

Abstract

Obligation to compensate for personal injury in connection with provision of health care

This dissertation is focused on the obligation to compensate for personal injury in connection with the provision of health care. The aim of the dissertation is to analyse relevant general elements of the obligation to compensate for personal injury as well as relevant special elements of such obligation. The dissertation surveys the interpretation of conceptual changes related to the recodification of Czech private law in the area of tort law in connection with the provision of health care. Legal basis of the doctor-patient relationship will also be analysed because such analysis is crucial for determination which elements of the obligation to compensate for personal injury will regularly be applied in this field.

Therefore, the first chapter is devoted to the legal nature of the doctor-patient relationship. The second chapter deals with the obligation to compensate for personal injury caused by the provision of health care, i.e. with the definition and analysis of relevant elements of such obligation in this field. The third chapter is focused on the wrongfulness as one of the significant elements of the obligation to compensate for personal injury; substantial attention of this chapter is aimed at the required standard of health care provision. The fourth, fifth and sixth chapter deal with the other elements of the obligation to compensate for personal injury, i.e. harm, causation and negligence, all this with focus on the provision of health care.