Medical Procurement of Ukraine» also did not contribute to the effectiveness and efficiency of the processes. Thus, despite the exclusive regulatory list of goods, works and services that can be purchased directly to fight the pandemic, in some medical institutions they decided to purchase other medicines and furniture with the allocated funds under a simplified procedure (the municipal non-commercial enterprise «City Clinical Infectious Disease Hospital» of Odesa of the city council) and even fuel (communal non-profit enterprise «Romenska Central District Hospital» of the Romena City Council).

Ihor Umanskyi, the former finance minister and former adviser to the head of the Office of the President of Ukraine, also criticized the authorities' decision to redirect more than 30 million hryvnias from the Fund to fight the coronavirus to Ukravtodor for the implementation of the «Great Construction» program.

Another challenge is petty corruption at the level of service provision. Unofficial payments, illegal prescribing, favoritism and nepotism by health care providers are rampant during pandemic outbreaks. Such manifestations of corruption can be caused by low wages, poor working conditions and contribute to the negative perception of public services by patients, which affects their further behavior when applying to a medical institution for medical help.

Some disorders can contribute to the further spread of the disease. For example, in April, under the procedural leadership of the Dnipro District Prosecutor's Office of the city of Kyiv, a scheme was exposed to falsify the results of PCR tests for COVID-19 with the introduction of unreliable data into the «Work at Home» application.

During the Covid-19 pandemic, corruption weakened the day-to-day functioning of the healthcare system with increase in supply and demand, uncertainty, distraction and disruption creating perfect conditions for corrupt actors to take advantage of the situation [6].

Such a «service» was offered to citizens of Ukraine who returned from abroad to avoid mandatory 14-day self-isolation. It is also possible to highlight unique manifestations of opportunistic behavior in various forms: from the sale of low-quality and falsified products, price gouging, illegal sale of medicines and medical products to theft of available materials.

In particular, in April 2020, law enforcement officers exposed and stopped the illegal discharge

of hazardous medical waste from Kyiv hospitals. A pre-trial investigation has been launched into the fact of violation of sanitary rules and regulations regarding the prevention of infectious diseases and mass poisoning, as well as appropriation, waste of property or possession of it by abuse of official position (Article 325 and Article 191 of the Criminal Code of Ukraine) [7].

Global integration of all activities and international cooperation are important value for overcoming exposure to the virus COVID-19 on health and the economy. Global cooperation is the only way countries can minimize the disruptions that created by the COVID-19 pandemic [8].

During the investigation, it was established that the company, which specializes in the disposal of hazardous waste, including medical and biological, instead of disposing of medical waste in specially designated places, took it to natural landfills and ordinary landfills for solid household waste in the Kyiv region. Medical waste includes syringes, medical masks, gowns and other waste from medical institutions in Kyiv, including hospitals that receive patients with COVID-19.

4. Conclusions.

In the conditions of depletion of resource stocks, the need to prevent corruption in the public and private sectors is becoming more and more urgent. Inefficient management of public finances and weak control over their use are not new problems for Ukrainian society.

But the pandemic makes these risks especially relevant. Yes, improper use of COVID-19 funding can nullify all government efforts to combat covid. Purchases of goods, works or services at prices that are absurdly higher than market prices

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