

/National emblem of the Republic of Belarus/

**MINISTRY
OF HEALTH
OF THE REPUBLIC OF BELARUS**

39, Myasnikova Str., 220048, Minsk
tel. (+375 17) 222 65 47, fax (+375 17) 222 46 27
website: www.minzdrav.gov.by
e-mail: mzrb@belcmt.by
PASHTAR: 7000861@mail.gov.by
settlement account: BY89AKBB36049000000100000000
with Joint Stock Company "Savings Bank "Belarusbank", BIC: AKBB BY 2X
TIN 100049892

July 21, 2020 ref. No. 4-5-8/H-5034(2)

Your ref. No. _____

Nikolas Cheropoulos
P.O.B. 60
220014, Minsk
nicolas.cheropoulos@gmail.com

On considering the appeal

The Ministry of Health of the Republic of Belarus, within its competence, has considered your appeal and reports the following.

Article 3 of Law of the Republic of Belarus No. 300-3 "On Appeals of Citizens and Legal Entities" of July 18, 2011 defines the entities that have the right to appeal. Clause 2 of this article establishes that foreign citizens and stateless persons located in the territory of the Republic of Belarus, as well as representative offices of foreign organizations, enjoy the right to appeal on an equal basis with citizens of the Republic of Belarus and legal entities of the Republic of Belarus, unless otherwise specified by the Constitution of the Republic of Belarus, laws and international treaties of the Republic Belarus. Therefore, you are not one of these persons.

At the same time, we would like to clarify to you that the legal, organizational, economic and social foundations of state regulation in the field of healthcare are established by Law of the Republic of Belarus No. 2435-XII dated June 18, 1993 "On Health Care" (hereinafter - the Law "On Health Care"). The said Law enshrines the patient's rights and regulates relations related to the provision of information about the patient's health. The patient's right to receive information about his or her own health in an accessible form is provided for by paragraph 7 of Part 1 of Article 41 of the Law "On Health Care".

According to Parts 1, 2 and 4 of Article 46 of the Law "On Health Care", information about the patient's health status is provided by the attending physician to the patient or persons specified in Part 2 of Article 18 of this Law in a form that meets the requirements of medical ethics and deontology and is understandable for the person, with no special knowledge of health care.

This duty of the attending physician allows one to correctly interpret information from medical records and bring its content to the patient, preventing its misinterpretation.

At the request of the patient, persons authorized by the patient or persons specified in Part 2 of Article 18 of the Law “On Health Care”, healthcare organizations issue extracts from medical records, medical certificates of health and other documents containing information about the patient’s health, in the manner prescribed legislation of the Republic of Belarus.

The Law “On Health Care” or other legislative acts do not establish any other way of providing written information constituting medical secrets, and the Ministry of Health of the Republic of Belarus has no legal grounds for this.

Information about the state of health of the child Alexandra Cheropoulou constitutes a medical secret.

You, as the father of the child, have the (equal with the second parent) right to receive information about the child’s health from medical officers of health care organizations at the place of medical supervision of your daughter and/or providing her with medical assistance on condition of submitting the corresponding request personally or through an authorized person, to the health care institution “City Children’s Clinic No. 13” in the City of Minsk (Minsk, 60, Kizhevatova Str., building Д), in the manner prescribed by the legislation on administrative procedures.

Information about the state of health shall be provided personally to a citizen (a legal representative or an authorized person upon presentation of a passport or other identity document, as well as documents confirming the authority of the citizen’s representative).

The right and procedure for participation of a representative in the administrative procedure are determined by Article 8 of the Law of the Republic of Belarus No. 433-3 of October 28, 2008 “On the Basics of Administrative Procedures”.

During the implementation of an administrative procedure, representatives of an interested person can perform actions, the right to carry which belongs to the interested person, within the limits of their powers.

Previously, you were given fully substantiated answers on the merits of the appeals. There are no violations in the consideration of your previous appeals.

If you have specific information that something threatens your daughter’s health, you have the right to report this, in the manner prescribed by law, to the internal affairs bodies.

In accordance with Article 20 of the Law of the Republic of Belarus No. 300-3 of July 18, 2011 “On Appeals of Citizens and Legal Entities”, this response can be appealed by you in the prescribed manner.

First Deputy Minister

/signed/

D.L. Pinevich