

Área de enfoque 1: Derecho a la salud y acceso a los servicios de salud

Marco legal y político nacional

1. ¿Cuáles son las disposiciones legales y los marcos normativos de su país que garantizan el derecho de personas mayores al disfrute del más alto nivel posible de salud física y mental, incluido el acceso a instalaciones, bienes y servicios de salud de promoción, prevención, curación, rehabilitación y paliativos?

The Inter-American Convention on the Protection of Human Rights incorporates fundamental rights that address the access of the older persons to health in a broad and comprehensive sense, among which stand out: the right to life and dignity in old age (Article 6); the right to health (Article 19); and the rights of older persons receiving long-term care services (Article 12).

2. ¿Qué medidas se han tomado para garantizar que todas las personas mayores tengan acceso a una buena y asequible atención y servicios de salud de calidad en la vejez sin discriminación?

The National Institute of Social Services for Retirees and Pensioners (PAMI) guarantees health coverage for a large part of the elderly population in Argentina: it reaches 5 million people, of which 90% are people aged 60 and over. It includes both health and social benefits, and implements various actions aimed at expanding rights and improving the quality of life of affiliated people. Some of them are detailed below:

- 1) Vademecum of free medicines: in 2020 a new list of selected free medicines was implemented to guarantee the adequate treatment of the most frequent pathologies in the older persons. It includes 170 active principles, which implies 100% coverage of the vast majority of the medications most used by the elderly.
- 2) “The Freedom to Choose” Program: in 2022, a new form of care was put into operation that allowed the fixed allocation system to be left behind. Currently affiliated people can choose their specialist doctors and imaging and diagnostic centers.
- 3) Sonrisa Mayor Program: in 2022, a comprehensive dental program was launched to guarantee quality care and strengthen the prevention of the most frequent oral pathologies for all affiliates in the country.
- 4) Comprehensive Oncology Care and Treatment Plan: considering the high individual, social and health impact of this pathology, this Plan was launched in 2022, which provides a comprehensive approach with a care focus and guarantees preferential and quality care for people enrolled in cancer treatment.
- 5) The Telemedicine platform was released, which guarantees remote medical care to care for the health of affiliated people and to strengthen the link with doctors and general practitioners, and the implementation of remote procedures was ordered, including from the authorization of medications and orders until the affiliation process.

3. Qué datos e investigaciones están disponibles sobre el derecho a la salud y el acceso a la salud de las personas mayores atención y servicios? Indique cómo se desglosan los

datos nacionales o subnacionales por sexo, edad y las dimensiones de la desigualdad, y qué indicadores se utilizan para monitorear la plena realización del derecho a la salud de las personas mayores.

The National Institute of Statistics and Censuses (INDEC) has produced in recent years two specific statistical instruments on the elderly population in Argentina:

- National Survey on the Quality of Life of Older Adults 2012, which covered topics such as self-perception of health, access to medicines, falls and fractures; depression; deficiencies; dependence; sexuality; relationship with the environment; ICT management; free time; aids; participation in household activities and life satisfaction.
- Statistical dossier on older people (2021, 2022), covering the demographic profile, economic situation, health and well-being, housing conditions, habitat and social environments.

4. ¿Qué medidas se han tomado para brindar capacitación adecuada a legisladores, formuladores de políticas, y personal de atención sobre el derecho a la salud de las personas mayores?

PAMI established a training program through different courses to promote rights and good treatment in order to promote the construction of friendly environments with old age for workers, providers, and members of the health teams that work with the older persons, among which stand out: course on good treatment of the elderly, for personnel from nursing homes and health care providers; introduction course to the gender perspective, framed in compliance with the implementation of the “Micaela Law” N°. 27.499; training course on the human rights of the elderly, aimed at general practitioners.

Realización progresiva y utilización del máximo de los recursos disponibles

5. ¿Qué pasos se han tomado para alinear las políticas y medidas macroeconómicas con el derecho internacional de los derechos humanos, a fin de utilizar el máximo de recursos disponibles para la realización del derecho a la salud de las personas mayores, por ejemplo, mediante la ampliación del espacio fiscal, la adopción de medidas específicas y la cooperación internacional?

su vez, se puso en marcha la construcción de 12 Hospitales Modulares de Emergencia. Regarding the expansion of the physical space, PAMI carried out in 2020 the construction of hospitals and medical centers, among which the Ituzaingó Hospital, the Esteban Echeverría High Complexity Hospital and the Néstor Carlos Kirchner de Escobar Hospital stand out. In turn, the construction of 12 Modular Emergency Hospitals began.

Igualdad y no discriminación

6. ¿Cuáles son los desafíos que enfrentan las personas mayores en el disfrute del derecho a la salud, incluyendo el impacto de la discriminación interseccional y la desigualdad basada en la edad, el género, la discapacidad y otros motivos?

Argentina is undergoing an accelerated process of population aging. This demographic phenomenon is a key element for state planning and action, as it poses multiple challenges for reducing inequalities that, in turn, are accentuated during old age. Among them, the following stand out: promoting a positive image of old age through awareness campaigns and dissemination of good treatment towards the older persons; promote societies free of violence through the promotion, prevention and approach of situations of discrimination and violence based on age and gender; and promote comprehensive care systems that adapt to the needs of the elderly, considering the heterogeneity and diversity within this population.

7. ¿Qué medidas se han tomado para eliminar la discriminación por edad y la discriminación basada en la edad, incluyendo leyes, políticas, prácticas, normas sociales y estereotipos discriminatorios que perpetúan las desigualdades en salud entre las personas mayores e impiden que las personas mayores disfruten de su derecho a la salud?

The creation of the "Program for the Promotion of Good Treatment and Comprehensive Protection against Violence towards the Older Persons" stands out, which aims to provide a psychosocial approach and support service for affiliated older persons in possible situations of violence; develop actions to raise awareness against abuse of the elderly; and generate training spaces aimed at preventing, avoiding and detecting situations of violence and proposing.

8. ¿Qué medidas se han tomado para garantizar que las personas mayores puedan ejercer sus derechos capacidad en igualdad de condiciones con los demás, incluida la toma de un consentimiento informado, decisiones y opciones sobre su tratamiento y atención?

The use of informed consent has been implemented to access the benefits included in the care policies developed by the institute; various training sessions for direct care personnel in relation to these topics; and the "Ten Rights of the Elderly" campaign was launched, with the aim of disseminating the Convention in the Centers for Retirees and Pensioners that are part of the PAMI network.

Responsabilidad

9. ¿Qué mecanismos judiciales y no judiciales existen para que las personas mayores presenten denuncias y busquen reparación por la negación de su derecho a la salud?

The Convention establishes in Article 31 the right of access to justice and in Article 36 the system of individual petitions.

10. ¿Qué mecanismos existen para asegurar la participación efectiva y significativa de las personas mayores que viven en diferentes áreas geográficas del país en la planificación, diseño, implementación y evaluación de las leyes, políticas, programas y servicios de salud que los afectan?

Within the scope of PAMI, work the Participatory Councils of local, regional and national scope which make possible the meeting between the authorities of the Institute and the affiliated persons through their representatives, promoting participatory management and necessary interaction for the planning of institutional actions. to improve the care provided and the quality of services.