

Health Law

Royal Decree No. M/11
23/3/1423H - 4 June 2002

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With the help of God the Almighty,

In the name of the Custodian of the Two Holy Mosques, King Fahd ibn Abdulaziz Al Saud,
We, Abdullah ibn Abdulaziz Al Saud, Deputy King of Saudi Arabia,

Based on Royal Order No. A/25, dated 8/3/1423H [May 20, 2002]; Article 70 of the Basic Law of Governance, issued by Royal Order No. A/90, dated 27/8/1412H [March 2, 1992]; Article 20 of the Law of the Council of Ministers, issued by Royal Order No. A/13, dated 3/3/1414H [August 21, 1993]; and Articles 17 and 18 of the Shura Council Law, issued by Royal Order No. A/91, dated 27/8/1412H [March 2, 1992]; and

Upon review of Shura Council Resolution No. 16/16, dated 19/6/1421H [September 17, 2000]; and Council of Ministers Resolution No. 76, dated 22/3/1423H [June 3, 2002],

hereby decree the following:

First: Approval of the Health Law in the form attached herewith.

Second: His Excellency Deputy Prime Minister and the pertinent ministers are responsible for executing this decree.

Abdullah ibn Abdulaziz

Article 1

The following words and phrases shall have the meanings assigned to them hereunder, unless the context requires otherwise:

1. Public Health: A comprehensive concept that includes the health of the individual, family, and community, as well as environmental, social, economic, and hereditary effects.
2. Health Care: Preventive, treatment and rehabilitative services concerned with the health of the individual and the community at the primary, secondary and specialist levels.
3. Primary Health Care: Means the following:
 - a. Raising health awareness among individuals, families, and the community regarding health-related problems as well as risks and preventive measures, and working to change lifestyles that may lead to illness.
 - b. Working with relevant agencies to monitor the environment and safety of food and drinking water; promoting healthy nutritional practices and raising awareness thereof.
 - c. Comprehensive health care for mother and child.
 - d. Immunization against communicable diseases.
 - e. Combating endemic, parasitic and communicable diseases and preventing their spread.
 - f. Diagnosis and proper treatment of prevalent diseases and injuries as well as natural childbirths.
 - g. Making essential medications available.
4. Secondary Health Care: Health care provided by general hospitals and specialist physicians.
5. Tertiary, or Specialist/Referral Health Care: Health care provided by hospitals specialized in specific diseases that require advanced equipment and have highly specialized physicians with sufficient experience and skill.
6. Provision of Health Care: Ensure availability of health care, without necessarily being directly provided or funded by the State, except as stipulated by the provisions of this Law.
7. Minister: Minister of Health.
8. Ministry: Ministry of Health.
9. Council: Council of Health Services.

Article 2

This Law aims to ensure provision and organization of comprehensive and integrated health care for the whole population in an equitable and accessible manner.

Article 3

The State shall endeavor to provide health care and attend to community public health so as to ensure living in a healthy and safe environment. This shall in particular include the following:

1. Safety of drinking water.
2. Safety of sewage treatment.
3. Safety of consumer foods.
4. Safety of medicines, drugs, and medical supplies, and monitoring their use.
5. Protection of community from the effects of narcotics and intoxicants.
6. Protecting the country from epidemics.
7. Protecting the environment from the threats of various types of pollution.
8. Setting health requirements for the use of public areas.
9. Promoting health awareness among the population.

Article 4

The State shall provide the health care services shown below to citizens as it deems fit:

1. Health care for mother and child.
2. Immunization programs.
3. Health care for the disabled and elderly.
4. Health care for students.
5. Health care in cases of accidents, emergencies, and catastrophes.
6. Combating communicable and epidemic diseases.
7. Treatment of incurable diseases such as tumor removal, organ transplants, and dialysis.
8. Mental Health.
9. Other forms of primary health care.

Article 5

The Ministry is the entity responsible for providing health care, and shall in particular:

1. ensure provision of primary health care services,
2. provide health care services in hospitals as well as in secondary and specialist treatment centers,
3. prepare health and bio statistics; conduct studies and research and analyze and utilize them.
4. set health strategies and policies necessary for the provision, development and distribution of health care to make it available for all community members.
5. set programs to qualify and develop health care manpower, in cooperation with relevant agencies.
6. set instructions and requirements necessary for prevention of entry and spread of communicable, epidemic and quarantine diseases as well as for reporting them; endeavor to combat or eradicate them; and implement preventive and treatment measures.
7. regulate and control circulation of medications to ensure availability, proper use and fair pricing.
8. set controls and requirements for licensing of health care institutions and employees thereof; and monitor their activities and the quality of their performance.
9. set rules and criteria for health care quality control and ensure their implementation.
10. ensure proper practice of health care professions and compliance of manpower with rules and ethics of the profession.
11. endeavor to set regulations for conducting medical and pharmaceutical studies and experiments.
12. set plans and programs to raise comprehensive health awareness within the community.
13. cooperate and coordinate with countries as well as regional and international organizations in the field of public health and health care.

Article 6

The State shall, through the Ministry, endeavor to provide an integrated network of health care services to cover all provinces of the Kingdom which include primary, secondary, and specialist levels of health care. The Ministry shall, in cooperation with provincial councils, determine the needs, facility locations, and levels of health care required according to geographic and demographic condition as well as prevalent diseases in the province.

Article 7

Each General Directorate of Health Affairs shall have sufficient administrative and financial powers necessary for carrying out its duties effectively. The Ministry shall take into consideration the needs of

each province within its budget according to health facilities and population. Each hospital shall be allocated the funds it requires.

Article 8

The General Directorate of Health Affairs shall execute health plans and programs prepared by the Ministry for the province, and shall, in particular, be responsible for the following:

1. Ensure the availability of health care programs to cover the needs of the province.
2. Manage and operate the Ministry's health care facilities.
3. License private health care facilities and their employees according to requirements and conditions set by the Ministry; and monitor quality control in these facilities.
4. Prepare health and bio statistics; conduct studies and research at the province level.
5. Set continuing medical education programs and train employees in provincial health facilities, in coordination with the Ministry and other health sectors.
6. Cooperate and coordinate with government and private health institutions and with other health directorates.
7. Execute plans and programs to raise comprehensive health awareness at the province level.

Article 9

1. Health centers of the Ministry, other government agencies, and the private sector shall provide preventive, emergency, treatment, and rehabilitative services, and shall refer cases as needed to hospitals and specialized treatment centers.
2. The Implementing Regulations shall specify the detailed specialties of said centers as well as the rules governing their work and relations with hospitals, referral procedures and issuance of medical reports.

Article 10

Without prejudice to the provisions of Article 4, health care services shall be funded as follows:

1. The State budget.
2. Cooperative health insurance revenues.
3. Endowments, gifts, donations, and bequests, etc.

The Council of Ministers shall, upon recommendation by the Minister, determine the basis and criteria for funding the services provided by the various health facilities, and regulate eligibility.

Article 11

The Council of Ministers may, upon recommendation by the Minister, transfer ownership of some Ministry hospitals to the private sector.

Article 12

The Ministry shall endeavor to:

1. provide education and training to its health manpower, in coordination with relevant agencies;
2. ensure that applicants for licensing or re-licensing satisfy the recognize standard of education and training.

The Saudi Commission for Health Specialties shall determine the criteria required for education and training.

Article 13

Health care shall be provided to non-Saudis according to the Cooperative Health Insurance Law and its Implementing Regulations.

Article 14

Health care shall be provided to pilgrims during Hajj season according to regulations issued by the Minister.

Article 15

The Ministry shall be in charge of implementation of this Law, without prejudice to the jurisdiction of other agencies.

Article 16

a. A council named " the Council of Health Services," shall be constituted; it shall be chaired by the Minister and shall comprise the following members:

1. A representative of the Ministry, to be nominated by the Minister.
2. Representatives of health services at the National Guard, Ministry of Defense and Aviation, Ministry of Interior, King Faisal Specialist Hospital and Research Center, to be nominated by their respective agencies.
3. Two deans of health colleges, to be nominated by the Minister of Higher Education.
4. Two representatives of the private health sector, to be nominated by the Council of Saudi Chambers of Commerce and Industry.
5. A representative of the Saudi Commission for Health Specialties, to be nominated by the Commission.
6. A representative of the Saudi Red Crescent Society, to be nominated by the Society.
7. A representative of the Health Insurance Council, to be nominated by the Council.
- b. Council members shall be appointed by a Council of Ministers resolution for a term of three years, renewable twice only. Representatives of government agencies shall be of a rank not lower than "Grade Twelve".
- c. The Council may invite delegates, experts, and specialists to attend its meetings and participate in the discussion, without the right to vote.
- d. A meeting shall not be valid unless attended by at least two-thirds of its members. Council resolutions shall pass by majority vote of members in attendance. In case of a tie, the chairman shall cast the deciding vote. Council resolutions shall be binding to healthcare providers upon approval by the Prime Minister.
- e. The Council shall set bylaws to govern its activities.
- f. Remunerations of the Council Chairman and members as well as source thereof shall be determined pursuant to a Council of Ministers resolution, upon recommendation by the Minister.

Article 17

The Council shall undertake the following:

- a. Prepare health care strategy in the Kingdom, for approval by the Council of Ministers.
- b. Develop an appropriate system for operation of hospitals managed by the Ministry and other government agencies to ensure that they are managed according to efficient management principles as well as performance and quality control criteria.
- c. Set an appropriate policy for coordination and integration between all health care providers, specifically in the following areas:
 1. Primary, secondary, and specialist health care.
 2. Emergency and medical evacuation services.
 3. Referral of patients among various health institutions.
 4. Supply of medicines as well as medical equipment and supplies, and optimal use thereof.
 5. Education, training, and employment of health manpower.
 6. Conducting health research and studies.
 7. Providing health care to pilgrims.
 8. Promoting health awareness among the population.
 9. Development of environmental health.
 10. Exchange of specialist expertise between the various health agencies.
- d. Appoint a secretary general for the Council, upon nomination by the Minister and in accordance with the Civil Service Law.
- e. Set necessary rules for remuneration of experts who provide assistance, in coordination with the Ministry of Finance and National Economy.

Article 18

The Minister shall issue the Implementing Regulations of this Law within one year from the date of its publication.

Article 19

This Law shall be published in the Official Gazette, and shall come into force ninety days from publication date. It shall repeal all provisions conflicting therewith.