

## Summary

The aim of this thesis is to create an integrated document that presents problems of fixing maximum prices, the amount of and conditions for reimbursement of pharmaceuticals. The thesis itself does not only deal with administrative proceedings in which the maximum prices, the amount of and conditions for reimbursement of pharmaceuticals are fixed, but it also includes description of the price and reimbursement regulation before 1<sup>st</sup> January 2008. Logically, the thesis can be divided into two parts. The first part presents historical insight into the legislation in effect before the groundbreaking judgement of the Constitutional Court of the Czech Republic, file number Pl. ÚS 36/05, with the supplement of constitutionally legal analysis of the issue of passing the legislation governing individual cases. The second part focuses on the description of the current system of price and reimbursement regulations and the related administrative proceedings. Besides the introduction and conclusion, the thesis consists of five chapters, which are then further divided into relevant subsections.

The first chapter defines basic terms, which are frequently used in this thesis, and also the basic categorization of these terms. These terms are *pharmaceutical*, *active substance* and *medicine*. In addition, the first chapter contains a brief outline of the issues that this thesis deals with.

The second chapter presents the system of price and reimbursement regulation in the period before the implementation of comprehensive legal changes, in particular, the description of the formation of „pharmaceutical regulation“ and outlining the status of Categorization Commission of the Ministry of Health.

The third chapter focuses on judicial decisions of the Constitutional Court of the Czech Republic dealing with generality of the regulations. This chapter briefly summarizes judgements of the Constitutional Court of the Czech Republic, in which this court has decided whether to observe the character of generality of regulations, or whether the decision was passed in an individual case. The findings of this analysis are then applied to the case of pharmaceutical regulation.

The fourth chapter deals with the procedure of repealing a part of law and other regulation, the result of which was the judgement of Constitutional Court of the Czech Republic, file number Pl. ÚS 36/05. This chapter describes the reasons for opening the trial, arguments of parties, and also the result of the trial.

The fifth, and the longest, chapter of this thesis deals with both the issue of current prizes and reimbursement regulation, and the administrative proceedings included in the sixth part of the Public Health Insurance Act. The main focus of this chapter is the presentation of administrative proceedings in particular, leading to fixing the maximum price, the amount of and conditions for reimbursement of pharmaceutical. This chapter describes both basic and specific variants of these proceedings, and it also comprises the comparison of modifications of these proceedings with the general format, contained in the Administrative Order.