

## Summary

Health is undoubtedly one of the most important values and its protection is one of the basic tasks of modern states. Despite the fact that health is a personal good of every citizen, it is not only the responsibility of the citizen, but also the state that is obliged to create conditions for its citizens to maintain and strengthen it. A modern pharmacy is an important public health facility. The history and traditions of the pharmacy profession give unquestionable grounds for such a qualification of pharmacies. Since the earliest times, pharmacies have been seen as outlets where employees were entrusted with the highest value, that is human health. Apothecaries have always served their patients with special respect to traditions and professional and ethical standards. The history of Polish pharmaceutical legislation indicates that due to the importance of the functions performed by pharmacists and the related responsibility, legal supervision over pharmacies has been systematically and consistently implemented. Professional training has also been transformed, evolving from guild to academic teaching. From the beginning of Polish pharmacy to the emergence of a modern form of pharmacy, several centuries have passed. Therefore, statutory provisions concerning pharmacists have a significant impact on the situation and development of the profession, as evidenced by the analysis of legal acts in the historical cross-section.

Pharmacy being a formally commercial enterprise, in addition to its typically commercial functions, it fulfills important social functions which the state gives expression through the use of pharmaceutical legislation imposing many special requirements which the pharmacy must comply with. Thanks to this approach the pharmacy may be required from the entity managing it, so that it is not only focused on profit but it balances economic elements with elements of health protection. Running a pharmacy is therefore an activity which the entrepreneur can not shape freely. In this case, constitutional freedom has been limited. This is mainly due to the fact that the pharmacy conducts a specific activity, inseparably connected with public health protection. The pharmacy is a category of pharmaceutical law, and it establishes it as having a special function in society. The pharmacist, in turn, as a profession of public trust requires special protection, can not stand in the way of the legislator's interest. The increasing professional requirements and legal restrictions concerning the profession testify to its huge role and the importance of pharmacists in public life.

Health systems undergo significant changes which results in new tasks for pharmacists. They must be systematically involved in health care and health education of the society and pharmacies should act as information centers about medicines and

pharmacotherapy. In some countries, it has already been recognized that the dissemination of access to medicines by alleviating legal requirements for marketing them may lead to drug addiction and other negative phenomena, especially among young people. Drugs should only be purchased by those who really need it. It can not be related to the current trend or marketing message which should be taken care of by the state, among others through proper legislation. Communal stores (including supermarkets, hypermarkets, etc.) or gas stations are not the right place to trade medication. Often there is a lack of adequate rooms and devices for storing medicines and the issuing persons do not usually have adequate knowledge and experience. Medicinal products are a special type of product and can not be treated as an ordinary consumer good subject only to economic laws. The exclusion of public stores from the catalog of forms of retail trade in medicines would also coincide with the concept of a society free from drug abuse.

Modern pharmacies can and should perform tasks related to the protection of public health which results from the very definition, according to which public health is science and art which serves to prevent diseases, prolong life and promote the health of individuals. Pharmacies and their employees can therefore play an important role in the protection and promotion of health and take a key place in health systems. This is confirmed by further documents issued by worldwide and European organizations concerning indirectly pharmacies and drawing attention to the important role of pharmacists in the protection of public health which nowadays undergoes extremely dynamic changes.

A public pharmacy can be operated only on the basis of a permit. According to the previous regulation, the right to apply for a permit was granted to a natural person, legal entity and a commercial law company without legal personality. The entity that applied for permission to run a generally accessible pharmacy did not have to be a pharmacist. Currently, from the end of June 2017, the law provides for the possibility of issuing a license only for pharmacists or partnerships, if the subject of their activity is only running pharmacies, and the partners are only pharmacists with the right to practice. This regulation, in accordance with the will of the pharmacy, significantly limited the number of people who could apply for a license to run a pharmacy and the slogan "pharmacies for a pharmacist" found its normative expression in the applicable law. However, this change can be perceived more in terms of the starting point for legislative solutions in the multifaceted dimension than the final effect. Pharmacists have not yet received the systemic model of other medical professions. Bearing in mind their important role in health care, it is reasonable to regulate their activities in a separate act.

The actual situation of pharmacies in Poland, however, still does not correspond to global trends and the theses preached in scientific publications. In theory, the pharmacy is a public health protection facility that performs many tasks in the protection and promotion of health. The implementation of these tasks by pharmacists is unfortunately often illusory in practice. There is a big gap between theory and practice. The image of today's pharmacy is far from being created in publications as an institution playing a key role in the public health protection system. As it results from the conducted research, pharmacists working in pharmacies are often exposed to pressures aimed at forcing specific behaviors. Often, what is recommended for Polish families is decided, for example, by the recommendation of a manager who without having proper education and is not subject to ethical codes, decides what preparations are to be issued within a certain time. The profession of pharmacist is considered to be a profession of public trust, however the role of a pharmacist in the process of health care and patient treatment, although it is very important, unfortunately is not always appreciated.

The current design of the healthcare system does not take sufficient account of the role of the pharmacist. The widely discussed pharmaceutical care is only possible to pursue in theory. Knowledge and commitment are not rewarded, nor does it make real impact on the improvement of patients' health. It is therefore necessary to introduce changes in the Polish health care system which will strengthen both postulated and necessary independence of pharmacist, because of the scope of tasks performed. Only an independent pharmacist with a strong position in the public health system and performing his duties in appropriate conditions can guarantee public health protection and optimize the treatment effects of individual patients. In the light of the analyzes carried out, it has been shown that the legal regulations regarding pharmacies have a significant impact on the implementation of tasks in the protection of public health.

The pharmacists' statements show that deep systemic changes are necessary that will reflect the real needs of patients correlated with the current needs of society in the field of health care, which may contribute to improving the image of pharmacies and increasing the prestige of the profession of pharmacist in the Polish healthcare system.