
January, 21, 2008

Press release

Transparency International asks for the rejection of any regulation that legalizes bribery in the healthcare system

TI Romania demands the rejection of regulations that would legalize bribery in the healthcare system, as it is the case with a proposal of the Physicians' College, because, in this way, corruption would be legalized within the public sector on the basis of a precedent.

TI Romania worries about the dangerous precedent that could be created by legalizing the bribery of physicians, which is the same as conditioning human life on the material resources one owes. Physicians in the public healthcare system cannot legally receive from their patients other benefits than the salary paid by medical institutions; citizens are legally obliged to pay for health insurances, which cover the healthcare services of which they should benefit by right. It is exactly the same as in the case of civil servants who would receive side payments for their activity, although citizens already contribute to the national budget. The situation is the same if citizens were to give side payments to magistrates as a form of gratitude. One could believe that even politicians could legally receive such forms of gratitude for their decisions.

On the other hand, TI Romania draws attention to the fact that Romania has signed the Council of Europe's Civil Law and Criminal Law Conventions against Corruption, both of them ratified in 2002. These conventions forbid signatory countries the legalizing of bribery or undue advantages in any form. Such an initiative would come against the commitments assumed internationally and would open the way for abolishing legislation which forbids public servants or public sector employees to receive money or goods in order to accomplish legal tasks. We emphasize that such a regulation would also bring Romania before the European Court of Justice for breaching the *acquis communautaire*.

Any beneficiary of health services contributes from his or her own income to the social health insurance fund, so the services of which he benefits are already paid. The institution of a new legal tax would increase the contribution. To accept corruption as a form of compensation for small income is immoral. The state can increase the insurance contributions and the salaries in a transparent manner, but it has also the obligation to combat corruption in order to guarantee the patients' access to services already paid for by taxes.

According to its universally accepted definition, corruption is the abusive use of entrusted power for private benefits. This approach would make citizens believe that legalizing bribery for physicians can be translated in other words through „I treat you if you pay me, if not, you can wait”, because we do not have beds, we do not have equipment, etc. The employees of the state environment protection agency have low salaries as well, but they do not receive money for services performed because their attributions are not vital for citizens. The salary dilemma is to be resolved between the employer and the employee and, under no circumstances from the pocket of the public service beneficiary. If such a „tax” is provided for by law it would directly lead to social exclusion for those parts of the population that cannot pay „*the protection tax for health*”.

We have noticed with regret the analogy made between the “tax” for physicians and the restaurant tip and we protest in the name of physicians for these examples, because physicians are not waiters and hospitals and polyclinics are not restaurants.

The approach of this initiative can bring serious damages to the public image of a socioprofessional category of great importance for society, which should enjoy public respect and appreciation, and not general reprehension. Those who make such propositions are called to defend firstly the professional and material interests of physicians in relation to state and society, and not act against them.

With regard to this situation, TI-Romania asks Romanian authorities to firmly reject this initiative of legalizing corruption.

**Executive Director,
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