

Introduction

We hope the readers of this volume of “Białostockie Studia Prawnicze” [Białystok Legal Studies] will find the issues presented herein not only interesting for lawyers but also representatives of medical environments. This volume is devoted to medical law issues; a new and very dynamically developing branch of law. The articles published herein most of all deal with the patient’s rights and their restrictions. Many texts depict a key issue of establishing limits of patient’s autonomy in the healthcare system¹. As long as patients act according to generally adopted rules and follow doctors’ instructions, their competence to request the performance of specific interventions or consent to proposed treatment is not questioned. It may be undermined, however, in case of the conflict between the patient’s requests and doctors’ opinions on the patient’s interest. The problem becomes even more complicated when we take into account not only doctors’ opinion but also moral attitudes of the public to the admissibility of specific medical interventions. Limits of patient’s autonomy are more often than not designated by legal regulations, which does not imply that *modus operandi* expressed therein is not subject to debate and controversy any more.

For the above reason, this volume contains articles devoted to parents’ aspirations to create an “optimal child” within the procedures of medically assisted procreation. The authors are also interested in the so-called “windows of life”; the need for their existence and functioning has been shown in the context of fundamental human rights (the right to life *versus* the right to know one’s own identify). Most articles (including the review) have been devoted to the issues of establishing limits of autonomy of minor, incapacitated and terminal patients. They are defined as vulnerable persons who require special legislative support followed by unique legal solutions. Another subject considered herein are issues concerning the adoption

1 This problem was the subject of the II National Scientific Conference: Patient’s Law. The limits of the patient’s autonomy (Białystok, April 15-16, 2016) organized by the Student Circle of Medical and Pharmaceutical Law “Pro Humanae Vitae” and the Department of Civil Law at the Faculty of Law of the University of Białystok. Some of the articles sent to the editorial office are the results of the discussions during the event, for which I would like to express my gratitude to everyone who took part in the conference.

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of a specific model of consent for deceased organ transplantation as well as issues connected with the application of involuntary treatment.

Scholars from all parts of Poland including young scientists (PhD and undergraduate students) have been invited to take part in this publication. We hope that considerations contained in this volume will be sufficiently aspiring to evoke a debate leading to further publications.

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Volume Theme Editor
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