

## Abstract

This thesis is intended to study and analyze about medical service in social security law, one method to help insurees. Insurees are able to obtain medical service from nursing home in social security program instantly when they are sick or injured, even it is not from work. They do not have to pay for any medical service since insurees were deducted their salary and pay to social security fund according to social security law. However what happen nowadays is that insurees or employees who obtain medical service from nursing home in social security program are not really cured. This obstacle occurs from several problems in using social security law; social security office uses capitation system in paying medical service fee to nursing home. As a result, some troubles relating to medical service occur such as problem in quality of medical service since most nursing home concern about cost control and doctors tend to remedy less than necessary which may lead to low quality in medical service or it cannot reach standard as stated in law. Problem concerning insurees' chance to obtain medical service which most nursing home are not able to support a number of insurees who need medical service adequately. A lot of insurees make medical service inconvenient and slow. Problem regarding cash that insurees have to pay for medical service or remedy expense before they claim from social security office. The amount of medical service fee that insurees can claim is not enough when compared to the amount that insurees actually paid. It is the problem that how to set the fee properly and adequately for employees needs. Another problem is about restriction of nursing home that insurees can obtain medical service so insurees cannot obtain medical service from other nursing home and it is very inconvenient for insurees. Moreover there is a problem about limit of substitute advantage in medical service. According to social security law, it excludes other important case in protection of sickness, health looking after and drug addict recovering. In addition, some insurees make an agreement with nursing home to obtain special medical service which is over medical service standard stated in law and insurees take responsibility to pay all medical service fee.

While considering problems concerning to medical service according to social security law as mentioned, the writer has also studied foreign country law in order

to understand detail and difference of medical service in each country. We have also learnt pros and cons of each foreign country law and compared with medical service in Thai law so we can analyze ways to solve and improve problems regarding medical service occurred. For foreign country law, we have studied law of United States, France, Germany and Finland because these countries' laws are good samples of laws which effectively set regulations about substitute advantage in medical service. Main purpose of these laws is improving citizens' quality of life so they have high quality social security system and they can really help suffered citizens. The essential thing that these countries social security system can effectively respond employees needs and relieve employees' troubles is medical service fee pay system. American and French laws state that medical service fee pay system is paid by fee for service or price per item which is medical service fee pay directly to insuree who is cured in social security program's nursing home in the amount of actual payment of medical service fee paid by insuree. However the mentioned medical service fee pay has to be in medical service fee ceiling and middle price of medicine according to fee schedule in order to regulate medical service fee pay control of the stated system. By the way, German and Finnish laws set medical service fee pay system to be budget system; the government allocate annual budget for social security work to nursing home. The nursing home budget is managed in detail by nursing home executives. In budget medical service pay system, government have responsibility in medical service fee and citizens are able to obtain medical service without pay.

According to Thai law, the writer have studied and analyzed about medical service that Act of Social Security B.E.2533 and medical committee notices have stated strategy to offer advantage in medical service to employees, for instance, in case of accident or illness that is not from work, giving birth to a child and disability. We specialize in medical service fee pay system which social security office decided to use capitation system, an outstanding factor that causes the mentioned problems in medical service.

Therefore the writer presents and analyzes some points of problem regarding medical service according to Thai social security law in detail, for example problem about low quality in medical service of nursing home in social security program,

problem about medical service fee rate which social security office pay to nursing home, problem regarding criteria of substitute advantage that law has not set about other necessary cases of insurees daily life. We also express some opinion and suggestion that will help medical service according to Thai social security law more effective and suitable. However we mainly concern about protection of insurees who suffer in living and this majorly complies with social security office's work.

The above problem analysis in medical service results that related organizations, especially social security office and nursing home in social security program realize in effect occurred to insurees who are suffered employees from social security office and nursing home's faults. After that they will solve problems in medical service by the way we suggest and present by analyze pros and cons of both foreign countries and Thai laws, then pick each country's law advantage to solve problem in medical service occurred in Thai law such as improvement of capitation medical service fee payment by improving budget allocation of social security fund, improving medical committee work and change of capitation medical service fee payment to medical service fee payment by credit.