

BOGA & ASSOCIATES NEWSLETTER

To keep you up to date with the latest legal and economic developments, this newsletter prepared by our Team provides information that may affect the operation of your business in Albania.

New Law “On Hospital Service”



New Law "On Hospital Service"

A new law "On Hospital Service" ("New Law") is adopted by the Albanian Parliament. The New Law aims to define the activity of the hospital service in Albania, the way of organization, administration, management and financing of this service, as well as the rules for the opening, the way of exercising the activity and the closing of public and non-public hospitals.

In the framework of equal access to healthcare and universal healthcare coverage, the New Law introduces several important novelties as regards hospital system organization, hospital autonomy, dual practice etc.

Hospital system organization

The hospital service is provided through public and non-public hospitals, which differ from each other based on ownership, financing method and purpose of activity. Public hospitals are further categorized into:

- day hospitals;
- hospitals at the municipality level;
- hospitals at the district level;
- regional hospital centers;
- tertiary hospitals;
- university hospitals/hospital centers.

Non-public hospitals licensed in accordance with the legislation in force offer hospital services in accordance with clinical standards and protocols approved by the Ministry of Health and Social Welfare. They are organized in general hospitals, specialized and day hospitals.

Hospital planning is achieved by the Committee for National Hospital Planning, which is a collegial ad hoc advisory body of the Minister of Health and Social Welfare and comprising of specialists in the field of health, as well as experts in other fields. The latter has the task to prepare and design the National Hospital Plan through which the national hospital capacities are determined.

Hospital autonomy

Hospital autonomy intends to ensure equality, accessibility, quality, safety and the in time provision of health services for the patients. For the benefit of such autonomy, hospitals are organized in the form of a public legal entity and fulfill the criteria defined in the regulation of hospital autonomy approved by decision of the Council of Ministers. The hospital autonomy models are as follows:

- Managerial autonomy model - guarantees administrative, organizational autonomy, based on the definitions of the hospital autonomy charter;
- Financial autonomy model - guarantees the transformation of public hospitals into self-financing institutions, financed from the state budget for services assigned by the Council of Ministers and from other legal sources, based on the definitions of the hospital autonomy charter.

Further, the New Law defines that the hospital autonomy charter is the legal instrument that contains the areas where autonomy can be exercised, including management, financing, human resources, procurement of funds and other areas as may be.

Referring to contracting powers, autonomous public hospitals can enter into contracts with private insurance companies, non-public hospitals, foreign diplomatic services or international organizations, foreign corporations operating in Albania and national/foreign pharmaceutical companies and institutions.





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Chambers Global 2022: Ranked **Band 1** in Corporate/Commercial

Chambers Europe 2022: Ranked **Band 1** in 3 practice areas

The Legal 500 2022: Ranked **Tier 1** in Legal Market Overview

Benchmark Litigation Europe 2022: Top Ranked in Dispute Resolution

WTR1000 2022: Top Ranked in Trademarks

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Boga & Associates

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The firm's particularity is linked to the multidisciplinary services it provides to its clients, through an uncompromising commitment to excellence. Apart from the widely consolidated legal practice, the firm offers the highest standards of expertise in tax and accounting services, with keen sensitivity to the rapid changes in the Albanian and Kosovo business environment. The firm delivers services to leading clients in major industries, banks and financial institutions, as well as to companies engaged in insurance, construction, energy and utilities, entertainment and media, mining, oil and gas, professional services, real estate, technology, telecommunications, tourism, transport, infrastructure and consumer goods.