

KNAB objects legalisation of "gratuities" for doctors

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Corruption Prevention and Combating Bureau (KNAB) believes that the way how today is addressed an issue about recognising patients' unofficial payments to doctors as legal is creating very favourable conditions for corruption.

KNAB believes that doctors cannot be a special privileged group of public sector employees which is remunerated by additional payments. Such situation is not acceptable as every doctor who works at the state financed hospital or any other medical institution financed by the state is using resources (premises, medical equipment and work of the personnel, etc.) of this state financed institution and receives a salary for his/her work.

Despite the fact that doctors in Latvia are not public officials for the purposes of the Law on Prevention of Conflict of Interest in Activities of Public Officials, the society does not see any difference between a public official and a doctor who works also at the state's or municipality's financed institution. The opinion pool made in 2005 shows that most often people face corruption exactly in medical institutions. 22,8% of respondents had faced situations when medical personnel accepted an unofficial payment or a gift.

As information received frequently by the Report Centre of the KNAB shows that for patients it is very hard to draw a line between demands and acceptance of such "gratuities" as information on how much and to which doctor you have to pay usually is received from other patients, relatives or medical personnel. It should be noted that by recognising additional payments to doctors as legal, the opportunity for them to further on hide demanded payments behind sign "gratuities" will be retained.

KNAB reminds that a fight against corruption in health sector was in the centre of attention of many previous governments. In 2004 the Government of Mr. Repše approved a National Strategy for Corruption Prevention and Combating for 2004-2008 where improvement of legal liability for corruptive activities in providing public services was foreseen. In 2004 the Government of Mr. Emsis approved a National Programme for Corruption Prevention and Combating for 2004 - 2008 where a task on setting a liability for illegal demand and acceptance of a material benefit in a process of providing public services was included. In 2005 the Government of Mr. Kalvītis, based on an initiative of the Health Minister of that time Mr. Bērziņš, approved amendments in the Administrative Violations Code of Latvia which foresaw a liability for doctors for accepting of an illegal benefit, as well as amendments to the Criminal Law of Latvia which foresaw a criminal liability for demand and acceptance of an illegal benefit.

By approving and forwarding to the Parliament (Saeima) the above mentioned amendments, the Government of Mr. Kalvītis has clearly expressed its condemnation for demand and acceptance of illegal material benefit, as well as for acceptance of such a benefit without demanding it.

The amendments to the Criminal Law have already entered into force but amendments to the Administrative Violations Code of Latvia were adopted by the Saeima in the second reading on 22 September 2005 and since then have not been put forward for an adoption in the last reading. Unfortunately until this day it is not clear why these amendments are not adopted as there have not been any public announcements that the Government has changed its mind on this issue.

KNAB invites all doctors of Latvia not to accept additional remuneration from their patients for the services provided and which are already paid by the state. The acceptance of additional remunerations or "gratuities" cannot be justified by a weak health system, small salaries or shortcomings in legal framework. KNAB also invites patients not to pay to doctors unofficial payments but to express their gratitude for a good work by saying good words. The Director of KNAB, Mr. Aleksejs Loskutovs believes: "Unfortunately in our society there is a corrupted perception about what is gratitude. Gratitude is a picture drew to a doctor by a cured child or a flower bouquet to a doctor from your own garden. Money is not and cannot be "gratuities".

Considering that until now doctors have received money as additional remuneration for their services, KNAB supports the

activities of the State Revenue Service towards collecting a personal income tax from all income obtainers, including doctors.

<https://www.knab.gov.lv/en/article/knab-objects-legalisation-gratuities-doctors>