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**PROFESSIONAL CHAMBERS
IN BULGARIAN HEALTHCARE**

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The dissertation and all related materials are available for consultation at the Faculty of Law, Paisii Hilendarski University of Plovdiv.

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INTRODUCTION

This abstract presents the main research findings, conclusions and contributions of the doctoral thesis “**Professional chambers in Bulgarian Healthcare**”.

The study focuses on the administrative and legal status of professional chambers in healthcare, the nature of the public powers they exercise, and the legal regime governing the acts they issue. The analysis covers the historical development of professional self-governance, the current regulatory framework, case law, comparative legal experience, digitisation processes and the results of an empirical study.

The main thesis of the dissertation is that professional chambers constitute **public-law corporations** through which the state delegates the exercise of certain regulatory functions in the public interest. This concept forms the basis for the author’s classification of professional acts, the criteria for judicial review of such acts, and the proposals *de lege ferenda* for improving the current regulatory framework.

1. GENERAL CHARACTERISTICS OF THE DISSERTATION

1. Relevance of the topic

Developments in modern healthcare are placing new demands on the organisation, regulation and oversight of the practice of the medical professions. Professional chambers are playing an

increasingly significant role in the registration of medical professionals, disciplinary liability, professional ethics, continuing professional development and participation in the formulation of health policy. In addition, they perform public law functions entrusted to them by law.

Despite the practical significance of these organisations, Bulgarian legal theory lacks a comprehensive study of their status, powers and acts from an administrative law perspective. Inconsistencies in the regulatory framework and limited case law give rise to difficulties in determining the nature of the acts they issue, the applicable forms of judicial review and the limits of the delegated public powers.

The processes of digitalisation in healthcare, the development of the National Health Information System, the use of electronic identity and the advent of artificial intelligence lend further relevance to the issue. These processes place new demands on the regulatory framework and on the activities of professional bodies, without altering their public-law nature.

2. State of the research

Certain aspects of the legal status of professional chambers have been examined in works on administrative, constitutional and medical law. However, there is no comprehensive study that brings together their public-law status, functions, acts, judicial

review, European models and the impact of digitalisation on professional self-governance.

This thesis addresses this gap by developing a comprehensive administrative-legal framework for the place and role of professional bodies within the public administration system.

3. Scope and subject of the study

The object of the study is professional organisations in the Bulgarian healthcare sector as legal entities to which the law entrusts the exercise of public-law functions.

The subject of the study is the administrative and legal status of these chambers, their functions, powers, acts, judicial oversight of them, comparative legal models of professional self-governance, and the impact of digitalisation on their activities.

The study combines legislative analysis, case law, European experience and the results of independent empirical research, using these to formulate proposals **de lege ferenda**. Thus, professional chambers are regarded not only as professional communities, but as public-law corporations participating in the exercise of the state's regulatory function.

4. Aim and objectives of the study

Objective

The main aim of this doctoral thesis is to develop a comprehensive administrative-legal concept of the legal status of

professional bodies in the healthcare sector, clarifying the nature of the public powers entrusted to them, the legal nature of the acts they issue, and the applicable mechanisms for judicial review.

Main Objectives

To achieve this aim, the following tasks have been set:

- to examine the historical development of professional self-governance;
- to analyse the current regulatory framework;
- to clarify the legal nature of professional chambers as public-law corporations;
- to systematise their functions and powers;
- to develop a classification of professional acts;
- to define the criteria for judicial review of such acts;
- to analyse European models of professional selfregulation;
- to assess the impact of digitalisation on the activities of professional chambers;
- to conduct an empirical study and, based on the results, to formulate proposals **de lege ferenda**.

These objectives ensure the consistent development of the research and establish a logical connection between the individual chapters of the thesis.

5. Research Thesis

The main research thesis is that professional chambers in the Bulgarian healthcare sector constitute **a distinct type of public-**

law corporation, through which the state delegates the exercise of certain regulatory functions in the public interest.

Several key conclusions follow from this thesis:

- the powers of professional chambers derive from statutory delegation, rather than from their organisational form under private law;
- the acts they issue are of an administrative-legal nature and are subject to differentiated judicial review in accordance with their legal nature;
- digitalisation does not alter their public-law status, but transforms the ways in which they exercise their assigned functions;
- improvements to the regulatory framework should be aimed at enhancing the transparency, accountability and effectiveness of professional self-governance.

6. Research methodology

The complex nature of the study necessitates the use of mutually complementary general scientific and specific legal methods.

A central role is played by the normative analysis of the Constitution, specific laws, subnormative legislation, the internal regulations of professional chambers and the relevant law of the European Union. This is supplemented by comparative legal, historical, systemic and case-law analysis.

Of particular significance is the independent empirical study conducted amongst representatives of the medical professions, which allows for a comparison between the normative model and the practical functioning of professional chambers.

The combined application of these methods provides the necessary academic basis for formulating the author's concept regarding the public-law status of professional chambers, the legal nature of their acts and the prospects for the development of professional self-governance in the context of digitalisation.

II. OUTLINE OF THE DISSERTATION

CHAPTER ONE

HISTORICAL OVERVIEW, THE CONCEPT OF A PROFESSIONAL ORGANISATION AND LEGAL STATUS

Introduction to Chapter One

Clarifying the administrative and legal status of professional bodies requires an analysis of the historical development of professional self-governance. This historical overview is of auxiliary importance in that it explains the emergence of the contemporary model, under which the state assigns public-law functions to professional chambers by statute. It is precisely this evolution that underpins the understanding of professional chambers as public-law corporations, rather than as ordinary private-law associations.

1. Historical development of professional organisations in Bulgaria

Historical developments show a gradual transition from professional associations with representative functions to organisations that exercise statutory public law powers. Following the democratic changes in 1989, the legislature restored the model of professional self-governance by enacting special laws regulating the status, powers and organisation of separate professional chambers.

The contemporary model is characterised by compulsory membership for the practice of the relevant profession, legally defined powers, disciplinary authority and participation in the implementation of state policy on healthcare. Historical developments show that these organisations are gradually acquiring the characteristics of public-law corporations, through which the state carries out part of its regulatory functions.

2. The legal nature of professional organisations

The study argues that professional chambers cannot be classified solely as non-profit legal entities. Although they possess organisational autonomy, their legal regime is determined primarily by the special laws that entrust them with public-law functions.

Their administrative and legal nature is manifested through their powers to register medical professionals, exercise

disciplinary authority, adopt professional standards and participate in the implementation of state health policy. It is precisely this statutory delegation that distinguishes professional chambers from other professional associations and defines their place within the system of public administration.

On this basis, the thesis defends the author's argument that professional chambers constitute **a distinct type of public-law corporation**, combining professional self-governance with the exercise of public authority.

3. Professions regulated by law

A comparative analysis of the current legislation shows that individual professional chambers are governed by specific laws; however, regardless of the specific characteristics of the individual medical professions, the legislator has adopted a general model of professional self-governance.

The general features of this model are:

- establishment by law;
- compulsory membership as a condition for practising the profession;
- elected governing bodies;
- disciplinary powers;
- the maintenance of professional registers;

- involvement in the regulation of professional practice and the protection of the public interest.

These characteristics confirm that professional chambers perform functions which, by their very nature, fall within the sphere of public administration.

4. Characteristics of the professional organisation as a public-law corporation

Based on an analysis of legislation and comparative law, the thesis sets out the main characteristics of a professional chamber as a public-law corporation:

- establishment by law;
- compulsory membership;
- legally defined powers;
- exercise of delegated public-law functions;
- the issuance of acts of administrative legal significance;
- state oversight of legality.

Taken together, these characteristics support the conclusion that professional chambers occupy a distinct position within the system of public administration and cannot be equated with either the organs of the executive branch or legal entities governed by private law. This conclusion constitutes one of the main theoretical propositions of the doctoral thesis.

5. Governing Bodies and Legal Status

The governing bodies exercise the powers conferred upon them by law through a system of elected and supervisory bodies, which ensure that professional self-governance is combined with public accountability.

The study shows that the organisational structure is not merely an internal management mechanism, but a tool for exercising delegated public functions. For this reason, the legal status of the chambers should be determined not only by their organisational form, but above all by the nature of the powers entrusted to them.

Key research findings in Chapter One

The analysis led to the following main scientific findings:

1. It has been demonstrated that the historical development of professional self-governance has logically led to the emergence of the modern model of public-law professional chambers.
2. It has been demonstrated that the legal regime governing professional organisations is determined by specific statutory provisions, rather than by the general regime applicable to non-profit legal entities.

3. The author has developed a concept of professional chamber as a distinct type of public-law corporation exercising delegated state powers.
4. The key characteristics by which professional chambers are distinguished from other legal entities and from state administrative bodies have been systematised.

CHAPTER TWO

FUNCTIONS OF PROFESSIONAL ORGANISATIONS

Introduction to Chapter Two

The legal nature of professional chambers is most clearly manifested through the functions entrusted to them. They are not merely professional representative bodies, but exercise legally delegated public-law powers aimed at safeguarding the public interest, the quality of medical care and patient safety. An analysis of these functions reveals the true nature of their administrative and legal status.

1. Registration and membership

The registration of healthcare professionals is one of the main public-law functions of professional bodies. The maintenance of professional registers certifies the right to practise the relevant profession and ensures transparency regarding the professional status of members.

Compulsory membership should not be regarded as a restriction on freedom of association, but as a legally established guarantee for the effective exercise of professional self-governance and for the protection of the public interest.

2. Disciplinary action

Disciplinary authority is one of the most characteristic manifestations of delegated public authority. Through it, professional chambers exercise control over the professional conduct of their members and ensure compliance with legal and ethical standards.

The study posits that disciplinary proceedings are of an administrative-legal nature, as they are conducted on the basis of powers conferred by law, affect rights and legitimate interests, and are subject to judicial review.

3. Ethical responsibility and professional ethics

Codes of ethics are not merely internal rules of the professional community. They give specific form to the legal principles governing the practice of the medical profession and establish standards of professional conduct, the breach of which may lead to disciplinary liability.

In this way, professional chambers fulfil their public-law function of maintaining professional standards and protecting patients.

4. Continuing professional development

Continuing professional development is a key tool for maintaining the professional competence of healthcare professionals. The chambers' oversight of this activity extend beyond the interests of the professional community and serve the public interest by ensuring the quality and safety of healthcare.

Therefore, the involvement of professional chambers in the continuing professional development system should be regarded as the exercise of delegated public-law powers, rather than as a mere organisational activity.

5. Contractual activities with the National Health Insurance Fund

The participation of professional chambers in the negotiation of the National Framework Agreement has a specific administrative-legal character. Although carried out in contractual form, this activity is performed in the exercise of legally assigned powers and is aimed at regulating public relations within the compulsory health insurance system.

The study posits that the contractual function combines elements of public-law regulation and protection of professional interests, which distinguishes it from traditional civil-law contractual relationships.

6. Integration into the National Health Information System

Digitalisation expands the possibilities for performing statutorily assigned functions through electronic registers, data exchange and electronic identification. These processes do not alter the public-law nature of professional chambers, but modernise the mechanisms for exercising their powers.

Key research findings in Chapter Two

The following research findings have been formulated as a result of the analysis:

1. It has been demonstrated that the functions of professional chambers are predominantly of a public-law nature and are exercised on the basis of statutory delegation.
2. It has been substantiated that registration, disciplinary action, professional ethics, continuing professional development and participation in the negotiation of the National Framework Agreement constitute manifestations of delegated state powers.
3. A functional link has been established between professional self-governance, the protection of the public interest and the safeguarding of the quality of medical care.
4. It has been demonstrated that digitalisation does not alter the legal nature of professional chambers, but rather

enhances their effectiveness in performing the public functions entrusted to them.

CHAPTER THREE

ACTS OF PROFESSIONAL MEDICAL ORGANISATIONS IN THE BULGARIAN HEALTHCARE SYSTEM

Introduction to Chapter Three

The study of the acts of professional chambers occupies a central place in this thesis, as it is through these acts that the public-law powers conferred by law are exercised. The legal nature of these acts is of decisive importance for the procedure for their adoption, their effect and judicial review. It is in this chapter that the author's concept for the systematisation of professional acts and their place in administrative law is developed.

1. Legal framework and general characteristics

The legal regime governing professional acts is shaped by the combined effect of specific laws, the general principles of administrative law and the applicable case law. Although individual professional chambers are governed by separate laws, the analysis identifies common principles in the exercise of delegated public-law powers.

The study posits that the legal regime governing these acts cannot be derived solely from the organisational form of the professional chambers, but should be determined first and foremost by the nature of the public authority exercised.

2. Concept and legal nature of professional acts

The thesis proposes the author's definition of the concept of a **'chamber's act'**, according to which it is an authoritative or organisational expression of will by a professional chambers, issued in the exercise of legally conferred powers and aimed at regulating public relations in the sphere of professional self-governance.

Three key characteristics follow from this definition:

- statutory delegation of powers;
- a public-law objective;
- the potential to affect rights and legitimate interests.

These characteristics distinguish professional acts from both internal organisational decisions and traditional declarations of intent under civil law.

3. Types of legal acts

Based on the analysis carried out, the author has developed a classification of chambers' acts, which divides them into:

- regulatory;
- individual;

- general;
- internal organisational;
- disciplinary;
- certificatory.

This classification is based not on the formal title of the act, but on the nature of the powers exercised and the legal consequences to which the act gives rise. This allows for a more precise determination of the applicable administrative law regime.

4. Hybrid (mixed) acts

One of the original academic findings of the thesis is the development of the concept of **hybrid (mixed) professional acts**.

The research shows that, in practice, there are acts which combine features of internal organisational decisions and administrative acts. It is precisely this dual nature that gives rise to difficulties in determining the applicable procedure for challenging them.

It is proposed that the criteria for legal classification should be derived from the nature of the competence exercised and from the legal consequences of the specific act, rather than solely from its title.

5. Distinction between chambers` and subordinate legislative acts

The thesis argues that professional regulatory acts constitute a distinct category of regulatory acts.

Unlike subordinate legislation, they do not derive from primary state legislative competence, but from a power delegated by law to public-law corporations.

This conclusion represents one of the key theoretical achievements of the study and is significant both for administrative law theory and for the practice of judicial review.

6. Comparative legal analysis

The comparative legal analysis shows that, regardless of the differences between the various European models, professional self-regulation is universally based on the statutory delegation of public functions, whilst maintaining state oversight to ensure compliance with the law.

The Bulgarian model fits within this European trend, whilst retaining specific national characteristics arising from the structure of the healthcare system and the specific regulatory framework.

7. Judicial review of professional chambers' acts

The study argues that judicial review should be tailored to the legal nature of the specific act.

Criteria are proposed for distinguishing between acts subject to administrative judicial review and those to which a different procedural regime applies.

In this way, a consistent model of judicial review is established, based on the nature of the competence exercised, rather than solely on the organisational status of the body that issued the act.

Main research findings in Chapter Three

As a result of the research conducted, the following scientific findings have been achieved:

1. An author's definition of the concept of a **'chambers' act** has been formulated.
2. An original classification of professional acts has been developed according to the nature of the competence exercised.
3. The concept of **hybrid (mixed) professional acts** has been substantiated as a separate category of acts with a specific administrative-legal regime.

4. It has been demonstrated that professional normative acts constitute a separate category of normative acts, distinct from subordinate legislation.
5. Criteria are proposed for determining the applicable judicial review in accordance with the legal nature of the specific act.

CHAPTER FOUR

DIGITALISATION, FUTURE DEVELOPMENT AND EMPIRICAL ANALYSIS OF PROFESSIONAL ORGANISATIONS

Introduction to Chapter Four

The dynamic development of e-health is placing new demands on the activities of professional chambers. Digitalisation does not alter their status under public law, but transforms the way in which they carry out their legally mandated functions. For this reason, this study considers digital transformation to be the next stage in the development of professional self-governance, rather than a basis for changing its legal nature.

1. E-health and the National Health Information System (new version)

The National Health Information System creates a technological foundation for the more effective performance of the functions of professional chambers through electronic

registers, information exchange and digital administrative services.

The study takes the view that digitalisation should be regarded as a means of enhancing transparency, traceability and administrative efficiency, without altering the nature of the public-law powers conferred by law.

2. Digital identity and personal data protection

Electronic identity is a necessary prerequisite for the secure functioning of e-health. Furthermore, the processing of sensitive health data requires strict adherence to the principles of lawfulness, proportionality and information security.

The study argues that the protection of personal data does not constitute a constraint on digitalisation, but rather a guarantee for the lawful exercise of the public-law functions of professional bodies.

3. Artificial intelligence and administrative law safeguards

The use of artificial intelligence systems offers significant opportunities for data analysis, supporting supervisory activities and optimising administrative processes.

At the same time, the thesis maintains that decisions affecting the rights and legitimate interests of healthcare professionals

should remain under human control. Artificial intelligence may assist administrative activities, but it cannot replace the exercise of legally conferred public authority.

4. Empirical research

A key element of this thesis is the independent empirical study conducted amongst representatives of the medical professions.

The results obtained highlight several consistent trends:

- insufficient transparency in the activities of some professional chambers;
- limited participation of members in the formulation of internal policy;
- a need to improve disciplinary mechanisms;
- a positive assessment of the development of e-health;
- strong support for legislative changes aimed at improving accountability and efficiency.

The empirical findings confirm the thesis's main argument that there is a discrepancy between the regulatory model and the practical functioning of professional chambers, which necessitates improvements to the current legal framework.

5. Proposals *de lege ferenda*

Based on the normative analysis, case law and empirical research, proposals have been formulated for:

- legislatively defining the administrative and legal status of professional chambers;
- legally clarifying the types of professional acts and the applicable judicial review;
- increasing transparency and accountability in the exercise of public functions;
- expanding e-government services;
- improving the regulatory framework governing the
- use of digital technologies and artificial intelligence.

The proposals are aimed at enhancing the effectiveness of professional self-governance whilst preserving the guarantees of legality, protecting the rights of healthcare professionals and safeguarding the public interest.

Key research findings in Chapter Four

1. It has been demonstrated that digitalisation alters the mechanisms for exercising public law functions without changing the legal nature of professional bodies.
2. The importance of electronic identity and the protection of personal data as key safeguards for the lawful functioning of e-health has been substantiated.
3. Principles have been derived for the use of artificial intelligence whilst maintaining human control over decisions of legal significance.

4. Through the empirical research conducted, practical shortcomings in the activities of professional chambers have been identified, confirming the need for regulatory changes.
5. Specific proposals *de lege ferenda* have been put forward for the development of professional self-governance in the context of digitalisation.

III. GENERAL OUTCOMES

The research conducted confirms the main thesis of the doctoral thesis, namely that professional chambers in the Bulgarian healthcare sector constitute **a distinct type of public-law corporation** through which the state delegates the exercise of certain regulatory functions in the public interest.

The historical, normative, comparative legal and caselaw analysis carried out shows that their place within the system of public administration is determined not by their organisational form, but by the nature of the powers conferred upon them by law. The registration of medical professionals, disciplinary authority, professional ethics, continuing professional development and participation in the implementation of state health policy are manifestations of delegated public authority.

The thesis demonstrates that the acts of professional bodies constitute a distinct category of legal acts subject to a specific administrative-legal regime. Criteria have been developed for their classification and for determining the applicable judicial review in accordance with the nature of the powers exercised.

The comparative legal analysis establishes that the Bulgarian model is in line with European practice regarding the entrustment of public-law functions to professional chambers, whilst maintaining state control over legality.

The study also shows that the processes of digitalisation, e-health and the use of modern information technologies do not alter the public-law nature of professional chambers, but rather create new mechanisms for the more effective exercise of their functions.

The results of the empirical study confirm the existence of practical problems relating to transparency, accountability and the effectiveness of professional self-governance. On this basis, proposals **de lege ferenda** have been formulated, aimed at improving the regulatory framework and strengthening the administrative and legal safeguards for the protection of the public interest.

IV. CONCLUSION

This study confirmed the main thesis that professional chambers in Bulgarian healthcare system occupy a special place within the public law system. They are not mere professional associations, but self-governing organizations entrusted by law with carrying out significant public functions related to the regulation of the medical professions, the protection of the public interest, and the assurance of the quality and safety of medical care.

As a result of this study, the legal nature of professional organizations was clarified, and their functions, competencies, and place within the healthcare management system were analyzed. Particular attention was paid to the acts they issue and to the need for a more precise legal distinction between them. The conclusion justified that some of these acts possess a mixed character — partly public law and partly internal professional chamber law — and therefore should be regarded as a separate category of hybrid professional chamber acts with a specific legal regime.

The study found that the current regulatory framework does not provide sufficiently clear criteria regarding the legal nature of professional acts and the procedure for challenging them in court. This creates conditions for inconsistent practice and hinders the effective protection of both medical professionals and the public

interest. Therefore, legislative precision is needed regarding the types of professional chambers acts, their external legal effect, and the procedural rules for judicial review.

Separate attention was given to the impact of digitization on the activities of professional chambers. The development of the National Health Information System, e-government, and modern digital technologies places new demands on the organization of professional self-governance and requires the adaptation of the regulatory framework to new social realities.

The results of the empirical study confirm the need to improve the regulatory framework and to enhance the effectiveness, transparency, and public trust in the activities of professional chambers. The proposals *de lege ferenda* formulated in this dissertation are aimed at improving legislation, strengthening professional self-governance, and enhancing legal certainty in the practice of the medical professions.

In conclusion, it may be stated that professional chambers constitute an essential element of the public-law organization of the Bulgarian healthcare system. Improving their legal framework, the development of judicial oversight over the acts they issue, and their adaptation to digitization processes are necessary prerequisites for building a more effective, transparent, and sustainable system of professional self-governance that meets both national needs and contemporary European standards.