

JUDICIARY POWER
FEDERAL JUSTICE OF FIRST INSTANCE
JUDICIAL SECTION OF THE STATE OF PIAUÍ
LAWSUITS CASE PROCESSO : 2008.40.00.002529-9/7100
PLAINTIFF: FEDERAL PROSECUTORS OFFICE AND OTHERS
DEFENDANT: FEDERAL GOVERNMENT AND OTHERS

MINUTES OF HEARING SESSION

On the twenty sixth day of February of the year two thousand and fifteen at nine o'clock, in the Hearing Room of the 5th Court of the judicial section of Piauí, located in the main building, at Av. Miguel Rosa, n ° 7315 - Neighborhood: Redenção Teresina-Pi - Zip Code: 64018-55Q/phone: (86) 2107-2800 / 2801, present the Hon. Federal Judge of the 5th Court, Dra. MARINA ROCHA CAVALCANTI BARROS MENDES, alongside, the Judicial Technician, hereinafter nominated, at the appointed time, the present hearing session was declared open.

Present: The Federal Prosecutor, Dr. KELSTON PINHEIRO LAGES; The Union Prosecutor, Dr. MARCELO JEFFERSON EVANGELISTA BENTO DOS SANTOS; The Union Public Defender Dra. ROGENA XIMENES VIANA; The Prosecutor of the City of Teresina Dr. JÚLIO CÉSAR DA SILVA CARVALHO; The Prosecutor of the State of Piauí Dra. ANA CECÍLIA ELVAS BOHN; the Secretary of Health of the City of Teresina, Dr. ADERIVALDO COELHO DE ANDRADE; the Superintendent of the University Hospital - HU/UFPI, Dr. JOSÉ MIGUEL LUZ PARENTE; the General Coordinator for the Attention to People with Chronic Diseases of the Ministry of Health, Dra. PATRÍCIA SAMPAIO CHUEIRI; the Representative of the Secretary of Health of the State of Piauí, Cel. GERARDO REBELO FILHO; Superintendent of the Hospital Organization of the Secretary of Health; (the Executive Secretary of Health of Maranhão, Dra. ROSÂNGELA A. BARROS CURADO); the Coordinator of Care Regulation and Hospital Contractualisation/EBSERH, ADRIANA NUNES DE OLIVEIRA; the Coordinator of Clinical Management - Director of Health Attention/EBSERH, ROSANE DE MENDONÇA GOMES, and other authorities and interested parties, shown as attendees on attached list to this term.

After the proceeding had begun, Hon. Federal Judge heard the parties involved, in the following order: JOSÉ MIGUEL LUZ PARENTE - Superintendent of the University Hospital; ROSANE DE MENDONÇA GOMES – Superintendent of the University Hospital; PATRÍCIA SAMPAIO CHUEIRI - Ministry of Health; GERARDO REBELO FILHO - Representative of the Secretary of Health of the State of Piauí; ADERIVALDO COELHO DE ANDRADE - Secretary of Health of the City of Teresina; ANA CECÍLIA ELVAS BOHN - Prosecutor of the State of Piauí; ADRIANA NUNES DE OLIVEIRA – EBSERH; MARCELO JEFFERSON E. BENTO DOS SANTOS - Union Prosecutor; KELSTON PINHEIRO LAGES - Federal Prosecutor.

All duly registered by voice and image recording system, with the recording media on the records, with the parties being entitled to reproduce the recording on a CD or pen drive.

After the manifestation of the parties, and the of the Federal Prosecutor's Office manifestation in favor, the following procedure was agreed on:

In the end, it was concluded that there are problems of two orders to be overcome. The first is organizational, to be overcome through documentation of installed capacity and flow of patients and payments. In this sense, it deserves to be noted that the installation and operation of the of oncological patients' regulation in Maranhão and Piauí has occurred. The second problem is structural, which needs to be enlarged, to meet the existing demand in Piauí and Maranhão.

1] Considering the report that the Ministry of Health concluded that the Hospital São Marcos did not comply with the term of commitment and joining to the Radiotherapy Expansion Plan, outlined by the Ministry of Health in 2011/2012; whereas the University Hospital is public and, in this condition, is part of SUS; considering the current deficit in the oncology service in the State of Piauí; considering the manifestation of the Superintendent of the University Hospital of Piauí - HU / UFPI in the sense that the opening of the oncology service is already planned for in the annual operational plan and in the 2015/2016 biennial strategic director plan of the institution: THE CITY OF TERESINA, THE STATE OF PIAUÍ AND THE UNIVERSITY HOSPITAL request to the Ministry of Health that, in case the São Marcos Hospital is excluded as a beneficiary by the plan for the expansion of radiotherapy, outlined in 2011/2012, and the University Hospital is included in its place, for the developed linear accelerator does not stop to benefit the State of Piauí, as programmed.

2) The University Hospital undertakes, in this act, the commitment to install the Oncology service, in this first phase as UNACON, until 10/30/2015.

3) The State of Piauí and the City of Teresina, as applicable, commit to take all necessary measures to request the authorization of the referred service set in the previous item with the Ministry of Health, within 30 (thirty) days, counted from the beginning of the service.

4) The Federal Government, therefore, according to the commitments made in items 2 and 3, commits not to destine the linear accelerator acquired within the Radiotherapy Expansion Plan, to another State of the Federation (except for legal obstacles which are the responsibility of the Legal Consultancy).

5) In the reformulation of the Oncology Attention Plan, to be presented by the State of Piauí, by determination of the Ministry of Health, shall state the University Hospital as one of the oncology services to be opened in the State of Piauí.

6) The attendees are all summoned, including that noncompliance with the undertaken commitments shall subject the agents to fines and other applicable penalties.

7) A visit of this Court, the Federal Prosecutor's Office and all interested parties is scheduled in the University Hospital, on 05/03/2015, at 9 o'clock in the morning, to know their facilities and services already in operation.

I, _____(Charles Julien Melo) designated public servant, have typed this term which, if read and found to be correct, is signed.

MARINA ROCHA CAVALCANTI BARROS MENDES

Federal Judge

KELSTON PINHEIRO LAGES

Federal Prosecutor

MARCELO JEFFERSON E BENTO DOS SANTOS

Union Prosecutor

ROGENA XIMENES VIANA

Union Public Defender

JÚLIO CÉSAR DA SILVA CARVALHO

Prosecutor of the City of Teresina

ADRIANA NUNES DE OLIVERIA

EBSERH

ROSANE DE MENDONÇA GOMES

EBSERH

ADERIVALDO COELHO DE ANDRADE

Secretary of Health- Teresina

ANA CECÍLIA ELVAS BOHN

Prosecutor of the State of Piauí

GERARDO REBELO FILHO

Rep. Secretary of Health of Piauí

JOSÉ MIGUEL LUZ PARENTE

Superintendent HU/UFPI

PATRÍCIA SAMPAIO CHUEIRI

Ministry of Health