

NOTES ON THE ORDINANCES OF THE MINISTRY OF THE HEALTH REGARDING THE CLEFT LIP AND PALATE

Renata Cezar,Thyago Cezar and Jeniffer Cassia Rillo Dutka

Introduction: Few ones are the directives determined by the Public Power for the treatment of the cleft lip and palate. To not complementation of the legislative gaps, in his several consequences, it looks in the overcrowding of the Judiciary, the attempt of securing the decentralized, unrestricted, complex and extensive treatment, that the person with cleft lip and palate it has a right determined by the Federal Constitution. Objective: This study aims to initiate questions about the lack of regulation of the Ministry of Health regarding the basic guidelines on the right to health on the treatment of people with cleft lip and palate, given a high epidemiological incidence. In this analysis we note that there are left gaps that culminate in trouble to the full access to the right to the health, as well as consequence to judicialization. Methods: All the ordinances were analyzed, comparing them with articles 196 to 198 of the Constitution of the Republic. Based on epidemiological data, ordinances and ministerial booklets, and judged of the Brazilian Superior Courts. Conclusion: We check that there is no applicability of the right to the health, which has universal and egalitarian character, in the standards of the Ministry of Health, time that this one does not treat the theme completely, but it checks resolutions herb doctors on part of the treatment, but it excludes from the appreciation points determinative so that the subject holder of the right to the health does not reach the total rehabilitation.