

Summary

THE RISK OF THE CRIMINAL RESPONSIBILITY OF THE DOCTOR IN THE PROVIDING MEDICAL CARE

A closer look at this topic is an obvious link with the various areas of medical care. The most important ones of them I chose a more fully expanded upon in this work. Already within health care organization is being created that can prevent criminal responsibility. Well-established standards of quality management, implementation of internal and external audits, are just as important as clearly defined legal standards. It is my job thematised topics of informed consent and rules in connection with the occurrence of nosocomial infections. I also deal with comparing different topics with other countries mainly within Germany and Europe.

This thesis is divided into four chapters. The first chapter deals with the main basis of legislation, medical law and the laws of the Czech Republic in a hierarchical sequence. In terms of the basic source of international Convention on Human Rights and Biomedicine and other international agreements. The Convention on Biomedicine, which was incorporated into the legal order of the Czech Republic is one of the basic legislation on medical law. The Criminal Code and other regulations relating to medical law and law on health services are also included in this section.

In the second chapter I deal with the relationship between doctor and patient, and the historical development of this relationship from a paternalistic relationship till relationship de facto partner. I also deal with the assessment of the relationship between doctor and patient, as an important factor in reducing the risk of the practitioner in the field of criminal responsibility.

The introduction of the third chapter engages in the concept of *lege artis* and then more details of this term in the context of informed consent. In addition, this chapter discusses the international standardization, quality management and related standardization of health care. More details which are dealing with nosocomial infections are compared to Germany, Europe and the Czech Republic. The theme is also legislation in their reporting in the Czech Republic and abroad.

The fourth chapter discusses the kinds of accountability in the provision of medical care, the general conditions of criminal liability and the circumstances of justification. In addition, this chapter discusses selected crimes. These are the themes of participation in suicide and illegal abortions.

In conclusion, I emphasize the importance of scientific interest and public interest in the precise rules of the manipulation with reporting of nosocomial infections.