

## **Criminal and Disciplinary Liability of Physicians for Passive Bribery in the Hippocrates Affair**

**Vanda Božić, Ph.D.**, Scientific Associate, Faculty of Law, University of Zagreb, Croatia, Email: [vanda.bozic@pravo.hr](mailto:vanda.bozic@pravo.hr)

**Željko Nikač, Ph.D.**, Full Professor, The Academy of Criminalistic and Police Studies, Belgrade, Serbia, Email: [zeljko.nikac@kpa.edu.rs](mailto:zeljko.nikac@kpa.edu.rs)

Passive bribery under Art. 293 Par. 2 of the official Croatian Criminal Code is a crime of corruption, with which a number of primary care physicians have been charged. They have as responsible persons, received bribes to perform what they are already required to perform during the course of their own business or through their regular activities; in other words, they have received bribes from drug manufacturers to prescribe their own medications. Criminal proceedings, initiated against 364 accused physicians in the "Hippocrates Affair" are slowly concluding. Completed criminal proceedings, for now, ended with the 283 convictions, which were mainly the result of a settlement between physicians and the Office for the Suppression of Corruption and Organised Crime.

However, for the physicians, the case is not closed, because after the final convictions, the Croatian Medical Chamber decided to conduct disciplinary proceedings to determine the unworthiness of convicted doctor. In this paper, the authors examined the responsibility of the physicians accused of bribery based on the Criminal Code, as well as other regulations and acts of the Croatian Medical Chamber which regulate the work of primary care physicians. An analysis of the final judgment in the "Hippocrates Affair" highlighted the sentences imposed and confiscated material gained through individual criminal offenses committed by physicians. In conclusion, the degree of the endangered property and its consequences are presented. Based on the investigation and analyzes of the situation, we offer de lege ferenda suggestions.

**Key words:** accepting bribes, physicians, pharmaceutical manufacturer, Hippocrates Affair, corruption

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