

Marta Sjenicic, PhD

Institute of Social Sciences, Belgrade; Association of Lawyers for Medical and Health Law of Serbia – SUPRAM

email: marta.sjenicic@gmail.com

Title: 'Societal implications of personalised medicine and permanent solutions searching'

Abstract

The implications of personalised medicine (PM) have expanded in scope and complexity. Social consequences following PM are not simple, since it is not an isolated phenomenon, but the one that should be followed by the social, political and legal decisions. Decisions should relate not only to patients' rights on different levels, but also cover medical law in all of its aspects: treatment, informed consent, the issue of necessity of medical indication for treatment, clinical experiments and proceedings with examinees, the increased amount of health information (and, therefore, processing of data, data privacy, right to information, publishing of data of public interest, nondiscrimination, physician-patient relationships and liability), disparities in healthcare (cost and access to healthcare and access to information technologies), etc. Therefore, all social actors, science, regulatory bodies on the market, courts, political and legal decision-makers, have to participate in creating the frame for proper implementation of PM. Its implementation is the issue of medicine developments, but also of development and accessibility of IT technologies, financing and the flexibility of budget/insurance schemes, the matter of criteria for the selection of diagnosis, diseases, patients' conditions (only rare disease patients or diagnostics and treatment of wider spectrum of patients-diagnosis groups). Further on, in the last two decades, the issue of intellectual property rights on genes and ownership of genetic information in the area of personalised medicine has been discussed and decided upon from case to case bases (ex: *Myard vs American Civil Liberties Union*).

The complexity of the PM phenomenon should not serve as an excuse for an inaction. Action should be focused on finding balanced solutions which would allow the further development of PM in benefit of public and individual health, and, at the same time, protect existing human rights and values.