



MINISTRY OF
SOCIAL AFFAIRS AND HEALTH
FINLAND
National Advisory Board on Health Care
Ethics (ETENE)
Ritva Halila

OPINION

Rec no.
15:00/2003

23.5.2004

Ministry of Social Affairs and Health
Registry

Subject **OPINION ON THE WORKING GROUP MEMORANDUM ON EXTENDING
THE SPHERE OF AUTHORITY OF THE NATIONAL AUTHORITY FOR
MEDICOLEGAL AFFAIRS (2004:4)**

The Ministry of Social Affairs and Health has requested the National Advisory Board on Health Care Ethics (ETENE) to issue an opinion on the memorandum of the working group considering an extension of the sphere of authority of the National Authority for Medicolegal Affairs by 15 May 2004. As ETENE has not held a meeting during the aforementioned period, an opinion was prepared between the General Secretary and the Vice Chairman of ETENE. The opinion and the working group memorandum will be presented in the next ETENE meeting on 2 June 2004 and if the members of the Advisory Board wish to add some important remarks on the opinion, these will be directed to the Ministry at a later date.

The proposals are wide-ranging and require a significant increase in resources. The reforms require that approximately 26 new offices in the field of health care and 15 new offices in the field of social welfare would be established in the National Authority for Medicolegal Affairs. Also other expenses need to be considered. Additionally, it has been proposed that 43 new offices should be established in the State Provincial Offices by 2007.

Fair treatment of patients and patients' right to good care and treatment are the basic principles of the Act on the Status and Rights of Patients. In addition, the right to adequate social welfare and health care services is included in the Constitution. The reform of central government transfers to local government and the transference of the decision power to separate local authorities have increased the inequality of citizens living in different parts of the country. For this reason, it is important to consider in what ways equality and justice could be increased in health care within the present system. In this proposal, the focus has been on increasing national steering and monitoring and clarifying the division of tasks between the National Authority for Medicolegal Affairs and the State Provincial Offices. There is reason to question, however, whether these reforms are adequate in order to reach the goals and whether the increase in resources is enough.

The working group views that the person register of professionals in health care (TERHIKKI register) should be downsized so that resources could be released to

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other activities. The working group also considers that with regard to social welfare, the establishment of a corresponding person register would not be necessary. Instead, the working group proposes that a register of private service units in the field of social welfare and health care should be established within the National Authority for Medicolegal Affairs. This is probably sensible. The proposals do not include any concrete suggestions on how to downsize the TERHIKKI register. This may require amendments to the Act on Health Care Professionals.

The National Authority for Medicolegal Affairs mentions in its report alternative health care methods but with this respect it considers its authority to be limited only to health care professionals. The field is very problematic and creates confusion among citizens. Also the Treatment Injury Board has in the recent years extensively discussed alternative treatments. There is certainly reason to continue the debate on how to improve the monitoring of the field in the future. The Consumer Agency does not seem to have resources for the monitoring.

There is a dissenting opinion in the working group memorandum concerning the proposed increase in resources. We consider it important to assess the allocation of resources together with the State Provincial Offices and other authorities related to the Ministry. It should be emphasised that regional monitoring with adequate resources also enables the future expansion of activities of the National Authority for Medicolegal Affairs.

Leena Niinistö
Vice Chairman

Ritva Halila
General Secretary