

implemented through the work servicing professional firms. The main function servicing company provide an integrated approach to property management on the basis of separation of functions of the owner (strategic decision, quality control management) and manager (development of specific actions – market research, consulting, investment, and their operational performance to achieve effective results for the owner and society). Without legal support of the activity has no prospect of further development.

Law firms are engaged in registration of various operations related to realtor activity – buying and selling real estate, renting out. There are many transactions with real estate require the conduct of appraisal. Implementation of evaluation procedures requires knowledge of economic and judicial document.

Currently, the special knowledge required for the registration of real estate investment funds. These funds become a condition for the accumulation and preservation of financial resources for non-state pension funds. Investment funds are more reliable for banks borrowers of a mortgage loan, because they provide higher reliability and guarantees of its return due to its diversified portfolios.

Actual activity for law firms is the legal making up of a document for real estate financing. Legal services will be required in the execution of papers of the organization of condominiums – association of apartment building owners.

Thus, law firms have a wide range of activities in the real estate market.

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WHAT SHOULD A LAWYER KNOW ABOUT OUTSOURCING IN HEALTH CARE?

Outsourcing in health care is a practice used by different medical units for transferring some duties to outside executors, including abroad. The economic essence of this process is to construct a system of economic relations among provider of medical services and different other organizations based on long-term agreements. At the international level, outsourcing in health care means further development of global division of labor (transition to cluster-network systems with horizontal links) and cooperation in new economy as well as restructuring exports and increasing the share of services. The factors of accelerated development outsourcing in the international

arena have become that: globalization and openness of national economies; rapid development of newly industrialized countries of Asia and Latin America as well as some postsocialist countries in Europe; information revolution.

The contract signing is an important point of outsourcing; therefore, the role of a lawyer is key. On the other hand, the lawyer have to understand the economic content of outsourcing. It's different from insourcing that is typical for tertiary level of medical care and means the reallocation of duties within the large clinics. The insourcing is the creation of subsidiary departments so that to better monitoring the quality of work. The head hospital coordinates management in general, makes strategic decision and controls assets and activities of other department (often in receiving foreign countries). The role of a lawyer in an insourcing activity is different from outsourcing.

There are three main goals of an outsourcing strategy in health care. The first one is to cut overall production costs, including the reducing the duration of treatment. It's very actual task for Ukraine because of limited, scarce of health resources. At the same time, it's actual task for world as a whole, especially for developed countries. Thus, according to the OECD, during 2000-2015 the total health spending (US dollars, per capita) in the United States, Luxemburg, Norway, Spain, Japan increased by more than twice. In addition, this growth consist in Chile, Turkey, Lithuania relatively by 2.8; 2.5; 3.3 times (OECD Health Data). Outsourcing is an effective cost-saving strategy if it used properly. Sometimes, it is more affordable to purchase goods and services from other organizations than to produce them internally.

The second goal of the outsourcing strategy in health care is to use advanced economic and medical technology and knowledge to improve the quality of care. Many hospitals transfer to their outsourcer the premises for dentistry, plastic surgery, urology, radiology, computer diagnostics (so-called in-house outsourcing), or close the relevant offices, passing their functions to specialized clinics (out-house outsourcing). In the global market, the outsourcing strategy gain and retain competitive advantages of medical providers. They supply the modern care and special skills that are concentrated in the value chain of the medical services. That is why in developed countries, healthcare outsourcing has developed in recent years in IT technology and high-tech medical services. In 2014, the global market size of IT healthcare outsourcing was just under 35 billion U. S. dollars, and was forecasted to increase to 50.4 billion U. S. dollars by 2018 (Statista). This is a signal for Ukrainian medical providers.

Another arena for rapid developing outsourcing in the global market is medical tourism. According to the Bloomberg rating for 2016, the most attractive countries for such tourists are Hong Kong, Singapore and Spain (Most effective health care 2016). In Ukraine, we can identify cell therapy, paediatrics cardiac surgery, repro-

ductive medicine, dentistry, plastic surgery, recreational treatment as competitive segments. Competitive advantages of Ukrainian health care are inadvertently increasing against the background of a steady increase of the cost for treatment in developed countries. In addition, low prices for medical services in Ukraine, due to the devaluation of the hryvnia, also affect this situation. The lawyer have to: know the legislation of the countries-locations of the clinics, standards of medical care, the basis for the responsibility of physicians, the specificity of the protection of patients' personal data, the rules for issuing entry documents to him/her. It is necessary to have some non-legal knowledge to talk to the doctors the same language. A lawyer should represent a patient in a dispute with a foreign clinic and has to be an expert not only in medical law, but also in other branches of law.

The third goal of the outsourcing strategy in health care is to focus on core aspects of a medical activity, infrastructure and competence of staff increasing the economic and allocative resources efficiency at the expense of effective investments. As a rule, this is partial outsourcing. It means the transfer of certain set of functions for external executer. It is different from the full outsourcing, which is transfer of a total process to outsourcer in general. An example of a 100% outsourcing in economy is companies buying computer components from another manufacturer to save on production costs. However, in medicine, it is unlikely to be widespread.

In health care of Ukraine, partial outsourcing has received the greatest development. For example, the large clinics with pleasure give outsourcers the laboratory clinical trials, medical data exchange, medical waste disposal, medical consulting, cooking, washing clothes, cleaning the premises, transport and security. In the future, it will be necessary to transfer the functions for improving the skills of Ukrainian physicians to medical associations because this is the way to improve the quality of treatment and reduce corruption in medical education. In private clinics, partial outsourcing may be wider. Businesses may decide to delegate bookkeeping duties to independent accounting firms, as it could be cheaper than retaining an in-house accountant. The outsourcer calculates salaries, taxes, health insurance fees.

The task of introducing social health insurance is facing health care in Ukraine. But there are a number of obstacles. One of them is the lack of modern and effective managers in the labor market. Many Ukrainian managers migrate abroad, for example, to Kazakhstan, where wages are higher and working conditions are better. But foreign top-managers as practice shows do not integrate well into Ukrainian realities. The reasons are different – from the unwillingness of insurance structure itself to accept a foreign specialist to the fears of foreigners in cooperation with workers of another environment. In this case, it is better for him to manage together with his team. Therefore, management outsourcing, or Outstaffing, would be a way out for Ukraine. How can a lawyer help? He should clarify the legislation

of Ukraine and always work only in the legal field, as in developed countries. They have to follow the trends in judicial practice including abroad.

In general, the task of the lawyer is also to help reduce the risks and threats of outsourcing in health care. This increases the competitive advantage of the home medical institution. Signing contracts with other legal entity may take time, knowledge and extra efforts from a legal team. The uncertainty of the external environment, incomplete information about the outsourcer and possible quality their services increases the transaction costs. It is necessary to fund measurement of the quality, as well as the claims in court in case of non-fulfillment of the contract. Negotiations with a counterparty also require money and time. Security threats also occur if another party has access to a hospital's confidential information. A lack of communication between the home medical institution and the outsourced provider may occur, which could delay the implementation of contracts. Thus, the role of a lawyer is decisive for ensuring the effective outsourcing.

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NEW TRENDS IN THE LEGAL SERVICES MARKET OF UKRAINE

Legal services market is an attractive segment of the tertiary sector of national economy. Unfortunately, legal business in Ukraine fell by 30% in the years of 2015–2016. Despite this fact, we can confidently assert that the legal services market