INFORMATION BY THE REPUBLIC OF BULGARIA

Contribution to the Report of the Special Rapporteur on the rights of persons with disabilities

In view of the preparation of a thematic report on Bioethics and Disability, the government of the Republic of Bulgaria would like to convey the following information:

1. Legislative and Policy Framework

The protection of every citizen’s health is a national priority, which is guaranteed throughout the Bulgarian legislation and in particular, the Health Act. The main underlying principles are those of equality in use of health services, non-discrimination, provision of affordable and quality health care, health promotion and integrated disease prevention, prevention and reduction of the risk to the health of citizens from the adverse impact of environment factors.

The Persons with Disabilities Act regulates the right of persons with disabilities to rehabilitation, which may be medical, occupational, social, labour and psychological.

Bulgaria also provides special health protection and health insurance for persons with physical and mental disabilities. The compulsory health insurance guarantees access of the insured persons to medical care within a certain type, scope and volume of a package of health care activities paid from the budget of the National Health Insurance Fund (NHIF). Outside the scope of health insurance, the budget of the Ministry of Health finances health activities such as emergency medical care, preventive examinations and tests.

The National Program for Improvement of Maternal and Child Health (2014-2020), operated by the Bulgarian Ministry of Health, provides funding from the state budget for activities with significant health effects that are outside the scope of compulsory health insurance and for which no funding is provided from other sources. The target groups are children, children with disabilities and chronic diseases, pregnant women with pathology and childbirth, regardless of their health insurance status. The direct providers are more than 100 hospitals (university, district, municipal and private) in the country.

Bulgaria's main strategic document for the health sector is the National Health Strategy 2020. The strategy sets the priorities and policies to address the growing health challenges of Bulgarian citizens, with the main measures aimed at improving access and overcoming health inequalities. The implementation of the measures aims at improving the efficiency of the system and fair allocation of resources according to the needs of the population.

There is a designated policy in the Strategy targeting the best possible health for persons with disabilities. The understanding is that to ensure good quality of life and equal access of the persons with disabilities to all levels of the health system, a comprehensive and integrated approach to their health, social, educational and other needs has to be implemented. The *primary and secondary disability prevention* is of paramount importance to equitable access to quality medical care for persons with disabilities. Therefore, the efforts of the state are directed to activities related to improving the quality of the preventive, diagnostic, therapeutic and rehabilitation activity of the health system.

* Prenatal diagnosis

Women's health, reproductive behaviour and maternity security are crucial for the birth of healthy and viable children. Maternal and child health are a major priority in the health policy pursued, and this is reflected in a number of sectoral and national strategic and program documents, such as Concept "Health Objectives 2020", National Development Program: Bulgaria 2020, etc.

The Program “Maternity Health” of the NHIF guarantees access for health insured women to preventive examinations and examinations during pregnancy, with the aim to early detect diseases and complications in the expectant mother and fetus. The programme includes prophylactic examinations for the period from pregnancy diagnosis to the 42nd day after birth.

Since 2014, a new clinical procedure has been included in the package of health care activities paid by the NHIF to provide prenatal invasive diagnostics for pregnant women according to the results of the biochemical screening. Changes are adopted to provide inpatient treatment after the 37th week for women with a pathologic pregnancy to provide qualified and timely care to prevent complications and failures at birth.

Based on Ordinance No. 26 of 2007 on the Provision of Obstetric Care to Uninsured Women and for Out-of-the scope of the Compulsory Health Insurance for Children and Pregnant Women, the Ministry of Health provides one prophylactic examination during pregnancy. It includes: history, assessment of risk factors, determination of probable term of birth, measurement of arterial blood pressure, anthropometry with external pelvimetry, gynecological examination, examination of baby heart tones, if age allows, age of the studies as well as carrying out tests - PKC, blood sugar, urine - sediment, glucose, albumin, syphilis test, hepatitis B (HbS Ag) test, microbiological examination of vaginal secretions. In 2016, in order to expand the diagnostic capabilities in the field of prenatal diagnostics, amendments to Ordinance No. 26/2007 were adopted to allow the state budget to fund the purchase of necessary kits, reagents and supplies to perform high-tech genetic diagnostic testing.

Within the National Program for the Improvement of Maternal and Child Health (2014-2020), two screenings are also being conducted for the prevention and early intervention of disabilities - biochemical screening for pregnant women to assess the risk of having a child with Down disease, others aneuploidy, spinal bifida, anencephaly and severe abdominal wall defect and neonatal hearing screening for new-borns.

* Disability-related abortion

According to Ordinance No 2/1990 on the Conditions and Procedure for Artificial Termination of Pregnancy, abortion may be performed at the request of the pregnant woman or on medical grounds. The abortion on medical grounds may be performed until the 20th gestational week at the request of the pregnant woman in the existence of a disease, in which further course of pregnancy or childbirth may endanger the life or health of the woman or the vitality of the generation. Abortion after the 20th gestational week is only permitted if there are urgent reasons to save a woman's life or proven gross morphological changes or severe genetic damage to the fetus.

* Informed consent to medical treatment and scientific research

The conditions and procedure for conducting clinical trials are regulated by the Act on Medicinal Products in Human Medicine. According to Art. 81 of the Act a clinical trial in the territory of the Republic of Bulgaria may be conducted only after obtaining an authorization granted under the terms and conditions of EU Regulation No 536/2014 on Clinical Trials on Medicinal Products for Human Use. Clinical trial of medicinal products is only allowed to a person who has given his or her written informed consent, as such can only be given by a capable person who understands the nature, significance, scope and potential risks of the clinical trial. Informed consent to participate in a clinical trial may be withdrawn at any time.

* Euthanasia and assisted suicide

According to Art. 97 of the Health Act on the territory of the Republic of Bulgaria euthanasia is not allowed.

According to Art. 127 of the Criminal Code a person who in any way has assisted or persuaded another to commit suicide, and such an act or even an attempt only has followed, shall be punished by imprisonment from one to six years. For the same crime, committed with respect to a minor, or against a person, about whom the perpetrator has knowledge that he is incapable to manage his actions or that he does not understand the essence and meaning of the act, the punishment shall be imprisonment for three to ten years.

*Sofia, Bulgaria*

*October 2019*