

Article 35

Settlement of debts of former hospitals of IKA-ETAM that have been included in the NHS since 1-6-2011

In law 4038/2012, as amended and in force, a new article under number 34A is added
“Article 34A

Settlement of debts of former hospitals of IKA-ETAM that have been included in the NHS since 1-6-2011

1. For the purposes of securing the public interest, the overdue - until 30-09-2011- liabilities of the five (5) former Hospitals of IKA-ETAM, which have been included in the NHS since 1-06-2011 pursuant to article 32 of Law 3918/2011, may be settled by the competent Financial Department of EOPYY and more specifically by the funding of EOPYY which is provided for in article 34 of Law 3048/2012, as amended and in force.

2. This provision does not impair the universal succession of IKA-ETAM by EOPYY from 1-1-2012 and forth, in accordance with articles 17 and 29 of Law 3918/2011 and of the Joint Ministerial Decision of the Ministers of Labour and Health (Gov. Gazette 3010/29-12-2011 and the universal succession of IKA-ETAM by the NHS, with relation to the five (5) former Hospitals of IKA-ETAM which have been included in the NHS since 1-06-2011, pursuant to article 32 of Law 3918/2011 nor any pending trials.

3. By virtue of the joint Decision of the Ministers of Finance, Labour and Social Insurance and Health, any other relevant detail necessary for the application of this article is defined”.

Article 37

Horroraria to Physicians

1. Article 11, par. 1 of Law 2889/2001 is substituted as follows:

“1. A. NHS physicians are employed on a full-time and exclusive regime. The operation of a private practice in or outside the hospital or the healthcare center or the employment in any manner in the private sector is, apart from an offense in accordance with article 77 of par. 1(e) of Law 2071/1992 (Gov. Gazette 123A), also a disciplinary offense of the characteristically indecent conduct for an employee, as set

out in article 107, par. 1(e) of Law 3528/2007 and entails the direct suspension of the duties of the perpetrator, in accordance with the provisions of article 104 of the same law, by virtue of the Act of the Governor of the relevant DYPE, which needs no further justification apart from the discovery of the violation, as well as the referral of the liable person to the competent disciplinary board in order for his/her final suspension to be examined.

Exceptionally, the participation of NHS physicians is permitted in Scientific events type A in Greece or abroad and B in Greece and the payment thereto of the respective reasonable honorarium via the ELKEA, according to the provisions of par. 18 of this article and the applicable legislation on EOF and the products falling under its jurisdiction, as occasionally particularized by virtue of the decisions of EOF, for the issue of which, it is expressly authorised by means of this provision.

In addition, physicians, other scientific and hospital personnel of the NHS, as well as university physicians, who are employed in clinics established in NHS or University hospitals, are allowed to participate to work Groups such as “Consulting Experts Committees” for medicinal products and treatments, with strictly scientific content, that are held in Greece and or abroad and are organised by pharmaceutical companies, with or without the payment of any fee, if they have obtained the relevant license by their supervising agency. The payment of the honorarium is effected via the ELKEA. In case training leave is required for the participation in such work groups, the procedure set out in case (b) is followed. This paragraph supplements the exceptions of par. 2 of article 24 of law 1397/1983.

b. The training leave for the participation in conferences held in Greece or abroad is granted to the scientific personnel of the Medical Service, provided that the interest party has announced or actively participated in scientific events, discussions, lectures or participates in work groups with strictly scientific content. In any other case, training leave is granted, for attending worldwide or European conferences or conferences with particular scientific concern, following the suggestion of the Scientific Board and the decision of the Director of the Medical Service of the Hospital, which is issued provided that the operator or the employee has exceptional knowledge of the language used in the conference and that the total number of the employees absent with training leave does not exceed 50% of those serving in the department of the applicant and the continuous operation of the department is not obstructed.

Physicians and the other scientific and hospital personnel of the NHS as well as university physicians, who are employed in clinics established in NHS or University hospitals, are not allowed to participate in conferences or seminars held in Greece or abroad, which are organised by pharmaceutical companies or medical technology equipment companies, for the promotion of their medicinal products.

Pharmaceutical companies and other companies with products under EOF's jurisdiction are allowed to pay honoraria to the invited spokesmen or chairmen of the meetings of the scientific events type A and B. Such honoraria are paid by the event organising entity exclusively and only through the Special Account for Research and Development Funds (ELKEA).