

21. COMPETENCE OF THE MEDICAL WORKERS IN THE CONTEXT OF NATIONAL LEGISLATION

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Introduction: Dynamically changing system of social and professional values in Ukraine, leads to a rethinking of many traditional categories. The new categories include legal jurisdiction that is a part of justice is not only a media specialist legal knowledge, but also by a number of professionals who, because of their activity strictly regulated by the law, in fact, all their activities are confined mainly to the implementation of an algorithm for action described in the regulation. These professions include medical professionals.

Purpose and Objectives: To analyze compliance with the legal concept of competence as a necessary component of the health care worker, to justify the need for the introduction of this definition in a number of legal acts in the field of health care.

Materials and methods: The analysis includes the Constitution of Ukraine, the Civil Code of Ukraine, the Penal and Criminal Procedure Code, the Law of Ukraine "Fundamentals of Ukraine on Health" and other laws.

Results: The subject of justice is a competent person who has no legal training, but has a high level of knowledge of law and skills as they apply. Particularly acute problem of determination of the legal competence of the employee exists in the health care system. This is due primarily to the reform of the industry, and the emergence of a new legal system of mutual responsibility between doctor and patient. The legal competence of health care worker is regulated by articles of the Constitution of Ukraine, the Civil Code of Ukraine, the Penal and Criminal Procedure Code, the Law of Ukraine "Fundamentals of Ukraine on Health" and other laws. However, none of them defines the concept of legal competence and its boundaries, which causes excess medical professional for their office or through the «blurring of competence» creates the conditions for submission to medical requirements, other than those of his immediate obligation relations. However, for health professionals play an important role the implementation of legal provisions and implementation knowledge of local regulations - treatment protocols and the ability to compose documents of legal significance, such as death certificates, autopsy acts, acts of forensic medical examinations, wills and more.

Conclusions: More conscious health workers will be treated to an understanding of the role and place it in the case of legal mechanisms for the regulation of the professional activity, the more comfortable and relaxed they work, the less complaints and lawsuits will respect the rights and legitimate interests of patients.

Keywords: legal competence, legal consciousness

22. LAW REGULATION PROVIDING MEDICAL CARE FOR HIV-INFECTED CHILDREN IN SECONDARY SCHOOLS OF UKRAINE

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Introduction: Children's health is a priority responsibility of the state, as defined in the UN Convention on the Rights of the Child, the Constitution of Ukraine and a number of laws and regulations. That is why every school should regulate medical centers. Particularly acute issue of the rights of HIV- infected children in the process of realization of the right to education.

Purpose and Objectives: To reveal the features of health care pupils in secondary schools; isolate the problematic issue of rights of Health HIV - infected children in secondary schools in Ukraine.