

Abstract

Criminal liability in medical law

This diploma thesis deals with a criminal liability in medical law, especially with a criminal liability of providers of healthcare, which are not only individuals, but also legal entities. This thesis also compares Czech criminal and medical law with criminal and medical regulations in the Russian Federation.

The thesis itself is divided into three chapters, which are subdivided into several sections.

In the first chapter the criminal liability in medical law is analysed generally. It concerns general aspects of criminal liability, possible crimes, conditions under which healthcare services may be provided without any criminal sanction and other types of liability in medical law, such as civil, labour, administrative and disciplinary liabilities. It introduces into criminal law and medical law in the Russian Federation.

The second chapter defines providers of healthcare and shows those providers as possible subjects of criminal liability. It also describes the system of healthcare in the Czech Republic and compares it with the extensive system of healthcare in Russia.

The criminal liability of legal entities is presented in chapter three. The Czech legislation from the year 2016 regarding the criminal liability of legal entities is discussed in consideration of providers of healthcare as legal entities. *Compliance programmes* as a new institute of possibilities how to exculpate oneself is being mentioned, some other opinions on possibilities how to exculpate oneself and different types of new crimes which legal entities are able to commit are described in this chapter. The chapter also mentions new regulation of the European Union – General Data Protection Regulation, which is becoming effective in May 2018. An interview with two health professionals is taken into account with all these considerations.