

Hermeneutical Analysis of Judicial Decisions Regarding the Treatment of Prostate Cancer Patients

Rafaela C Lira¹, Cesar AS Andrade²

¹(Center for Social and Applied Sciences, Federal University of Pernambuco, Brazil)

²(Department of Biochemistry, Federal University of Pernambuco, Brazil)

ABSTRACT : *This study aims to analyze judicial decisions related to the treatment of prostate cancer patients, focusing on the hermeneutic interpretations applied by judges to ensure the right to health. The research focuses on the judicialization of health, especially regarding the provision of high-cost medications and treatments to patients dependent on the Unified Health System (SUS). The methodology adopted was based on a legal hermeneutic approach, allowing for an in-depth analysis of judicial decisions, considering the social, legal, and public health implications. The theoretical approach was based on the constitutional interpretation of fundamental rights to health, dignity, and life, as well as on the analysis of the tension between guaranteeing these rights and the budgetary limitations of the SUS. The results indicate that the Judiciary has played a crucial role in enforcing the fundamental rights of prostate cancer patients. However, the analysis revealed challenges regarding the sustainability of judicial decisions, which often impose on the State the obligation to provide high-cost treatments, generating pressures on the public budget and the collective health management.*

KEYWORDS -Health's Judicialization, Prostate Cancer, Right to Health, Health Public Policies

I. INTRODUCTION

Prostate cancer is one of the most common malignant neoplasms among men and one of the leading causes of mortality in Brazil, representing a serious challenge for the public health system [1]. It is estimated that the number of new cases will continue to grow, especially in regions where access to early diagnosis and adequate treatment is more limited, as is the case in much of the state of Pernambuco [1]. Timely detection and treatment of prostate cancer are crucial for reducing mortality, but access to such care is not always guaranteed, particularly for the most vulnerable populations [2]. Regional disparities in the provision of health services and resource shortages in the Unified Health System (SUS) hinder access to specialized treatments such as radiotherapy, hormone therapy, and surgical procedures necessary to combat the progression of this disease [3,4].

In this context, the judicialization of health has become an increasingly used tool by patients to secure access to oncology treatments that should be provided by the public system [2,5]. The 1988 Federal Constitution enshrines health as a right of all and a duty of the State, establishing that citizens are entitled to universal and equal access to healthcare [6]. However, the lack of effectiveness in delivering this right—whether due to the unavailability of medications, equipment, or delays in care—has led many patients to turn to the judiciary to enforce this constitutional right [7]. In Pernambuco, this reality is reflected in a series of judicial decisions related to the treatment of prostate cancer, with patients requesting the provision of medications, treatments, or medical interventions inadequately offered by SUS [8].

The role of the judiciary in the field of public health has been widely debated, both for its function in ensuring fundamental rights and for the consequences that judicialization can have on health resource planning and management [9]. Court decisions requiring the State to provide specific medications or treatments can, in some cases, destabilize the public budget and compromise the execution of broader collective health policies [10]. However, judicialization also serves as an effective means of ensuring access to treatment for severe diseases like prostate cancer, especially in situations where there are omissions or failures in public health services [11]. Thus, analyzing these judicial decisions not only allows for an assessment of the judiciary's effectiveness in protecting patients' rights but also provides insight into how the public health system is being challenged and adapted to meet social demands [11].

Furthermore, prostate cancer affects not only the physical health of the patient but also their quality of life, emotional well-being, and dignity [12]. Proper treatment is, therefore, a matter of social justice, encompassing the fundamental rights to health and life. In this sense, judicial decisions can be viewed as a response to structural inequalities in access to healthcare, particularly in regions like Pernambuco, where economic development and healthcare infrastructure vary significantly between urban and rural areas [13]. The process of judicialization reflects patients' pursuit of a dignified life and equitable treatment, which the Federal Constitution guarantees but is often not upheld in practice [14].

Against this backdrop, this article aims to analyze, through a hermeneutic approach, judicial decisions related to the treatment of prostate cancer patients in Pernambuco. The analysis will be based on a mixed method of legal hermeneutics, encompassing constitutional, sociological, teleological, systematic, and historical interpretation. These methods will enable an examination of how the judiciary has ensured access to healthcare and upheld patients' fundamental rights while addressing the challenges imposed by public health management in the state [15].

Specifically, constitutional interpretation will facilitate an investigation into how fundamental principles—such as the right to life, human dignity, and equality—have been applied to secure treatment for prostate cancer patients [16]. Sociological interpretation will provide insight into judicial decisions in light of Pernambuco's social conditions, examining how regional disparities impact access to treatment [17]. Teleological interpretation will focus on the objectives of judicial decisions, evaluating whether these measures are effectively promoting the goals of public health policies [18]. Systematic interpretation will verify the coherence of these decisions within the legal framework, while historical interpretation will examine the evolution of these decisions and how they have accompanied changes in health policies and oncology treatment [19].

Throughout this analysis, the aim is to contribute meaningfully to the debate on health judicialization, especially in regional contexts marked by disparities in access to healthcare services. Additionally, the study seeks to highlight the judiciary's role in guaranteeing the fundamental rights of prostate cancer patients, demonstrating how judicial decisions can act as a tool for social justice in situations of failures or omissions in the public health system [20].

II. RESEARCH METHOD

The methodology applied to analyze judicial decisions was based on a legal hermeneutic approach. This method allowed for a detailed interpretation of judicial texts, considering their social, historical, and purposive contexts, as well as their coherence with the legal system and alignment with public health policies. The analysis was conducted through the application of different interpretative methods, which, combined, provided a comprehensive and in-depth understanding of the decisions.

Constitutional interpretation was the starting point, as it allowed for verifying whether judicial decisions conformed to the fundamental principles guaranteed by the 1988 Federal Constitution, particularly the

right to health, human dignity, and equality in accessing medical treatment. The analysis sought to understand how the judiciary has ensured these rights, with a special focus on protecting patients who face challenges in accessing adequate treatments for prostate cancer.

Subsequently, sociological interpretation was used to contextualize the decisions within the social reality of Pernambuco, a region where access to the Unified Health System (SUS) and the availability of oncology treatments can be unequal. This method allowed for understanding how judicial decisions reflect the socioeconomic conditions of patients and evaluating whether the rulings have contributed to reducing disparities in healthcare access. Thus, it was possible to analyze whether the judiciary has promoted social justice by ensuring equitable treatment for these patients.

Teleological interpretation, applied next, complemented this analysis by investigating the ultimate purpose of health policies and regulations. Using this method, the study evaluated whether judicial decisions contributed to achieving the social function of laws, namely, the promotion of the right to life and health. This approach allowed for assessing whether the decisions aligned with the goals of public health policies and effectively guaranteed access to oncological treatment in accordance with the SUS principles of equity and universality.

In an integrated manner, systematic interpretation was used to ensure that judicial decisions maintained coherence with the broader legal framework. The analysis focused on aligning the decisions with the Organic Health Law (Law 8.080/1990), as well as other procedural norms and legislation related to public health. This method enabled the evaluation of whether the decisions adhered to legal logic and complied with existing public policies, ensuring consistent application without normative contradictions.

Finally, historical interpretation was crucial for understanding the evolution of judicial decisions over time. The analysis allowed for observing changes in case law and the application of norms, keeping pace with the evolution of public policies and advances in prostate cancer treatment. This enabled identifying how the judiciary adapted to new social demands and medical progress, ensuring that decisions reflected contemporary realities.

Data collection was conducted through research in public databases of the Pernambuco Court of Justice, focusing on judgments and rulings directly addressing access to treatments and medications for prostate cancer patients in 2019. The selected decisions were analyzed qualitatively, according to the described hermeneutic methods, to identify interpretative patterns, consistency with the legal system, and jurisprudential developments.

III. RESULTS AND DISCUSSIONS

The analysis of judicial decisions regarding the treatment of prostate cancer patients in Pernambuco reveals a complex scenario in which the Judiciary plays a crucial role in upholding fundamental rights, particularly the right to health.

Table 1 summarizes the main results of the hermeneutic analysis of the judicial decisions. Each column presents the application of an interpretative method, highlighting the approach used, a brief description of the focus of each interpretation, and examples directly extracted from the analyzed rulings. These examples illustrate how judges base their decisions on constitutional rights, socioeconomic context, legal objectives, coherence with the legal framework, and the evolution of jurisprudence.

Table 1. Hermeneutic analysis of judicial decisions on the treatment of prostate cancer patients in Pernambuco in 2019.

Hermeneutic Method	Description	Example from the Ruling
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Constitutional Interpretation	Based on Article 196 of the Constitution, highlighting the right to health, life, and human dignity.	"Health is the right of all and the duty of the State, guaranteed through social and economic policies..."
Sociological Interpretation	Considers the social and economic vulnerability of patients dependent on SUS for expensive treatments.	"The plaintiff is a low-income individual, unable to afford the costs of cancer treatment..."
Teleological Interpretation	Emphasizes the ultimate goal of preserving life and human dignity, ensuring access to high-cost treatments.	"The overarching purpose of the right to health is to guarantee life and human dignity, with the State being..."
Systematic Interpretation	Aligns decisions with Law 8.080/1990 and the legal framework, reinforcing the State's obligation to ensure comprehensive healthcare.	"Law 8.080/1990, which regulates the Unified Health System, provides for comprehensive therapeutic assistance..."
Historical Interpretation	Recognizes the evolution of decisions and their adaptation to medical advancements, granting innovative and expensive treatments.	"Based on the evolution of jurisprudence and considering advances in cancer treatments..."

Source: Judicial process survey by TJPE – 2019. Prepared by the author

3.1 Constitutional Interpretation

The judicial decisions analyzed show that judges often base their rulings on constitutional principles, emphasizing the right to health, life, and human dignity. Article 196 of the 1988 Federal Constitution states that "health is the right of all and the duty of the State." However, the mere recognition of this right does not always ensure its full realization. The judicialization of health, as seen in Pernambuco and other regions of Brazil, emerges as a response to the State's inability to provide essential treatments for serious diseases like prostate cancer.

In general, there is tension between the constitutional right to health and the State's ability to provide the necessary resources to fulfill this obligation. Judicial intervention, although necessary, raises questions about the extent to which the public health system can meet the demands imposed by judicial decisions. It is important to reflect on the limit of judicial intervention and to what extent the judiciary can determine the allocation of public resources without compromising the planning and management of broader health policies. These issues arise from the analyzed decisions and highlight the challenge of balancing the guarantee of individual rights with the maintenance of a viable and sustainable public system.

The analysis of case law reveals an expansive interpretation of the right to health, where the judiciary acts as one of the main agents in protecting fundamental rights. In several decisions, the principle of human dignity is invoked to justify the provision of urgent and expensive treatments, reinforcing the idea that life and health should not be conditioned by financial criteria but treated as fundamental human rights.

In many rulings, Article 196 of the Federal Constitution is explicitly cited. A recurring example found in the decisions is: "Health is the right of all and the duty of the State, guaranteed through social and economic policies aimed at reducing the risk of disease and other health threats, and ensuring universal and equal access to services for its promotion, protection, and recovery."

This excerpt reinforces the idea that the Constitution guarantees the universal right to health and imposes the State's obligation to ensure the necessary treatment to preserve life and dignity. This reasoning is common in many decisions, especially in cases where high-cost treatments or innovative medications are requested, even if they are not readily available in the Unified Health System (SUS).

This example shows how judges rely on the constitutional text to justify judicial intervention. By highlighting health as a fundamental right, the judiciary assumes the role of ensuring this right, especially in

situations where the State is negligent. However, this practice raises questions about the extent to which the judiciary can impose this obligation on the executive branch without affecting the budget balance.

In the context of the judicialization of health in Brazil, this phenomenon is not exclusive to Pernambuco. Other regions of the country also face similar problems, as pointed out by Cechin [21], who mentions that judicialization often arises as a result of the State's failure to provide essential medications and treatments. In international literature, similar situations are observed in other countries with universal health systems, such as Colombia, where judicialization is studied as a means of ensuring access to health in cases of failures in the implementation of public policies, as discussed by Yamin and Gloppen [23].

The greatest challenge lies in the relationship between the right to health and the public budget. The granting of expensive and innovative treatments through judicial decisions has a direct impact on the resources available in the public health system, and this pressure can compromise the planning of health policies focused on the collective. The need to balance individual rights with the State's responsibility to maintain a functional and accessible healthcare system for all is a central theme in the discussion about judicialization.

Finally, the analysis of the rulings indicates that, although the judiciary has played a fundamental role in ensuring the right to health, it is essential that judicial intervention be balanced with a review of public health policies to avoid the collapse of the public system due to the growing demand for expensive treatments. As Schulze [24] points out, the judiciary has interpreted the right to health expansively, but a deeper debate is needed about the consequences of such decisions for the sustainability of SUS.

1.2 Sociological Interpretation

The socioeconomic context of prostate cancer patients in Pernambuco strongly influences judicial decisions. Most of the patients who resort to the judiciary are low-income individuals who depend on the Unified Health System (SUS) to access expensive treatments. This social vulnerability is recognized by the judiciary, which considers the difficulties faced by these individuals to grant the requested treatments. By highlighting this inequality, judicial decisions function as a tool for social justice, correcting failures in the public health system that cannot adequately and quickly serve the most in need patients.

A recurring example in the rulings is the mention of the plaintiffs' financial inability to afford expensive and essential treatments for prostate cancer. An example of this is the following excerpt: "The plaintiff is a low-income individual, unable to afford the costs of prostate cancer treatment, which is expensive, and depends entirely on the Unified Health System (SUS) to receive the necessary treatment. The delay in starting the treatment could cause irreversible damage to his health."

This ruling illustrates how the judiciary recognizes the dependence on SUS and the low income of patients, using these factors as justification to force the State to provide the necessary treatments urgently. This sociological analysis reflects the understanding that social inequality directly impacts access to health, requiring state intervention to overcome the economic barriers faced by patients.

Furthermore, the rulings highlight regional disparities in access to health services, with patients in more remote areas from major urban centers facing even greater difficulties in obtaining specialized treatments. The state of Pernambuco, for example, shows significant differences between access to health in urban and rural areas, where infrastructure is less developed, and waiting times for treatment may be longer. This scenario reinforces the role of the judiciary as a corrective agent, ensuring that the needs of patients are met regardless of geographic location or economic condition.

However, this judicial intervention can also be interpreted as a sign of structural failure by the State. SUS, created with the purpose of offering a universal and equal healthcare system, often fails to fulfill its

mission, especially when it comes to high-complexity treatments like those required by prostate cancer patients. The analysis of the decisions shows that equitable access to health is still far from being a reality, and judicialization has functioned as an alternative to ensure that the most vulnerable receive the necessary treatment.

On the other hand, the growing judicialization of health also exposes the fragility of public policies. Instead of a proactive and efficient system, SUS is portrayed in the decisions as a system that fails to offer adequate treatment, forcing citizens to seek their rights through the judiciary. This process reveals both the corrective role of the judiciary and the urgent need to review and strengthen public health policies to reduce the dependence on judicial interventions to secure basic rights.

When placing the findings in dialogue with the literature, it is clear that the phenomenon of judicialization is not exclusive to Brazil. In many countries with universal health systems, such as Colombia, judicialization of health also emerges as a mechanism for correcting the State's failures in ensuring equitable access to health services, as discussed by Yamin and Gloppen [22]. This reinforces the need for structural reforms to ensure that the right to health, as guaranteed by the Constitution, is effectively provided without excessive dependence on the judiciary.

1.3 Teleological Interpretation

This approach is evidenced in several rulings, in which judges reinforce the role of the State as responsible for ensuring access to necessary treatments, even if this involves high costs. An example of this type of interpretation can be found in the following excerpt: "The ultimate purpose of the right to health is to guarantee life and human dignity, with the State being responsible for providing all necessary support, even if the cost of treatment is high."

This example shows that the judiciary is focused on ensuring that the purpose of the legal norm is fulfilled — the preservation of life and the dignity of patients. The teleological interpretation does not limit itself to the text of the law but seeks to ensure that fundamental rights are effectively realized, determining that the State provide high-cost treatments, such as chemotherapy, immunotherapy, and cutting-edge medications, when necessary. In this sense, the teleological interpretation of the rulings reveals that the judiciary understands the right to health not only as a normative right but as a right that must be guaranteed based on the social function of the norm.

However, this approach raises important questions about the long-term impacts of these decisions. By imposing on the State the responsibility to provide expensive and, in some cases, innovative treatments, the judiciary may create precedents that require the use of substantial public resources, generating pressure on health managers. This pressure on resources can compromise other areas of the public system, as the health budget is limited. Judicial decisions that seek to solve treatment access issues in individual cases may, in some cases, conflict with the strategic planning of public health policies, which must seek sustainability and collective care.

This tension between individual and collective goals is one of the main dilemmas emerging from the analysis of the decisions. On one hand, the individual goal of saving lives is fundamental, and judicial decisions are often directed at ensuring that prostate cancer patients receive necessary treatment in a timely manner. On the other hand, the allocation of resources for expensive and individualized treatments can harm the sustainability of the healthcare system as a whole, as other patients who rely on SUS for less complex health treatments may be affected by cuts or delays due to decisions that drain a significant portion of public resources.

The literature on the judicialization of health also addresses this issue, with scholars like Barroso [7] discussing the need to balance the protection of individual rights with the impact of decisions on the public budget and collective policies. If judicialization is not adequately managed, it can end up upsetting the management of health resources and, ultimately, harm other patients who depend on the public system. Brazil,

like other countries with universal health systems, faces the challenge of ensuring access to treatment without compromising the sustainability of SUS.

Thus, although the social function of the right to health is undeniable, judicial decisions must take into account the side effects of their impositions. The judiciary needs to act in harmony with the strategic planning of public health policies, ensuring that access to treatments is balanced with the sustainable management of public resources. The tension between saving individual lives and sustaining the collective system is a central point that deserves more attention in the formulation and execution of judicial decisions on the right to health.

1.4 Systematic Interpretation

The coherence of judicial decisions with the legal system is a strong point identified in the analyses. Decisions regarding the treatment of prostate cancer patients are aligned with the Brazilian legal system, especially regarding the Organic Health Law (Law 8.080/1990). This legislation, which regulates the functioning of the Unified Health System (SUS), establishes the principle of comprehensive healthcare, guaranteeing citizens the right to access complete treatments, including the provision of necessary medications for the treatment of serious diseases. A clear example of this application can be seen in the following ruling: “Law 8.080/1990, which regulates the Unified Health System, provides for comprehensive therapeutic assistance, including the provision of necessary medications for the treatment of serious diseases, such as prostate cancer, and it is the State's obligation to ensure this right to the plaintiff.”

In this excerpt, the judge justifies the decision to require the State to provide the requested treatment based on public health legislation, highlighting that the Brazilian legal system already provides for comprehensive healthcare, including high-cost medications. This coherence between judicial decisions and the current legislation demonstrates that the judiciary does not act in isolation or arbitrarily but seeks alignment with existing legal norms to ensure the realization of the right to health.

National case law is widely cited in the rulings, especially in cases involving serious diseases such as prostate cancer. The consistent application of these norms and legal precedents reinforces the idea that the judiciary, when dealing with the judicialization of health, maintains harmony with the Brazilian normative system. The decisions seek to systematically apply the existing laws, ensuring that the rights guaranteed by the Constitution and health legislation are respected and implemented.

However, the systematic interpretation of the decisions also raises questions about the limitations of the currently effective public health norms. Although the rulings are coherent with the laws in force, there is a growing need for the revision and updating of health norms, especially in light of the new challenges posed by high-complexity diseases, such as cancer, and advances in medical technology. The increasing demand for innovative medications and personalized treatments has exposed gaps in the Brazilian public health legislation, which is not always prepared to handle emerging demands.

For example, cutting-edge treatments such as immunotherapies and gene therapies are often not properly regulated or integrated into public health policies. This creates a challenge for the judiciary, which, on the one hand, applies the norms adequately but, on the other, faces situations where the legislation does not clearly or sufficiently address technological advances in the medical field. Judicial decisions, in this context, may expose the limitations of current legislation and highlight the need for reforms to ensure that the right to health keeps pace with scientific and technological advances.

Specialized literature also suggests that, to address these challenges, a continuous review of public policies is necessary. Judicialization of health, which in many cases corrects omissions and flaws in the system, may be a reflection of the inadequacy of current norms in dealing with the demands of modern medicine. According to Barroso [7], the judiciary has played a crucial role in protecting fundamental rights, but it is essential for the Legislative and Executive branches to keep up with technological and social changes to avoid judicialization becoming the only means of ensuring access to innovative and high-complexity treatments.

Therefore, although the judiciary is applying the legislation consistently and appropriately, judicial decisions ultimately reveal the need for a structural review of public health norms, so that Brazil can respond

more effectively to contemporary demands. The legal system needs to be more flexible and comprehensive, allowing patients to access cutting-edge medications and innovative treatments without having to resort to the judiciary in every case.

1.5 Historical Interpretation

The historical evolution of judicial decisions regarding the treatment of prostate cancer patients in Pernambuco shows that the Judiciary has kept pace with changes in public health policies and advances in medicine, adjusting its rulings to reflect technological developments and the growing societal demands for quality medical care. Recent decisions show a greater recognition of the need to provide high-cost medications and innovative treatments, something that was less common in previous rulings. This progress is directly related to the evolution of oncological research and the growing societal expectation regarding the right to health [13,19].

A clear example of this change is found in the following ruling: "Based on the evolution of case law, and considering the advances in prostate cancer treatments, the plaintiff has the right to access innovative medications that may prolong his life and improve his quality of life, even though the cost is high."

This excerpt shows that the Judiciary acknowledges the evolution of case law and medical advances in prostate cancer treatment, justifying the granting of new medications and more effective treatments. Therefore, the Judiciary is sensitive to technological changes and the development of new therapies, ensuring that patients have access to these advances, even when this involves high-cost treatments.

The Judiciary's adaptation to these transformations reveals its ability to adjust its decisions to ensure that the right to health remains up-to-date and in tune with scientific progress. However, this evolution also raises important concerns regarding the sustainability of this model. Providing cutting-edge medications for all patients is financially feasible in a public system like SUS? This is a central question in the historical analysis of judicial decisions [23]. By establishing precedents that guarantee access to advanced treatments, the Judiciary may be creating expectations that, in the long run, may not be sustainable within SUS's limited budget.

This tension between ensuring individual access to the best available treatments and the need to maintain financial balance and collective justice within the health system is one of the biggest challenges facing the Judiciary. On one hand, guaranteeing that prostate cancer patients have access to advanced treatments is essential for realizing the right to health and dignity. On the other hand, there is the risk that individual decisions may compromise the overall balance of the health system, draining resources that could be used to meet the needs of a wider range of patients with other needs [23].

The analysis of judicial decisions regarding prostate cancer treatment in Pernambuco also highlights the Judiciary's role in ensuring the right to health in a context of social vulnerability and inequality in access to treatments. The application of the hermeneutic methods used to interpret these decisions provides a deep understanding of the various dimensions involved, from the protection of fundamental rights to the adequacy of legal norms and the social function of health policies. However, this study also highlights the challenges imposed by the judicialization of health. While judicialization is a powerful tool for correcting systemic failures, it presents significant risks to the sustainability of the public health system. The impact of judicial decisions on resource management and the equitable distribution of health services is an ongoing dilemma. The tension between ensuring adequate treatment for individuals and, at the same time, maintaining the financial viability of SUS raises questions about the need for a more effective balance between individual rights and collective justice [20].

Therefore, it is crucial to have structured dialogue between the Judiciary, health managers, and the legislature. This dialogue is essential to find solutions that meet patients' needs without compromising the efficiency and equity of the public health system. Judicialization, when well managed, can be an essential tool for promoting social justice and ensuring the right to health. However, to avoid excessive dependence on the Judiciary, structural reforms in the health system must be implemented to strengthen SUS, thus reducing the need for judicial interventions to ensure rights that should be automatically guaranteed [23].

Ultimately, the role of the judiciary is crucial in protecting fundamental rights, but judicial decisions must be balanced with the financial and operational realities of the public health system, ensuring that the right to health is sustained in a fair and responsible manner.

IV. CONCLUSION

The Judiciary has played a fundamental role in ensuring the fundamental rights to health, dignity, and life of prostate cancer patients. The analysis of judicial decisions reveals that the hermeneutic interpretation used by judges has been essential in securing access to high-cost medications and treatments, especially in a context of social vulnerability and dependence on SUS. However, this role also exposes significant challenges, particularly regarding the sustainability of decisions, considering the budgetary limitations of the public health system.

The judicialization of health has been effective in correcting structural flaws but raises questions about the long-term impact of these decisions on public resource management. The imposition of expensive treatments through judicial means can create imbalances, compromising the planning of health policies that serve a broader community. Therefore, a deeper dialogue between the Judiciary, health managers, and the legislature is needed to align decisions with the real limitations of the system and ensure that the right to health is sustained in a fair and balanced manner, without compromising the efficiency and equity of SUS.

It is concluded, therefore, that judicialization, while fundamental to ensuring social justice in cases of State omission, must be managed with caution, accompanied by structural reforms that allow for the implementation of more inclusive and effective public policies, reducing dependence on judicial intervention to secure the right to health.

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