

# The medical liability and the "Gelli-Bianco" Law of 2017.

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The medical liability and the "Gelli-Bianco" Law of 2017.

The theme of medical liability, and the resulting judicial litigation, is increasingly taking a significant importance in our country, also for the related social and political implications.

This work analyzes the liability of the healthcare professionals and tries to highlight the legal evolution that has affected the subject; we will recall the Italian Constitution and civil law as well as examining relevant regulatory sources such as the "Gelli-Bianco" Law of 2017 which, on the basis of the previous detailed regulatory provisions and the extensive legal framework, regulates the matter.

The activity that the doctor carries out in order to protect the health of the patient, since the early 1990s, has been questioned and the doctor-patient relationship has progressively changed. Of particular note are the sharp increase in civil and criminal liability of the health care professional and the beginning of the so-called "defensive medicine", implemented in advance precisely to avoid professional and economic consequences.

The large rising in health care treatments costs therefore motivated the choice of the legislator that, firstly through the "Balduzzi" Law of 2012 and then through the subsequent "Gelli-Bianco" decree, has profoundly innovated the legislation in this field, creating a new way of understanding medical response and the relationship with the patient.