

# HEALTH CORRUPTION IN VIETNAM DURING THE COVID 19 PANDEMIC - GOVERNMENT ACTION AND PUBLIC REACTION

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## Abstract

The issue of corruption is attracting the attention of all citizens. In Vietnam as well as other countries, it is very difficult to accurately assess the situation of corruption that takes place in practice, because corruption is like an iceberg at sea, often only partially aware of the surface through cases that have been discovered and handled. Through the results of the detection and handling of corruption cases in 2021 and based on the assessment of the authorities, the situation of corruption in Vietnam is serious. Corruption is also quite common in the relationship between public servants and people and businesses, between employees of public service establishments and customers, causing tension in public opinion. This article analyzes the consequences of corruption in the health sector in Vietnam, which has just been published by media outlets. This is very serious in the context of Vietnam using huge financial resources to respond to the 4th wave of Covid.

**Keywords:** Corruption, Health, Covid 19, Public, Vietnam.

## 1. INTRODUCTION

In 2005, the Party's Central Internal Affairs Committee chaired a study aimed at capturing the level, form and nature of corruption in Vietnam. The 2005 study was instrumental in setting out the directions for the development of the 2005 Anti-Corruption Law, which introduced new approaches in anti-corruption work such as declaring the assets of civil servants, switching positions and placing more emphasis on transparency. (Crime et al., n.d.) The 2005 study and the Anti-Corruption Law, which came into force in 2006, predicted a period in which society would pay more attention to the consequences of corruption and the challenges in the fight against corruption. For 2020, under the impact of global issues, especially the outbreak of the covid 19 pandemic, corruption continues to attract public attention. During the anti-corruption dialogues co-organized by the Prime Minister (JSC) and development partners every half-year, the parties discussed many technical measures and exchanged ideas. Although views are different, there is a fact that all parties recognize: corruption remains a major challenge for Vietnam's development process. (Do et al., 2013; Integrity et al., n.d.)

Since the 2005 Anti-Corruption Survey, Vietnam's socio-economic development has changed a lot. The economy has grown by 50%; 10% of the workforce has shifted from agriculture to industry and services. (Bar et al., n.d.) The government has spent and collected more taxes, of which both revenues and expenditures have more than doubled. The increasingly affluent segment of the population has gradually shifted from commuting by bicycle to using motorcycles, and from motorcycles to cars – the number of motorcycles has increased by 60% and the number of cars has increased by 600%. Each family has twice as many computers and mobile phones as before. Social services such as education and health are gradually being socialized, shifting the formal and informal burdens to the people. The nature and mechanism

of interaction between people, businesses and the State has also changed: one-stop trading centers, an initiative that has blossomed since the 1990s, are also increasing in both number and scope. The role of the State in the economy has also gradually shifted, initially as the consolidation of many state-owned enterprises into large economic corporations, and now the renewed emphasis on equitization requirements – transferring ownership to the private sector – and subject to greater and greater market dominance. (Do et al., 2020)

Although in some ways Vietnam has not changed much, it is still an ambitious country striving for peace and prosperity, in some other respects, Vietnam has changed compared to seven years ago. (Le & Evidence, n.d.) As Vietnam enters the middle-income group, it is also time to review the nature and causes of corruption, the time to gather new empirical data on this issue and also to add new strength to the fight against corruption. (Thang V. Nguyen et al., 2017)

## 2. METHODOLOGY

The research methodology of this article is built on an overview of important, transparent and public sources of material.

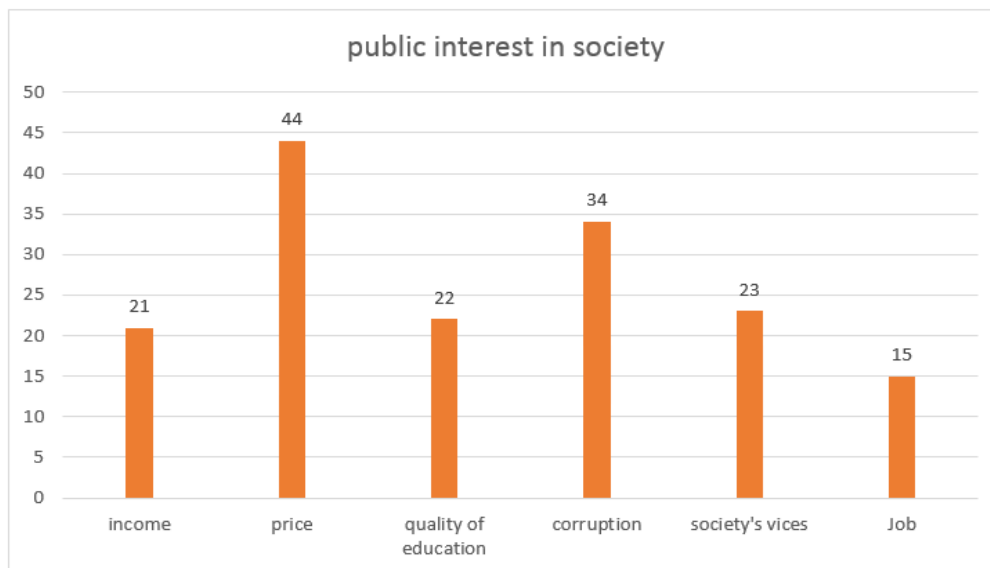
- Report of the Steering Committee on Anti-Corruption, negative on the situation of corruption in Vietnam during the covid 19 prevention period, especially related to the fields of health and public investment
- Official sources of information of agencies of the Communist Party of Vietnam, the Government of Vietnam and magazines with a large number of readers
- Actions of Vietnam's law protection agencies such as the Ministry of Public Security, courts and control institutes in prosecuting, detaining and adjudicating cases related to corruption in health
- Public opinion and public reaction to health corruption in Vietnam
- The Government's measures to prevent the risk of corruption in Vietnam's health in the future.

The main search engine used is used with Google and Google scholar. The keywords searched include: corruption, the Agency for Disease Control (CDC); discipline of the Ministry of Health; Viet a Company; Central Inspection Commission, corruption in hospitals. Understanding the extent, form and nature of corruption since the introduction of the revised anti-corruption law has the very important force to be able to identify new challenges for Vietnam. (T Nguyen et al., 2015). The results of the analysis express the views of the anti-corruption agency, the effectiveness of emergency actions in tackling corruption in health. On the other hand, this study also reflects the level of public interest in other pressing economic and social issues and polls people's opinions on "corruption". The main findings of this article relate to the perception of the subjects surveyed about the prevalence and severity of corruption at different levels and sectors. Especially in the health sector when people have to pay a large amount of money in medical examination and treatment services, vaccine use and post-Covid treatment.

### 3. RESULT AND FINDINGS

Corruption is a phenomenon that exists in all countries, but the level of corruption varies. Corruption has been recognized as an obstacle to the nation's economic growth and sustainable development, reducing the effectiveness of public administration and making public spending less efficient. (T. A. Nguyen et al., 2018) In particular, corruption erodes the rule of law and damages the credibility of the state as well as reduces people's trust in the political system, especially state institutions. (Nurunnabi, 2020) Besides corruption, society also faces many other pressing issues at the same time. To more comprehensively assess concerns about corruption, respondents were asked to show their level of interest in the 10 issues facing society. The results show that corruption attracts a lot of social attention. (Midori Matsushima & Yamada, 2016). Although corruption is not the most frequent issue of concern compared to other issues facing society, in terms of relative numbers, the level of interest is still very high: about 75% of respondents in the three groups said they were interested in or very concerned about corruption. (Akademije & 2014, 2021) Although some people are more interested in other issues, such as the quality of education, the cost of living, food safety ... But it is clear that corruption is still seen as a serious problem. When asked about the three most pressing issues facing Vietnam today, more than a third of respondents chose corruption (Figure 1). For the people, when choosing the three most pressing issues in Vietnam, corruption ranks second, after the price of living. Clearly, from the perspective of those interviewed, corruption remains one of the biggest concerns of the whole society.

**Figure 1: Awareness of Corruption of the Vietnamese Public**



Source: Summary of 2021 PAPI survey results

The health system is particularly vulnerable to corruption because, in general, uncertainty, asymmetry of information and the large number of stakeholders hinder transparency and

accountability, creating systematic opportunities for corruption. (Manh et al., 2021) In the case of Vietnam, there are many problems, from the country's legal framework to lack of access to information, the lack of general government accountability and the lack of oversight conformity, bringing both opportunities and encouraging corruption in this area. (TA Nguyen et al., n.d.) The decentralization or decentralization of regional health to service providers in Vietnam that bring new challenges related to corruption still need to be addressed. For example, increasing financial autonomy for medical facilities in 2002 encouraged hiring behavior among health officials, especially since accountability mechanisms have yet to be established. (Asia & 2015, n.d.)

### Forms of Corruption in Health Care

Political influence or bribery in the definition of health policy, welfare package, medicines, policies and systems of medical recognition professionals. Interest groups, private entities and senior officials are connected so that the ruling party can exercise undue influence over the crucial policy decision. (Sharma et al., n.d.) For example, pharmaceutical companies often have to lobby the Department of Health through illegal payments to include certain substance operations of a drug that publicly lists health insurance reimbursements (Vo, 2015).

At the request of the Ministry of Health, the Prime Minister approved the national reserve plan for Tamiflu and the production of Oseltamivir to prevent influenza A/H5N1. The stockpile of drugs proposed by the Ministry of Health (in Report No. 58/BC-BYT dated November 16, 2005) is 30 million tablets. After that, the plan was adjusted by the Government to 20 million tablets. Stocking the drug in two forms is the production of 10 million tablets, completed in March 2006 and stored in the form of raw materials sufficient to produce 10 million Oseltamivir tablets.

### Box 1: Arrest of former Deputy Minister of Health of Vietnam

*According to the authorities, although in 2 years (2003-2005) the country only had 91 cases of the disease, the Ministry of Health still proposed that the timeline to June 30, 2006 must reserve 30 million pills, equivalent to 3 million doses for 3 million people. The above proposed advice is a lack of practical basis on the situation of the epidemic in Vietnam. Notably, there have been 4 enterprises ordered by the Ministry of Health to buy raw materials for drug production. However, the authorities determined that during the ordering process, the minutes of the Ministry of Health's "Council for evaluation of facilities eligible for drug production" at the meeting with 4 companies did not have the content of negotiating prices. The working record is not signed by the company. In addition, the order was sent to the company by the Appraisal Council at the inspection while there was no report to the minister. Since then, the four companies have ordered 2,030 kg of Oseltamivir raw materials (manufactured by Hetero Labs Limited India) for \$17,500-18,000 per kilogram, much higher than the reported price of \$12,000 per kilogram (reported in Plan No. 59/BYT-QLD dated November 16, 2005). In particular, Kowloon Pharmaceutical Company bought 520 kg of raw materials from Mambo Overeas Limited Singapore for \$ 17,500 / kg, into a cost of \$ 9.1 million. The company only paid the seller \$5.2 million and withheld more than \$3.8 million, but the retained amount was not shown in the financial statements.*

Source: <https://nld.com.vn/phap-luat/cac-sai-pham-cua-nguyen-thu-truong-bo-y-te-cao-minh-quang-20220311221447352.htm>

## Public Investment

Bribery to influence the procurement process in the construction of medical facilities or the purchase of both equipment and supplies affecting the supervision and inspection of facilities is one of the most common corruption issues in Vietnam. (M Matsushima et al., n.d.) In addition, collusion between contractors and conflicts of interest often arise due to weak bidding procedures. (Gueorguiev et al., n.d.)

### Box 2: Arrest of director of Bach Mai Hospital, Vietnam

*The results of the investigation initially determined that there were some individuals at BMS Company with imported robot systems worth VND7.4 billion (including VAT). However, the defendants were sentenced to raise the shortfall to VND39 billion, the validity of the valuation certificate has no legal value. The price of the robot system is 7.4 billion, the cost of depreciation of the machine for each case is 4 million, but with the price raised when put into installation, the patient must pay 23 million / shift, the difference of 18 million. From 2017 to 2019, there were more than 500 cases using this device, the difference in benefits of the patient was VND 10 billion. In the process of implementing the joint venture project, Mr. Anh was awarded VND 400 million and US\$10,000 by his partner; Some hospital leaders received between \$50 million and \$10,000. From the partner.*

Source: <https://laodong.vn/phap-luat/sai-pham-khien-2-giam-doc-benh-vien-bach-mai-ngua-966927.lido>

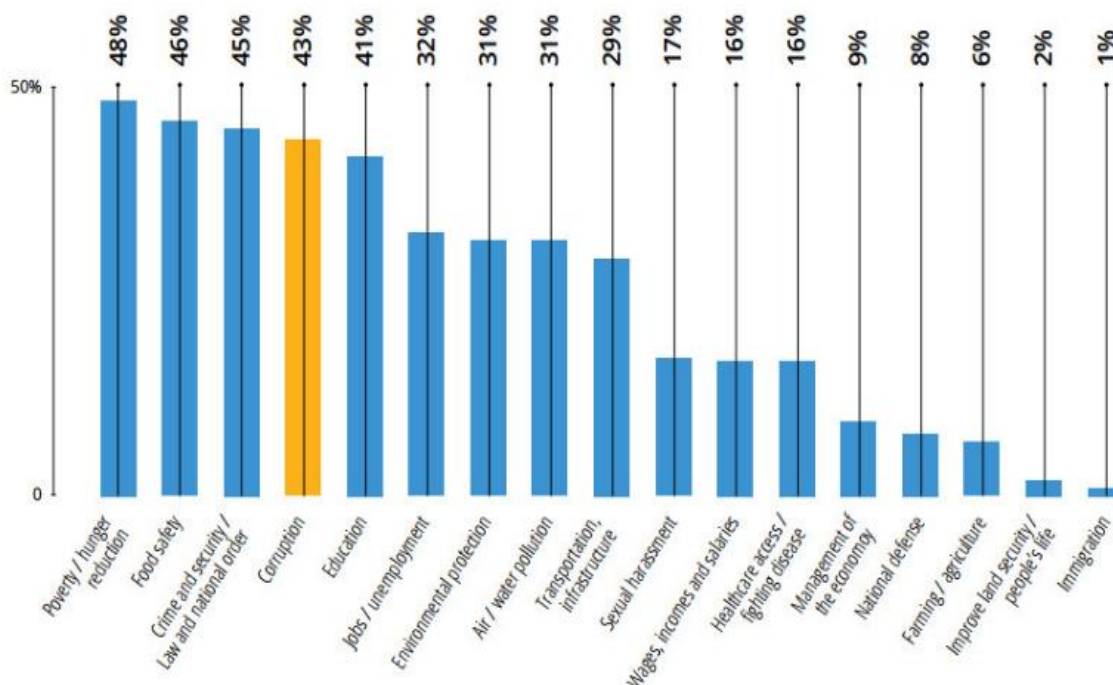
### Box 3: Detention of Defendants related to Covid 19 Testing KIT

*The Police Agency investigating the Ministry of Public Security has issued a decision to supplement the decision to prosecute the case on the charges of bribery, bribery and abuse of position of authority while performing public duties, and at the same time issuing decisions and procedures. There are grounds to identify signs of violations in the management, research and transfer of scientific topics on COVID-19 testing kit products at the Ministry of Science & Technology and in the licensing of temporary circulation registration (according to Decision No. 774/QĐ-BYT dated March 4, 2020), the official registration of registration for circulation (according to Decision No. 5071/QĐ-BYT dated December 4, 2020) of test kit products COVID- 19, the negotiation of the price of COVID-19 testing kits with Viet A Company at the Ministry of Health. The Police Agency investigating the Ministry of Public Security also determined that some leaders and officials of the Center for Disease Control of Nghe An Province (CDC Nghe An) and the Center for Disease Control of Binh Duong Province (CDC Binh Duong) colluded with Phan Quoc Viet and related subjects of Viet A Company, Vietnam Applied Technology Development Co., Ltd. (VNDAT Company) violated the provisions of the Law on Bidding when bidding organizations purchased covid-19 prevention and control supplies, causing particularly serious consequences. In addition to the prosecuted acts, Phan Quoc Viet and Vu Dinh Hiep, Deputy Director of Viet A Company and Pham Duy Tuyen, Director of CDC Hai Duong also gave and received bribes of VND27 billion (US\$1.12 million)*

Source: <https://baochinhphu.vn/vu-viet-a-khoi-to-them-nhieu-can-bo-thuoc-bo-y-te-bo-khcn-va-giam-doc-cdc-2-tinh-102306477.htm>

Corruption in the health sector in Vietnam has serious implications for access, quality, fairness and effectiveness of health care services. While Vietnam spends a fairly high proportion of GDP on health, limiting the results of accessibility and equity in terms of health services have been achieved. Much of the health expenditures are still spent out of the patient's pocket money. (Tromme, 2016). This places a huge burden on households, especially on the poorest. According to the World Bank, the poor spend a higher percentage of their income on health than poorer households. Moreover, conflicts of interest and re-payments by pharmaceutical companies combined with poor oversight have allowed doctors to overdo the treatment of patients. The media has reported several cases of abuse of medicines prescribed by doctors, despite the recommendations of the World Health Organization. (Setyaningrum et al., n.d.)

**MOST IMPORTANT PROBLEMS THAT THE VIETNAMESE GOVERNMENT SHOULD ADDRESS**



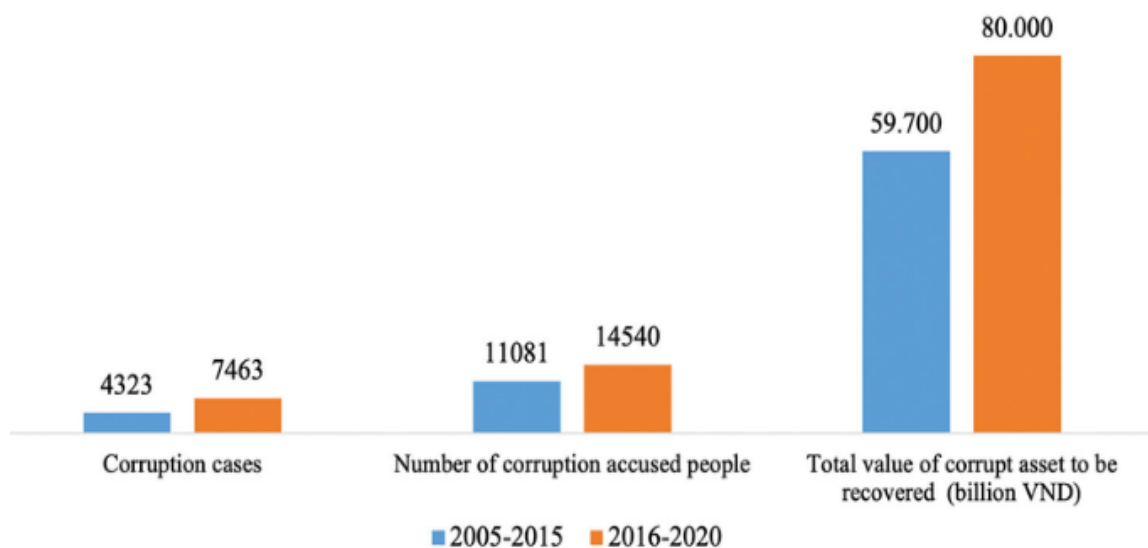
Source: VCB-2019, Towards Transparency

Analysis conducted by the Ministry of Health showed that more than 40% of patients were given combined antibiotics, and 10 for each percent of patients received between 11 and 15 drugs. In fact, a significant portion of hospitalization fees - up to 60% - must cover the cost of medicines. (TV Nguyen et al., n.d.) . Corruption in procurement has also led to a significant increase in drug prices. According to a study conducted between 2020 and 2021, medical facilities procuring the drug paid 8.3 times the international reference price for specialty drugs and 1.8 times for generic drugs. These increased costs are reflected in the prices paid by patients, reaching 46.6 times the international reference price for brand-branded drugs and 11.4 times for generic drugs (Studies & 2016, n.d.; Theology & 2020, 2020)

### Government Action

In the face of problems related to corruption in health, the Vietnamese government has taken drastic action to prevent and solve it. The Government directs the strict implementation of Resolution No. 78/NQ-CP dated July 20, 2021, Resolution No. 86/NQ-CP dated August 06, 2021 and the instructions of the Prime Minister in the documents: Notice No. 89/TB-VPCP dated May 1, 2021, Notice No. 167/TB-VPCP dated June 23, 2021..., in particular, the Prime Minister's guidance at the Electricity No. 7668/CD-VPCP dated October 20, 2021 of the Government Office on strengthening the management of procurement of medical supplies and equipment, improving the effectiveness of covid-19 prevention; In particular, the Ministry of Public Security has actively participated in the cooperation with localities and related sectors, promptly detected, prevented and conducted investigations to verify the violations of Viet A Technology Joint Stock Company and related organizations and individuals. (fig.3)

**Figure 3: Cases and costs of corruption in Vietnam**



Source: Supreme People's Procuracy of Vietnam (2020)

Request the Ministry of Public Security to assume the prime responsibility for, and coordinate with relevant agencies and localities in, speed up the investigation, verification, expansion of cases, recover seized and lost assets, and soon bring the subjects to an objective and strict trial in accordance with law.

Ministry of Health and related ministries and branches and people's committees of provinces and centrally-run cities shall direct relevant agencies and functional units to urgently, proactively review and promptly take measures to correct the bidding, procurement and use of drugs, biological products, supplies and medical equipment, improving the effectiveness of covid-19 prevention and control in accordance with the law and the guiding spirit of the

Government and the Prime Minister, ensuring science and efficiency, avoiding waste, loss, negative corruption and "group interests", Absolutely must not allow violations of the law; in case of difficulties or new problems arising, promptly exchange and report to the Ministry of Health and ministries: Finance, Planning and Investment for handling and settlement.

The Ministries: Health, Planning and Investment, Finance according to their assigned functions and tasks promptly guide and handle issues arising, difficulties and obstacles according to the recommendations of ministries, branches and localities, report to the Prime Minister in case of over-competence.

Fifth, the Ministries of Information and Communications, Health, Public Security and relevant ministries, agencies and localities promote communication information, guide and educate the sense of self-discipline to comply with legal provisions, especially enterprises, organizations and individuals related to procurement, bidding for supplies, biological products, medicines and medical equipment; fully and publicly report the results of investigations, prosecutions and adjudications of related cases in accordance with law, contributing to creating social consensus and strengthening people's trust.

The government has shown political will to fight corruption in the country. Important reforms have taken place over the years that could also have an impact on fighting corruption in the health sector, such as improving laws on corruption. The anti-corruption law in 2018 passed by the National Assembly of Vietnam has initially demonstrated the role of controlling corruption in practice. However, there is still a long way to go, requiring the Vietnamese government to act decisively, purifying the apparatus so that the health sector can truly regain the trust of the community.

#### **4. CONCLUSION**

The Ministry of Health has continuously sent documents to the leaders of provincial committees and people's committees of provinces and cities; Provincial and municipal Health Departments on the prevention of corruption, negativity and group interests in implementing COVID-19 prevention measures; Enhance inspection of imports, business, procurement of fast test kits and RT-PCR testing. At the same time, the Ministry of Health has also sent dispatches to units producing, importing and supplying medical equipment prohibiting arbitrary price increases or speculation and hoarding; seriously carry out the update, review and transparency of the price of medical equipment on the Electronic Portal to publicize the price of medical equipment. Be responsible for the published price and the accuracy and completeness of the information related to the goods as prescribed.

The Government promulgates Resolution No. 128/NQ-CP providing for temporary adaptation of safety, flexibility and effective control of COVID-19 epidemic, which requires the People's Committees of provinces and cities to direct the implementation of measures to prevent and combat COVID-19 and restore economic development with the spirit of initiative, creative, sticking to practice, not subjective when translating through; to carry out procurement to serve the prevention and control of COVID-19 epidemic in accordance with regulations, ensuring



publicity, transparency, strictness, prevention and control of negativity, waste and corruption. The results of anti-corruption in Health of Vietnam in recent years have bright spots but do not fully reflect the negatives of this field. Therefore, there should be a transparent monitoring mechanism, and only if there is transparency will the problem of corruption be controlled.

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