

By the Judgement of 31 January 2025 No.4-II, the Constitutional Court assessed constitutionality of Article 1085 of the Civil Code of the Russian Federation

The legal provision has been considered in so far as it serves as a basis for imposing an obligation on a medical organisation, that has caused harm to a person in the course of providing paid medical services, to reimburse the expenses incurred by that person for the treatment of an injury or other damage to his health, even though he could have received such treatment for free under the compulsory medical insurance, but chose a paid method of treatment in accordance with recognised clinical recommendations.

The contested provision was found not to be contrary to the Constitution since it does not provide grounds for refusing to reimburse reasonable and justified expenses incurred by a person for treatment in the circumstances in question, where the choice of another method of treatment could have had adverse consequences for health.