**Administrative procedure in the realm blood and its components donation**

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The use of administrative procedure in the area of public administration grows stably. Healthcare field is not an exception thereto: widespread types of administrative procedure (in particular, the licensing procedure, permissive procedure, registration procedure, accreditation procedure, etc.) are used in this field together with procedures indissolubly related to medical practice, turnover of medications, provision of sanitary-epidemiological prosperity of population (in particular, procedure referral to treatment abroad covered by state budget, procedure of providing medications for orphan patients, procedure of implementation of quarantine, procedure of grant of consent to adjustment of sex).

This article establishes what kinds of administrative procedures are related to the donation of blood and its components and explores how exactly and how effectively they are used in practice. Blood donation is understood in the broad sense, referring not only to the blood samplingdonors, but also to the full range of operations that are carried out with selected blood: storage, processing, use, sale, export abroad, etc.

According to the current legislation in the field of blood and its components donation, the individual flaws of administrative procedures are used quite extensively. The law of Ukraine “On blood and its components donation” directly or implicitly mentions at least six kinds of administrative procedures. The latter include: (a) the procedure to determine the volume of blood required for the system of healthcare of Ukraine; (b) the licensing procedure; (c) the registration procedure; (d) the attributes procedure (the procedure of conferring State Awards). If to be honest, not all of them are currently applicable in practice in the administration of public entities or agencies who delegated (referred) power. The following is a brief overview of these procedures and their general characteristics.

Procedure of determination of the required volume of donor blood is quite specific and is used exclusively in the field of donation. Within the Cabinet of Ministers annually decides on the amount of blood and its components are required to ensure the needs of public health of Ukraine. The mentioned decision, as of 2015 is a separate order of the Cabinet of Ministers of Ukraine. It is determined by the amount of blood and its components, which require each of the regions of Ukraine, as well as the amount of blood and its components which require certain State agencies and their departments (security service of Ukraine, the Ministry of Internal Affairs of Ukraine, etc.) All in all, this procedure is at the stage of its formation.

Application procedures for licensing the activities of selecting, storing, processing, realization, usage of blood and its components is stipulated in part 3 of article 15 of the Law of Ukraine “On blood and its components donation”, but in practice it is not applicable. Such situation is caused by the fact that the current legislation (the law of Ukraine “On licensing of types of economic activity” as of 2015) does not count the activities connected with the circulation of blood to a number of such that require licensing.

The usage of permit procedure provided in article 22 of the Law of Ukraine “On blood and its components donation”. According to the aforementioned article blood components and preparations from donor blood can be transported abroad only in case of the express permission of the Cabinet of Ministers of Ukraine. Such permission can be issued in accordance with the procedure of the transportation abroad component of donor blood and preparations made from donor blood and its components, as well as removal of donor blood and its components. This statute establishes the structure of the administrative procedure, procedure for breach and collecting evidence in the case; gives a general description of the administrative act (permission) thereto, as well as defines the circle of participants in the procedure and foresees their individual procedural rights. This means that as of the year 2015 there exist administrative procedures, which are regularly applied in the field of donor blood and its components circulation.

The registration procedure is described in the first edition of the Law of Ukraine “On blood and its components donation”. There exists National Registry of blood and its components donors. It evolved on the basis of donor registries, which are institutions that are authorized to carry out the selection of blood. Registries contain personal data of donors and information about blood. However, neither the National Registry of donors of blood, nor donor registration procedure is formed. In healthcare institutions, procedures of blood sampling are notified in the specific books, however, a set of paper books cannot perform the function of a single registry.

In the absence of a National Registry and registration procedures the mechanism of optional registration applies. Donors are given a special document: Certificate of the Donor. It has a fixed form containing basic information about seizing the blood and ensures the person's donor status. Such a document partly compensates the lack of registry and the shortcomings in the activities of the public administration entities. However, the administrative procedure is absent, since the issuance of the certificate does not require participation of public administration representative, who can adopt the administrative act, and without the administrative act administrative procedure does not exist.

Attribution of honorary titles is also one of the administrative procedures in the field of donation. According to article 10 of the Law of Ukraine “On State awards of Ukraine” honored donor is one of the honorary titles of Ukraine. This title may be awarded to citizens of Ukraine, foreign citizens or persons without the citizenship who donate blood and (or) its components in the amount of 100 and more one-time maximum permissible doses. Honorary title is awarded within a single administrative procedure, basic rules of which are fixed in the Decree of the President of Ukraine “On the order of the awards issuance and the presentation of national awards of Ukraine.”

It should be noted that the legislation in the field of donation administrative procedures is quite inexplicable: from the five either directly or indirectly mentioned therein administrative procedures, only two are actually used. Those procedures are licensing (concerning the issuance of a permit for the import of blood and its components) and attributes (relative to the honorary title “honored donor of Ukraine”.) The registration procedure *de facto* is not used in the form as provided by the legislation. For its implementation the corresponding statutes should be changed in order to allow use the possibilities of e-governance in the registration process. Procedure of determination of the required volume of donor blood is only a broad outline and is in the process of formation. Regarding the licensing procedure, it is not in use and its mentioning of her in the statute is the result of deficiencies in the lawmaking activity.

The newly sent to the Verkhovna Rada of Ukraine bill “On blood and its components donation and the national blood system” contains significant changes to the donation in Ukraine in general and the administrative procedure, which is used in the field of donation, in particular. The following two changes are the most significant. Firstly, it regulates the registration procedure in detail and makes the emphasis on mandatory registration of donors and the use of modern technologies while registering blood donors. The above makes possible a real implementation of the administrative procedure. Secondly, the control over the activities associated with the circulation of blood can create the prerequisites for the implementation of the control and supervisory procedures in the field of donation.