

Abstract (600 word limits)

Os Direitos dos pacientes Diabéticos no Brasil

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Brazil

The rights of Brazilian patients with Diabetes *Mellitus* are not directly enshrined in the Federal Constitution of Brazil of 1988. The Magna Law recognizes the rights of patients in a generic and collective way, guaranteeing the fundamental right to life and the social right to health. Thus, the infraconstitutional legislation is concerned with guaranteeing more specific rights to patients with Diabetes *Mellitus*. It is known that the drugs used for this disease undergo technological innovations by the pharmaceutical industries in the sector due to the high financial return. Most needy patients have the right to access medicines through the Unified Health System, which works equally and free of charge. According to the Brazilian Society of Diabetics in 2019, there are more than 13 million people representing 6.9% of the population. The rights to receive equal, quality and free care, in addition to medicines that have medicine in evidence and are incorporated by SUS; patient's right to withdraw social security funds for proper treatment; disability pension without grace period; free pass to national public transport; The Brazilian Ministry of Health estimates that more than 25 thousand people die in Brazil, due to this disease. Many rights are realized only with the judicialization of health in order to achieve what is described in the law, that is, the patient must seek the Judiciary in Brazil to ensure the rights contained in the law. In 2019, the National Council of Justice estimated that judicial demands in the area of health as a whole grew by more than 300% in Brazil. In the face of challenges, a developing country is not enough to just create laws or regulations. In Brazil, the realization of health rights, especially for people with diabetes mellitus, cannot be with insulin that is already outdated clinically. In this way, the risk-sharing contracts between the pharmaceutical industry and Brazil tend to outline a new reality of access and implementation of a medication more endowed with technological innovation and the possible improvement in the quality of life of this patient and the realization of the dignity of the patient. human person, as the human right of all world society.

Biography (200 word limit)

¹ PhD in Biotechnology and Biodiversity from the Federal University of Goiás - Brazil. Master in Law, International Relations and Development by the Pontifical Catholic University of Goiás. Lawyer in Health Compliance. University Professor and Researcher. Counselor of the Brazilian Bar Association.

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