

Considerazioni a margine della L. 219/2017: tra (molte) luci (e qualche) ombra

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Considerations on L. 219/2017: between (many) lights (and some) shadow

Abstract: Law 219/17 fills an important regulatory gap on the subject of informed consent, advance provisions for the treatment, and shared planning of care. Despite the limits connected to the repropose of abstract general categories (ability to act in law, form of the declaration) and to the perhaps excessive generality of some forecasts (primarily the source of information), this text declines in accordance with the constitutional principles – first those that can be deduced from the articles 2, 13, 32 of the Constitution as interpreted by the jurisprudence of merit and legitimacy intervened to date – freedom, limits and operative modalities through which establishes the doctorpatient relationship.

Keywords: Self-determination, Informed consent, Ability to act.

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