
Transparency International requests the rejection of any regulation legalizing the bribe in the health system

TI-Romania requests the rejection of any regulation legalizing the bribe in the health system, **as it exists in the proposal launched by the representatives of The Romanian Doctors College**, because in this way the corruption would be legalized for the entire public system on the basis of the precedent.

TI Romania expresses its concern regarding the dangerous precedent that the legalization of the bribe for the doctors would create, this representing in fact a conditioning of life in report with the financial resources everybody possesses. The doctors that work in the public health system cannot legally receive any other benefits from the patients besides the stipend they receive from the sanitary institutions, the citizens are indebted to pay their contributions to the health assurances by the law's effect, and thus they already pay the medical services they have the right to. It is exactly the same thing as in the case of the public functionaries that should receive incentives for the acts they realize even if the citizens already pay that taxes to the state budget. The situation is similar also if the citizens would give incentives to the magistrates as a form of "content and gratitude". We could also believe that the politicians can receive legally forms of gratitude for their decisions.

On other side, Transparency International draws attention upon the fact that Romania is a part of the European Civil Convention against Corruption and of the European Criminal Convention against Corruption, both ratified in 2002, and these conventions expressly forbidden to the signatory countries any form of legalizing the bribe or the undue advantages. Such an initiative would act contrary to the assumed engagements and would open the road to repealing the legislation that interdicts the functionaries or the state's employees to receive money or goods in exchange to the realizing the legal obligations. We draw attention that such a regulation would attire Romania's summon in front of the European Court of Justice for trespassing the communitarian aquis.

Any beneficiary of the health services contributes, from the obtained incomes, to the social assurances health fund, therefore the services they benefit from are already paid. Establishing a new legal tax is equivalent to increasing that percentage. Accepting corruption as a manner of compensating the incomes is immoral. The state can transparently increase the contributions to

the assurances and can accordingly increase the stipends, but it has the obligation to fight against corruption from the system in order to guarantee the patient's rights for which he paid through the taxes.

According to the universally agreed definition, corruption represents the abusive use of the entrusted power, for obtaining private benefits. This approach could make the citizens believe that the legalizing of the bribe for the doctors may be translated in other words as "I treat you if you pay, if not, you can wait", because we do not have any beds, endowments and so on. The employees from the environment protection also have small salaries but they do not receive money for any service, because their attributions are not vital for the citizen. The dilemma of the salary is regulated between the employee and the employer, and not through the pocket of the public service's beneficiary.

As long as such a "tax" would be legislated, the norms would directly lead to social exclusion for those categories of the population that cannot contribute to the payment of the „*health protection tax*”.

We observed with regret the analogy made between the tax for the doctors and the tip from the restaurant, and we protest in the name of the doctors against such examples, because the doctors are not waiters, and the hospitals and the clinics are not restaurants.

The approaching manner of this initiative is of a nature to bring severe image prejudices to a socio-professional category of a maximum importance for the society, which must enjoy the public respect and the appreciation of the society, not the general blame. Those making such proposals are recalled, in the first place, to defend professional and material interests of the doctors in confront to the state and the society, and not against those.

In regard to this situation, TI-Romania requests to the authorities from Bucharest to firmly reject this initiative of legalizing corruption.