

Dottorato di ricerca in Diritto Pubblico

- XXIV Ciclo -

LA TUTELA DELLA SALUTE
A DIECI ANNI DALLA RIFORMA DEL TITOLO V
DELLA COSTITUZIONE

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ABSTRACT

The economic crisis characterizes the current historical moment, forcefully recalling the problem of financing expenditure on *welfare*. In particular, the health-care sector suffers specific factors, including demographic and social trends that, on the contrary, would require increased resources to be used for health protection.

The recent adoption of law n. 42/2009 (on the so-called “federalismo fiscale”) and the subsequent legislative decree n. 68/2011 (dealing with the fiscal entries of the ordinary statute Regions and provinces, as well as with the determination of “standard costs and needs” in the health-care sector) mark the development of this thesis, proposing – with renewed interest – the issues related to the funding of “Basic level package” (*i.d.* “Livelli essenziali di assistenza”).

This basic package of health-care provisions – which, according to the 2001 reform of the Italian Constitution must be defined by the State, while the Regions have responsibility for organizing and administering the health-care system – must be implemented, in a uniform way, throughout the country in order to guarantee the constitutional right to health, trying to recover the contemporary differences in terms of health care and health expenditure among the Regions.