

Jasminka Katić Bubaš*, Ervin Jančić**

Achieving purpose of The Universal Declaration on Bioethics and Human Rights in the work of hospital ethics committee

The Universal Declaration on Bioethics and Human Rights, adopted on 19 October 2005, in Article 19 promotes the work and purpose of ethics committees as independent, multidisciplinary and pluralistic ethics boards that are to be founded, promoted and supported at all appropriate levels so they can:

- (a) assess relevant ethical, legal, scientific and social issues regarding research projects which involve human beings;
- (b) provide advice on ethical problems in clinical environment;
- (c) assess scientific and technological development, formulate recommendations and contribute to preparations of guidelines on issues that the Declaration is applicable to, and
- (d) encourage discussions, education and affect public opinion and participation and engagement in the field of bioethics.

Resulting from Article 22 of the cited Declaration, states should take all appropriate measures regardless of their being of legal, administrative or any other type, in order to carry out principles set in this Declaration in accordance with the international law on human rights. Such measures shall support activities related to education, training and dissemination of information to the public. States should also encourage establishing independent, multidisciplinary and pluralistic ethics committees in

* Correspondence address: Jasminka Katić Bubaš, M.A., Head of the Department for Normative Affairs and European Integrations, Ministry of Health and Social Welfare, Ksaver 200, 10 000 Zagreb, Croatia, tel: +38514607549; +3851460751; fax: +38514677-008; e-mail: jasminka.bubas@mzss.hr

** Correspondence address: Ervin Jančić, M.D., neurology specialist, Department of Neurology, Karlovac General Hospital, A. Štampara 3, 47 000 Karlovac, Croatia, tel: +38547608318; +385989333939; e-mail: ervin.jancic@ka.t-com.hr.

order to achieve the purpose stated in Article 19 of the Declaration. By continuing the aforementioned purpose, and in accordance with the Health Care Act (Official Gazette 150/08), the ethics committee in a health facility is a body that ensures the work in a health facility is based on principles of medical ethics and deontology.

Ethics committee is appointed by the governing council and it consists of minimally five members out of which at least 40% of the members must be of the opposite gender, and at least one member must be a representative from a field not related to medicine and at least one member must not be a health facility employee. The governing council also appoints deputies of the ethical committee members. The number of members and structure of the ethics committee is governed by the health facility statute.

Ethics committee adopts rules of procedure. Its function is to monitor the application of ethical and deontological principles of health profession in the work of the health facility, approves scientific research in the health facility, monitors removal of body parts for scientific and educational purposes after the autopsy and resolves other ethical issues arising in the work of the health facility. (2)

Insight into the annual report from 2005 has shown that Karlovac General Hospital had 889 employees, 429 beds and occupancy rate was 80.24%, the number of treated patients was 16 878, who accounted for 125 641 days of hospital treatment. There were 210 416 polyclinic exams and 217 086 health services were provided. (3)

From its appointment on 2 November 2004, the ethics committee has held 32 sessions. Most discussions revolved around requirements for the approval to conduct final phases of clinical experiments or clinical research for purposes of professional and scientific work and doctoral dissertations. Reported side effects of medications during approved experiments were discussed, as well as patients' and hospital doctors' complaints, doctor-patient communication problems, confidentiality of data, necessity for employees' education and necessity for bioethical consultations.

These examples corroborate earlier defined three out of four basic functions of the institutional ethics committees; education, support and counseling (4, 5), i.e. education, establishing work policy, consultations and assessment of individual cases, and, in some cases, theological reflections. (6)

REFERENCE:

1. Health Care Act / Zakon o zdravstvenoj zaštiti (NN,150/08)
2. Health Care Act /Zakon o zdravstvenoj zaštiti (NN, 155/09)
3. Pavan G. et al; 160 godina Opće bolnice Karlovac, 2006, p. 44-45.
4. Rinčić Lerga, I. (2007), Etička povjerenstva u okvirima europske biopolitičke prakse, *Društvena istraživanja*, 3 (89): 557-575.
5. Šegota, I. (1998), *Pogovor: Etički komiteti i bioetika*. U: R. P. Craig, C. L. Middleton and L. J. O'Connell, *Etički komiteti – Praktični pristup* (p. 153-196), Zagreb, Pergamena.
6. Craig, R. P., Middleton C.L., O Connell L. (1998), *Etički komiteti – Praktični pristup*, Zagreb, Pergamena.