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Abstract

In recent years, university medicine experienced serious financial difficulties. On the one hand, university hospitals are an integral part of the public healthcare system and, as such, have to provide medical services primarily financed by the statutory health insurance. On the other hand, university hospitals are a part of academia and, as their statutory remit, have to facilitate free research and academic teaching in medical sciences. Scientific methods make medical treatment more expensive, of course. Notwithstanding that, cost increase due to academia are not reimbursed by the health insurance, which only provides generalized remuneration equalized for all types of hospitals. Thus, the states (Länder) should have to bear the difference in costs caused by the underfunding of academic medicine within the healthcare system. Considering the common financial straits in (heavily indebted) public budgets, this essay discusses whether the states are under an obligation to guarantee a sufficient funding of state university hospitals. Albeit the constitutional freedom of research and academia guarantees professors in public service a minimum funding to conduct research, it does neither warrant the maintenance of a university or its hospital nor does it avert change in the structure of a

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university, in particular, a decrease of budget. Nonetheless, as long as a state maintains a public university hospital and entrusts it with a statutory remit in research and teaching, the state's parliament has to provide sufficient funding to facilitate continued existence as an academic institution. Disregarding this, the author advances the argument that it would be preferable if the statutory health insurance would pay a premium for treatment in a university hospital, as the healthcare system strongly profits from progress in medical science and improved treatment methods developed by public universities. (HRK / Abstract übernommen)