

THE COMPETENCE OF THE EXECUTIVE AUTHORITIES OF UKRAINE IN THE FIELD OF HEALTHCARE AND NATIONAL SECURITY TO ELIMINATE THE CONSEQUENCES OF CORONAVIRUS DISEASE (COVID-19)

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Abstract. The article discloses the competence of the executive authorities of Ukraine in the field of health and national security on the elimination of the consequences of a medical and biological emergency related to the spread of the coronavirus disease (Covid-19). A generalization of analytical, regulatory and other materials on the competence of the executive authorities of Ukraine in the field of health care and national security on the elimination of the consequences of a biomedical emergency related to the spread of the Covid-19 has been carried out. For this, the article reveals the competence of the Ministry of Health, the National Health Service of Ukraine, departments for civil protection of the population, health care of regional state administrations. One of the tasks to achieve the goal of the study is to determine the competences of regional commissions on technogenic and environmental safety and emergency situations under regional state administrations, headquarters for the elimination of the consequences of a medical and biological emergency. The competence of the main subjects of the implementation of the state policy of Ukraine in relation to the specified problems, namely, the executive authorities - central and regional, in the competence of which is the elimination of the consequences of a medical and biological emergency, has been investigated. Identified as a separate problem in the scientific and practical aspects, the issue of identifying the object in relation to which the state policy on the elimination of the consequences of a medical and biological emergency is formed and implemented. As a conclusion, the main problematic issues in the regulatory and organizational aspects are highlighted.

Keywords: competence of executive authorities, healthcare, national security, emergency, coronavirus disease, COVID-19.

JEL Classification: F52, H10, I10, I11, J28

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Introduction. Public administration of the health sector in the era of decentralization requires coordinated actions and a clear distribution of competencies between public authorities in Ukraine. Finding itself in a difficult biomedical situation, the health care system received a serious challenge and faced a number of problems of organizational, resource, personnel significance. The main subjects of the implementation of the state policy of Ukraine regarding this issue are the executive authorities - central and regional, in the competence of which is the elimination of the consequences of a medical and biological emergency. A separate problem in the scientific and practical aspect is the issue of identifying the object in

relation to which the state policy on the elimination of the consequences of a medical and biological emergency is formed and implemented.

Literature Review. The consequences of the spread of the Covid-19 appeared only in 2020 and need to be studied. In science, there are already the first thorough studies, which mainly relate to various spheres of management, issues of ensuring the safety and health of the population. The unconditional sources of information are the official web portals of government bodies. Ukraine has created a specialized web portal for information support and dissemination of information related to Covid-19, namely the official information portal of the Ministry of Health [1]. Public institutions are also involved in analyzing the situation. Thus, the public organization "Information and Analytical Center "Public Space" proposed its results of a study of the impact of COVID-19 on Ukrainian enterprises [2]. The Economic Development Agency PPV Knowledge Networks, commissioned by the USAID Program "Competitive Economy of Ukraine" conducted a study on the impact of Covid-19 and quarantine measures for enterprises of the forestry sector of Ukraine [3]. Mikhailova A.Yu. presented a study "Development of the cultural sphere in Ukraine in the context of the spread of the COVID-19 pandemic and the introduction of quarantine measures: problems, prospects, risks" [4]. Kiseleva A. revealed in her research the gender dimension of the COVID-19 pandemic [5].

Aims. The purpose of this article is to disclose the competence of the executive authorities of Ukraine in the field of health and national security on the elimination of the consequences of a medical and biological emergency associated with the spread of the Covid-19. For this, the article reveals the competence of the Ministry of Health, the National Health Service of Ukraine, departments for civil protection of the population, health care of regional state administrations. One of the tasks to achieve the goal of the study is to determine the competences of regional commissions on technogenic and environmental safety and emergency situations under regional state administrations, headquarters for the elimination of the consequences of a medical and biological emergency.

Methods. The methodological significance of the study lies in the analysis of the conceptual foundations of public administration and the prerequisites for determining the general and basic categories of competence of executive authorities to eliminate the consequences of Covid-19. In particular, the essence, form, tasks, content and goals of the executive authorities are defined as basic categories. The provision of services, the competence of the subjects of the service are analyzed as general categories. Basic principles, patterns and laws are summarized as categories of laws. The article uses the method of analyzing the regulatory framework and summarizes the definitions of the competencies of the subjects of executive power to eliminate the consequences of Covid-19. The structural-functional method was applied to the characteristics of the subjects of executive power and their officials on the elimination of the consequences of Covid-19.

Results. The basis of the regulatory framework, which is guided by the executive authorities of Ukraine in the field of health and national security on the elimination of the consequences of a medical and biological emergency associated with the spread of the disease Covid-19 are:

- Code of Civil Protection of Ukraine;
- The Law of Ukraine "On Local State Administrations";
- Resolution of the Cabinet of Ministers of Ukraine dated 01.09.2014 No. 11 "On Approval of the Regulations on the Unified State System of Civil Protection";
- Order of the Cabinet of Ministers of Ukraine dated March 25, 2020 No. 338-r "On the transfer of the unified state civil protection system to an emergency mode";
- Resolution of the Cabinet of Ministers of Ukraine dated June 17, 2015 No. 409 "Standart Regulations on Regional and Local Commissions on Technogenic and Environmental Safety and Emergencies";
- Order of the Ministry of Internal Affairs of Ukraine dated December 26, 2014 No. 1406 "On Approval of the Regulations on the Headquarters for Elimination of the Consequences of an Emergency Situation and the Types of Operational-Technical and Reporting Documentation of the Headquarters for Elimination of the Consequences of an Emergency Situation" (registered with the Ministry of Justice of Ukraine on January 16, 2015, No. 47 / 26492);
- the order of the head of work on the elimination of the consequences of a medical and biological emergency of a natural nature of the state level associated with the spread of the coronavirus disease COVID-19 dated April 23, 2020 "On the creation of a headquarters for the elimination of the consequences of an emergency."

The Ministry of Health is the main institution in the system of central executive institution that ensures the formation and implements of state policy in the field of health care, as well as protection of the population from infectious diseases, prevention and prevention of infectious diseases, ensures the formation and implementation of state policy. The main activity on this issue takes place in the following areas:

epidemiological surveillance (observation), immunization, promotion of a healthy lifestyle and prevention of risk factors, food safety, regulation of environmental factors of the population, hygienic regulation of hazardous factors, biological safety and biological protection, combating resistance to antimicrobial drugs, responding to health hazards and emergency situations in the field of health care, as well as ensuring the formation of state policy in the areas of sanitary and epidemic well-being of the population;

development of medical services, introduction of an electronic health care system, provision of state financial guarantees for medical services to the population;

providing the population with high-quality, effective and safe medicines, creation, production, quality control and sale of medicines, medical immunobiological preparations;

development of human resources of the health care system, higher medical, pharmaceutical education and science [6].

The main tasks of the Ministry of Health are to ensure the formation and implementation of state policy in the field of health care, as well as to protect the population from infectious diseases and other socially dangerous diseases, to prevent and prevent non-communicable diseases, to ensure the formation and implementation of state policy in the areas of:

- epidemiological surveillance (observation), immunization, promotion of a healthy lifestyle and prevention of risk factors, food safety, regulation of environmental factors of the population, hygienic regulation of hazardous factors, biological safety and biological protection, combating resistance to antimicrobial drugs, responding to dangers for health and health emergencies, as well as ensuring the formation of state policy in the areas of sanitary and epidemic well-being of the population;

- development of medical services, introduction of an electronic health care system, provision of state financial guarantees for medical services to the population;

- providing the population with high-quality, effective and safe medicines, creation, production, quality control and sale of medicines, medical immunobiological preparations;

- development of human resources for the health care system, higher medical, pharmaceutical education and science.

The National Health Service of Ukraine (NHSU) is the central executive body, the activities of which are directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Health, who implements state policy in the field of state financial guarantees of medical care for the population. The main tasks of the NHSU are:

- 1) implementation of state policy in the field of state financial guarantees of medical care for the population under the program of state guarantees for medical care for the population (program of medical guarantees);

- 2) performing the functions of a customer of medical services and medicines under the medical guarantees program;

- 3) submission to the Minister of Health for consideration of proposals on ensuring the formation of state policy in the field of state financial guarantees of medical services to the population.

The NHSU ensures, within the powers provided for by law, the fulfillment of tasks in the field of civil protection, labor protection, fire and man-made safety, the implementation of measures to protect the population and territories in emergency situations, and control over their implementation in the staff of the NHSU [8].

A separate problem in the scientific and practical aspect is the issue of identifying the object in relation to which the state policy is formed and implemented on the elimination of the consequences of a medical and biological emergency. The

NHSU is in charge of concluding agreements on medical services for the population under the medical guarantees program for the provision of medical care to patients with acute respiratory disease COVID-19 caused by the SARS-CoV-2 coronavirus. That is, at the national level, a management object has been formed in terms of the provision of medical services, namely:

- inpatient care for patients with acute respiratory COVID-19 caused by the SARS-CoV-2 coronavirus;
- emergency medical care for patients with suspected or established disease of acute respiratory COVID-19 caused by the SARS-CoV-2 coronavirus;
- medical assistance, which is provided by mobile medical teams created to respond to the acute respiratory illness COVID-19 caused by the SARS-CoV-2 coronavirus;
- inpatient medical care for patients with acute respiratory disease COVID-19 caused by the SARS-CoV-2 coronavirus, which is provided by individual health care institutions during April 2020 [9].

The experience of some countries is important, in the context of the ongoing COVID-19 pandemic, they strengthen the role of private institutions, integrating them into the health care system during the crisis, arguing that the private sector can strengthen the fight against the COVID-19 pandemic, complementing the efforts of the public health system. Analyzing additional workable alternatives for private sector participation in health emergencies, the International Organization of Employers has initiated discussions with multilateral organizations and the business community about the challenges and opportunities in public-private collaboration [10].

In response to the COVID-19 crisis, public policy should be implemented through the channeling of additional budget funds into the health care system. In states where medical care is provided privately and where services are usually not part of social health programs, such integration actions were taken as part of the anti-crisis response. In countries where the financial burden of health care is borne by households or covered by voluntary private insurance, governments are forced to expand public health measures. Social dialogue is essential to building resilient health systems, which are therefore critical to crisis response and increased emergency preparedness.

The privatization of medical and pharmaceutical organizations was one of the areas of health care reform, which was initially declared in almost all European countries. The privatization of medical services in transition economies was carried out more rapidly in the pharmaceutical and dental areas [11]. Large-scale privatization of hospitals and polyclinics in Eastern Europe did not take place, primarily because it contradicted the interests of the bulk of medical workers, who were afraid of losing state funding.

Organizational and legal forms of cooperation within the framework of public-private partnership in world practice are quite diverse. In some countries, the forms of cooperation are reduced exclusively to concession agreements, in others they use the form of outsourcing, the creation of joint ventures. In total, for the effective use of public-private partnership, it is advisable to take into account the interests of all participants on an equal footing, balance the risks and responsibilities of the parties [12].

At the regional level, the executive branch implements policy through the Department for Civil Protection of the Population, Health Department of Regional State Administrations. Regional commissions on technogenic and environmental safety and emergencies at the Regional State Administration have a separate competence.

Basically, the chief of staff for the elimination of the consequences of a biomedical emergency is appointed by the head of the health department, and this appointment is carried out by the head of the emergency response at the regional level.

The undisputed legal status of the head of work on the elimination of the consequences of a medical and biological emergency of a natural nature associated with the spread of the coronavirus COVID-19 has the most effective meaning in the context of the activities, development and functioning of an employee with this status. Disclosure of the status of a work manager from the standpoint of administrative law presupposes the presence of such elements as rights, obligations, restrictions, guarantees, incentives, and responsibility. Thanks to these elements, the activity of the work manager, his functioning in the field of health care, professional and personal development, disclosure of professional, creative and personal potential is ensured. And besides the legal status, taking into account the practice of public administration and the theoretical developments of scientists, it can also be argued that there are other aspects of this concept that determine the place and role of the work manager both in his professional activity and in interaction with other subjects of the implementation of state policy in the field of health. The most significant aspects from the standpoint of disclosing the content of the concept of a work manager's competence are the main aspects of the status of a public servant as: legal, organizational, functional, competence-based, social, constitutional (as a kind of legal), material, public, etc. [13].

Organizational and institutional support of the competence of the head of work on the elimination of the consequences of a medical and biological emergency of a natural nature associated with the spread of the coronavirus COVID-19 in the district is in the part of its purpose, because the appointment is made by the head of the district state administration with the aim of directly managing emergency rescue and urgent work in the event of an emergency.

The competence of the head of work on the elimination of the consequences of a medical and biological emergency of a natural nature associated with the spread of the coronavirus COVID-19 is the exclusive right to the formation and liquidation of the district headquarters for the elimination of the consequences of the emergency, as well as to approve its personnel. During the elimination of the consequences of an emergency, all emergency services involved in the elimination of such consequences are transferred to the subordination of the head of the work on the elimination of the consequences of an emergency.

The competence of the head of work on liquidation of the consequences of an emergency is determined by his rights, obligations, guarantees and responsibility. The main responsibilities of the head of work on the elimination of the consequences of a medical and biological emergency of a natural nature associated with the spread of the coronavirus COVID-19:

- to directly supervise rescue and other urgent work;
- depending on the prevailing circumstances in the emergency zone, independently make decisions on: implementation of evacuation measures; stopping the activities of business entities located in an emergency zone and restricting public access to such a zone; engaging in the prescribed manner necessary vehicles, other property of business entities located in the emergency zone, emergency rescue services, as well as citizens with their consent to carry out emergency rescue and other urgent work; stopping rescue and other urgent work, if there is an increased threat to the life or health of rescuers and other persons participating in the elimination of the consequences of an emergency.

The head of work has the right:

- supervise all emergency services and formations involved in emergency response;
- to provide, within the limits of their competence, instructions to all entities involved in the elimination of an emergency, as well as to citizens and organizations that are in the emergency zone.

The implementation of the state policy in relation to work on liquidation of the consequences of emergencies at the local level occurs due to the decision of the head of work, and is formalized by an order. The order of the head of work on liquidation of the consequences of an emergency situation is mandatory for all entities involved in the elimination of the consequences of an emergency situation, as well as citizens and business entities located in the emergency zone. The head of work on liquidation of the consequences of an emergency is personally responsible for the management of rescue and other urgent work to eliminate the consequences of an emergency.

The area of competence of the head can be defined as the subjects of reference to which the managerial influence seeks to achieve the corresponding result. After analyzing the order of the heads of emergency response, which are located on the

official web portals of local state administrations, we can summarize some of them that organizationally determine the competence of the head through the order:

- on the establishment of a local emergency response headquarters;
- on the appointment of a person in charge to ensure the accommodation and stay of persons associated with a potential risk of infection with acute respiratory COVID-19;
- on ensuring the implementation of anti-epidemic measures;
- on the survey of observation sites;
- on the establishment of a tent for receiving patients with coronavirus COVID-19;
- on the strengthening of restrictive measures for the period of establishing a certain (author) level of epidemic danger;
- on restrictive measures for visiting state, municipal and other institutions located in the premises of administrative buildings of local governments;
- on additional anti-epidemic restrictions in connection with the establishment of an appropriate level of epidemic danger of the spread of COVID-19 and other orders regarding restrictive measures, disinfection measures, etc. [14].

Discussion. Taking into account the experience of the development of various states, one of the features of functions can be identified the direction of activity of all public institutions (state - they decide the functions of the state; local authorities - ensure the performance of the functions of a community, enterprise, institution, organization - within the limits of the vested functions of the public service). The distribution of the functions of the public service should be carried out exclusively within the competence of the institution performing this function. It is advisable to consider in this context the peculiarities of the status of a public institution, which enshrines at the legislative level the performance of these functions and approves the mechanism for their implementation. As part of the definition of functions, you can use the following approach to delineating functions by subjects of implementation:

- functions of the civil service and their officials;
- the functions of local government and their officials;
- the functions of state enterprises, institutions and organizations and their officials;
- the functions of other institutions, organizations, enterprises authorized to perform the functions of the public service and their officials.

Conclusions. A generalization of analytical, regulatory and other materials on the competence of the executive authorities of Ukraine in the field of health and national security on the elimination of the consequences of a biomedical emergency associated with the spread of the Covid-19 made it possible to highlight the following main problematic issues of this study:

in the regulatory field:

- the presence of a stable regulatory framework and methodological support to ensure the competence of the executive authorities of Ukraine in the field of health care and national security on the elimination of the consequences of a medical and biological emergency associated with the spread of the Covid-19;

- lack of strategies and tactical measures to overcome the consequences;

- the existence of the possibility of making permanent changes;

in the organizational field:

- lack of specialized protocols and requirements for the activities of executive bodies;

- lack of benefits for the implementation of public-private partnership projects;

- carrying out activities requires methodological and legal regulation;

- potential untimely actions to eliminate the consequences of a medical and biological emergency;

- non-compliance of resource provision with established standards / requirements and others.

Further scientific research regarding the object of this study can be aimed at studying and analyzing competencies, namely the powers, rights, responsibilities, guarantees of the executive authorities of Ukraine in the field of health and national security on the elimination of the consequences of a medical and biological emergency associated with the spread of Covid-19.

Separate methodological attention should be paid to the criteria for the effectiveness of the activities of the executive authorities of Ukraine in the field of health care, as well as public authorities, because only their coordinating action will contribute to effective work to eliminate the consequences of a medical and biological emergency. Undoubtedly, important research will be scientific work on the prevention of the spread of the disease, preventive measures, the direct operational fight against the medico-biological situation, from the standpoint of information, organizational, resource, methodological, personnel and other types of support.

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References:

1. Official information portal of the Ministry of Health, URL: <https://covid19.gov.ua>.
2. The results of the study of the impact of COVID-19 on Ukrainian enterprises. Results of the discussion, NGO "Information and Analytical Center" Public Space ", 12.08.2020, URL: <https://www.prostir.ua/?news=rezultaty-doslidzhennya-vplyvu-covid-19-na-ukrainski-pidprijemstva-pidsumky-obhovorennia>.
3. Impact of Covid-19 and quarantine measures on enterprises of the forest sector of Ukraine - research results. PPV Knowledge Networks Economic Development Agency commissioned by the USAID Competitive Economy of Ukraine Program, URL: <https://tlu.kiev.ua/pro-nas/novini-zakhodi/novina/article/vpliv-covid-19-ta-karantinnikh-zakhodiv-na-pidprijemstva-lisovogo-sektoru-ukrajini-rezultati-doslidzhe.html>.
4. Mikhailova, O.Yu. (2021), *Development of the cultural sphere in Ukraine in the context of the spread of the COVID-19 pandemic and the introduction of quarantine measures: problems, prospects, risks*, National

- Institute for Strategic Studies, URL: <https://niss.gov.ua/sites/default/files/2021-01/rozvytok-kulturnoi-sfery.pdf>.
5. Kiselyova O. (2020), *Gender dimension of the COVID-19 pandemic*, URL: https://mof.gov.ua/storage/files/covid_final.pdf.
6. The Cabinet of Ministers of Ukraine (2015), On approval of the Regulation on the Ministry of Health of Ukraine: Resolution of the Cabinet of Ministers of March 25, 2015 № 267, URL: <https://zakon.rada.gov.ua/laws/show/267-2015-п#Text>.
7. Karpa M. (2011), *Definition of functions of public service*, Efficiency of public administration, Lviv, LRIPA NAPA, Issue. 26, P.255-263.
8. The Cabinet of Ministers of Ukraine (2015), On the establishment of the National Health Service of Ukraine: Posanova of the Cabinet of Ministers of December 27, 2017 № 1101 URL: <https://zakon.rada.gov.ua/laws/show/1101-2017-п#Text>.
9. On concluding agreements. Official web portal of the National Health Service of Ukraine, URL: <https://nszu.gov.ua/ogoloshennya-pro-ukladennya-dogovoriv>.
10. Continuous professional development of doctors, retrieved from : <https://moz.gov.ua/article/news/moz-ukraini-opriljudnilo-dlja-gromadskogoobgovorennja-nakaz-pro-bezperervnij-profesijnij-rozvitok-likariv>.
11. Kravchenko, M.V. (2012), *The system of social protection as an object of state policy: methodology and practice: a monograph*. Kyiv, Inform.-analyst. Agency, 451 p.
12. Karpa, M. (2019), *The place and role of public-private partnership in the implementation of public service functions*, Public Administration: a collection of scientific papers of NAPA, Issue.2, P.95-103.
13. Karpa, M. (2017), *Status of the civil servant: functional, organizational and competence aspects*, State building: zb.nauk.pr. DRIPA NAP, № 1/2017, URL: <http://www.kbuapa.kharkov.ua/e-book/db/2017-1/doc/3/03.pdf>.
14. Official web-portal of Kherson, URL: <http://www.city.kherson.ua/articles/rozporyadzhennya-kerivnika-robit-z-likvidaciyi-naslidkiv-mediko-biologichnoyi-nadzvichaynoyi-situaciyi-miscevogo-rivnya-pov-yazanoyi-iz-poshirennyam-koronavirusnoyi-hvorobi-covid-19>.
15. Akimov, O. O. and Troschinsky, V. and Karpa, M. I. and Stefanyk, V. and Ventsel, V. and Akimova, L. M. (2020), *Intrenational Experience of the Public Administration in the Area of National Security*. Journal of Legal, Ethical and Regulatory. Issues (23).

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