

By the Judgement of 25 June 2019 No.25-II the Constitutional Court of the Russian Federation appraised constitutionality of Article 1085, para. 3 and Article 1087, para. 1 of the Civil Code of the Russian Federation.

The challenged provisions were subject to consideration in so far as on their basis the issue of the possibility of compensation for damage to the health of an underage person who was under fourteen years of age (minor), recognised as a person with disabilities and being in need of continuing healthcare (*hereinafter* – a minor recognised as a person with disabilities and being in need of continuing healthcare), the recovery of the costs of the services of a nurse, if there is a court decision on the collection the costs of permanent nursing care in his favour.

The Constitutional Court recognised the challenged provisions not contradicting the Constitution of the Russian Federation, since they imply that the existence of a court decision on recovery in favour of a minor recognised as a person with disabilities and being in need of continuing healthcare does not exclude the possibility to recover the damages in respect of the subsequent necessary expenses, including expenses for the services of a nurse, or increase the amount of recovery of such expenses, if the court has established a change in circumstances affecting the determination of the amount of compensation, and the citizen has the right to receive appropriate assistance and care free of charge or for partial payment, or should there be such a right the person was actually deprived of the opportunity to receive a quality and timely assistance.