Russian Federation government

RESOLUTION

from October 4, 2012 N 1006

ABOUT THE STATEMENT OF RULES

PROVISION OF PAID SERVICES BY MEDICAL ORGANIZATIONS

MEDICAL SERVICE

According to part 7 of article 84 of the Federal law "about bases of protection of health of citizens in the Russian Federation" and article 39.1 of the Law of the Russian Federation "About protection of the rights of consumers" the Government of the Russian Federation decides:

1. To approve the attached Rules of provision of paid medical services by medical organizations.

2. Recognize become invalid the resolution of the Government of the Russian Federation of January 13, 1996 N 27 "About the statement of Rules of providing paid medical services to the population by medical institutions" (Collection of the legislation of the Russian Federation, 1996, N 3, Art. 194).

3. This resolution shall enter into force on January 1, 2013

chairman of government

Russian Federation

D. MEDVEDEV

Approved

government decree

Russian Federation

from October 4, 2012 N 1006

RULES

PROVISION OF PAID SERVICES BY MEDICAL ORGANIZATIONS

MEDICAL SERVICE

I. General provisions

1. These Rules determine the procedure and conditions for the provision of paid medical services by medical organizations to citizens.

2. For the purposes of these Rules the following basic concepts are used:

"paid medical services" - medical services provided on a reimbursable basis at the expense of personal funds of citizens, funds of legal entities and other funds on the basis of contracts, including contracts of voluntary medical insurance (hereinafter-the contract);

"consumer" - an individual who intends to receive or receives paid medical services personally in accordance with the contract. The consumer receiving paid medical services is the patient on whom action of the Federal law "about bases of protection of health of citizens in the Russian Federation extends";

"customer" - a natural (legal) person who intends to order (purchase) or ordering (acquiring) paid medical services in accordance with the contract in favor of the consumer;

"executor" is a medical organization providing paid medical services to consumers.

The term " medical organization "is used in these Rules in the meaning defined in the Federal law"on the basis of health protection of citizens in the Russian Federation".

3. Paid medical services are provided by medical organizations on the basis of the list of works (services) constituting medical activity and specified in the license for medical activity issued in accordance with the established procedure.

4. Requirements to paid medical services, including to their volume and terms of rendering, are defined by agreement of the parties of the contract if Federal laws, other regulatory legal acts of the Russian Federation do not provide other requirements.

5. These Rules in a clear and accessible form shall be communicated by the contractor to the consumer (customer).

II. Conditions of granting of paid medical services

6. At the conclusion of the contract to the customer (client) is available in an accessible form information about the availability of appropriate types and volumes of medical aid free of charge under the program of state guarantees of free rendering to citizens of medical aid and the territorial program of state guarantees of free rendering to citizens of medical aid (further - accordingly, the programme, local programme).

The consumer's refusal to enter into a contract may not be the reason for reducing the types and volumes of medical care provided to such a consumer without charging a fee within the framework of the program and the territorial program.

7. Medical organizations participating in the implementation of the program and the territorial program have the right to provide paid medical services:

a) on other conditions than provided by the program, territorial programs and (or) target programs, at the request of the consumer (customer), including:

establishment of an individual post of medical supervision during treatment in a hospital;

the use of medicines that are not included in the list of vital and essential medicines, if their appointment and use is not due to vital indications or replacement due to individual intolerance of medicines included in the list, as well as the use of medical devices, medical nutrition, including specialized medical nutrition products that are not provided by the standards of medical care;

b) when providing medical services anonymously, except for the cases stipulated by the legislation of the Russian Federation;

C) citizens of foreign States, stateless persons, except for persons insured under compulsory medical insurance, and citizens of the Russian Federation who do not live permanently on its territory and are not insured under compulsory medical insurance, unless otherwise provided by international treaties of the Russian Federation;

d) when a self-referral for medical services, except in cases and order stipulated by article 21 of the Federal law "About bases of health protection of citizens in Russian Federation", and cases of emergency, including emergency specialized medical care and care provided in urgent or emergency form.

8. The procedure for determining prices (tariffs) for medical services provided by medical organizations, which are budgetary and state-owned state (municipal) institutions, shall be established by the bodies exercising the functions and powers of the founders.

Medical organizations of other organizational and legal forms determine the prices (tariffs) for paid medical services independently.

9. When providing paid medical services, the procedures for providing medical care approved by the Ministry of health of the Russian Federation must be observed.

10. Paid medical services can be provided in full standard of care approved by the Ministry of health of the Russian Federation or at the request of the consumer in the form of carrying out individual consultations or medical interventions, including amounts exceeding the scope of standard medical care.

III. Information about the artist and provided

medical services

11. The executor is obliged to provide by means of placement on the website of the medical organization in the information and telecommunication network "Internet", and also on information stands (racks) of the medical organization the information containing the following data:

a) for a legal entity-name and company name (if available);

for an individual entrepreneur - surname, first name and patronymic (if available);

b) the address of the location of the legal entity, data of the document confirming the fact of entering of data on the legal entity in the Uniform state register of legal entities, with indication of the body which has carried out state registration;

the address of the residence and the address of the place of implementation of medical activity of the individual entrepreneur, data of the document confirming the fact of entering of data on the individual entrepreneur in the Unified state register of individual entrepreneurs, with indication of the body which has carried out state registration;

C) data on the license for implementation of medical activity (number and date of registration, the list of works (services) making medical activity of the medical organization according to the license, the name, the address of the location and phone of the licensing body which issued it);

d) the list of paid medical services with the indication of the prices in rubles, data on conditions, the order, the form of providing medical services and the order of their payment;

e) the procedure and conditions for the provision of medical care in accordance with the program and the territorial program;

e) data on the medical workers participating in providing paid medical services, about the level of their professional education and qualification;

g) mode of work of the medical organization, the schedule of work of the medical workers participating in providing paid medical services;

h) addresses and phone numbers of the Executive authority of the subject of the Russian Federation in the sphere of health protection of citizens, territorial body of the Federal service for supervision in the sphere of health and the territorial body of the Federal service for supervision of consumer rights protection and human well-being.

12. The information placed on information stands (racks) shall be available to an unlimited circle of persons during all working hours of the medical organization providing paid medical services. Information stands (stands) are located in a place accessible to visitors and are designed in such a way that you can freely get acquainted with the information posted on them.

13. The contractor provides for review at the request of the consumer and (or) the customer:

a) a copy of the constituent document of a medical organization-a legal entity, the regulations on its branch (branch, other geographically separate structural unit) involved in the provision of paid medical services, or a copy of the certificate of state registration of an individual as an individual entrepreneur;

b) the copy of the license for implementation of medical activity with the Appendix of the list of works (services) making medical activity of the medical organization according to the license.

14. At the conclusion of the contract at the request of the consumer and (or) the customer, they must be provided in an accessible form information about paid medical services, containing the following information:

a) procedures for the provision of medical care and standards of medical care applied in the provision of paid medical services;

b) information on the specific medical worker providing the corresponding paid medical service (his professional education and qualification);

C) information on methods of medical care, risks associated with them, possible types of medical intervention, their consequences and expected results of medical care;

d) other information relating to the subject of the contract.

15. Prior to the conclusion of the contract, the contractor shall notify the consumer (customer) in writing that non-compliance with the instructions (recommendations) of the contractor (medical worker providing paid medical service), including the prescribed treatment regimen, may reduce the quality of the paid medical service provided, entail the inability to complete it on time or adversely affect the health of the consumer.

IV. Order of conclusion of the contract and payment of medical services

16. The contract is concluded by the consumer (customer) and the contractor in writing.

17. The contract must contain:

a) information about the contractor:

name and trade name (if any) of the medical organization-legal entity, address of the location, data of the document confirming the fact of entering information about the legal entity into the Unified state register of legal entities, indicating the body that carried out the state registration;

surname, name and patronymic (if any) of an individual entrepreneur, address of residence and address of the place of medical activity, data of the document confirming the fact of entering information about an individual entrepreneur into the Unified state register of individual entrepreneurs, indicating the body that carried out the state registration;

number of the license for implementation of medical activity, date of its registration with indication of the list of works (services) making medical activity of the medical organization according to the license, the name, the address of the location and phone of the licensing body which has issued it;

b) surname, name and patronymic (if any), address of residence and telephone number of the consumer (legal representative of the consumer);

surname, name and patronymic (if any), address of residence and telephone number of the customer-an individual;

name and address of the location of the customer-legal entity;

C) list of paid medical services provided in accordance with the contract;

d) cost of paid medical services, terms and procedure of their payment;

е) the terms and conditions of granting of paid medical services;

f) the position, surname, name, patronymic (if any) of the person concluding the contract on behalf of the contractor, and his signature, surname, name, patronymic (if any) of the consumer (customer) and his signature. If the customer is a legal entity, the position of the person concluding the contract on behalf of the customer shall be indicated;

g) liability of the parties for non-performance of the contract;

h) procedure for amendment and termination of the contract;

I) other conditions determined by agreement of the parties

18. The contract is made in 3 copies, one of which is at the contractor, the second-at the customer, the third-at the consumer. If the contract is concluded by the consumer and the contractor, it is drawn up in 2 copies.

19. Estimates may be drawn up for the provision of paid medical services. Its preparation at the request of the consumer (customer) or the contractor is mandatory, while it is an integral part of the contract.

20. If the provision of paid medical services requires the provision of additional medical services on a reimbursable basis, not provided for by the contract, the contractor is obliged to notify the consumer (customer).

Without the consent of the consumer (customer), the contractor shall not be entitled to provide additional medical services on a reimbursable basis.

21. If the provision of paid medical services requires the provision of additional medical services for emergency indications to eliminate the threat to the life of the consumer in sudden acute diseases, conditions, exacerbations of chronic diseases, such medical services are provided without charge in accordance with the Federal law "on the basis of health protection of citizens in the Russian Federation".

22. In case of refusal of the consumer after the conclusion of the contract from receiving medical services the contract is terminated. The contractor will inform the consumer (customer) on termination of the contract by the consumer, wherein the consumer (customer) pays to the executor the actually incurred by the contractor costs associated with execution of obligations under the contract.

23. The consumer (customer) is obliged to pay for the medical service provided by the contractor within the terms and in the manner specified in the contract.

24. The consumer (customer) in accordance with the legislation of the Russian Federation is issued a document confirming the payment of medical services (cash receipt, receipt or other form of strict reporting (document of the established sample)).

25. The contractor after the execution of the contract shall issue to the consumer (legal representative of the consumer) medical documents (copies of medical documents, extracts from medical documents), reflecting the state of his health after receiving paid medical services.

26. The conclusion of the contract of voluntary medical insurance and payment of the medical services provided according to the specified contract are carried out according to the Civil code of the Russian Federation and the Law of the Russian Federation "About the organization of insurance business in the Russian Federation".

V. Procedure for provision of paid medical services

27. The contractor provides paid medical services, the quality of which must comply with the terms of the contract, and in the absence of conditions in the contract about their quality-the requirements for services of the appropriate type.

If the Federal law, other regulatory legal acts of the Russian Federation provide for mandatory requirements for the quality of medical services, the quality of paid medical services must meet these requirements.

28. Paid medical services are provided in the presence of the informed voluntary consent of the consumer (the legal representative of the consumer) given in the order established by the legislation of the Russian Federation about protection of health of citizens.

29. The contractor shall provide the consumer (legal representative of the consumer) at his request and in a form accessible to him information:

his / her state of health, including the results of the examination, diagnosis, treatment methods, associated risks, possible options and consequences of medical intervention, expected results of treatment;

about the medicines and medical devices used at providing paid medical services, including about terms of their validity (warranty periods), indications (contraindications) to application.

30. The contractor is obliged to comply with the requirements established by the legislation of the Russian Federation for the registration and maintenance of medical documentation and accounting and reporting statistical forms, the order and timing of their submission.

VI. Contractor's responsibility and control

for the provision of paid medical services

31. For non-performance or improper performance of obligations under the contract, the contractor shall be liable under the legislation of the Russian Federation.

32. The harm caused to the life or health of the patient as a result of providing low-quality paid medical services is subject to compensation by the contractor in accordance with the legislation of the Russian Federation.

33. Control over observance of these Rules is carried out by the Federal service for supervision in the sphere of consumer rights protection and human welfare within the established powers.