



KINGDOM OF CAMBODIA

Nation - Religion - King

NS/RKM/1100/10

ROYAL KRAM

We,

**Preah Bat Samdech Preash Norodom Sihanouk,
the King of Cambodia,**

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen Royal Kram No. NS/RKM/0399/01 dated March 08, 1999, promulgating the Constitutional law regarding the amendments to articles 11, 12, 13, 18, 22, 24, 26, 28, 30, 34, 51, 90, 91, 93 and articles in Chapter 8 through Chapter 14 of the Constitution of the Kingdom of Cambodia;
- Having seen Royal Kret No. NS/RKT/1198/72 of November 30, 1998 regarding the appointment of the Royal Government of Cambodia;
- Having seen Royal Kram No. 02/NS/94 of July 20, 1994, promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Having seen Royal Kram No. NS/RKM/0196-/06 of January 24, 1996, promulgating the Law on the establishment of the Ministry of Health;
- Pursuant to the proposal of Samdech Prime Minister and Senior Minister of Health.

PROMULGATES

The Law on the Management of Private Medical, Paramedical, Medical Aide Profession which was adopted by the National Assembly on the 2nd of August 2000 at its 4th plenary session of the 2nd legislature and was entirely adopted by the Senate as to its legal formality and concepts on the 28th of August 2000 at its 3rd plenary session of the 1st legislature; except point 4 of Article 3 of Chapter 1; although the National Assembly has by an open vote rejected the Senate's proposal at its 5th plenary session of the 2nd legislature on the 16th of October 2000; with the following provisions:

LAW
on
Management of Private Medical, Paramedical, and Medical Aide Profession

CHAPTER 1
General Provisions

Article 1:

The purpose of this Law is to define procedures and conditions of functioning for management of private medical, paramedical, medical aide profession in the Kingdom of Cambodia.

Article 2:

Shall be considered as:

- Medical professionals and Paramedical professionals are those of physicians, pharmacist, dentist and midwife; and
- The medical aide professionals are nurses, laboratory specialist, physical therapist, dental specialist, and similar professional practitioners

The professional similarity as mentioned in the above paragraph shall be stipulated by Sub-decree (Anukret).

Article 3:

To be entitled to perform as medical, paramedical and medical aide professionals are those who have the following qualifications:

- Cambodian national;
- Hold a diploma accredited by the Ministry of Health;
- Have been registered with medical council, pharmacist council, dentist council, midwife council, nursing council;
- Have never been convicted of any crime; and
- Good health to practice such service.

Article 4:

A high and specialized foreign medical professional, paramedical professional, medical aide professional may be authorized to practice his or her profession in the Kingdom of Cambodia. Procedures and conditions of authorization shall be defined by sub-decree (Anukret).

CHAPTER 2

The opening, improvement, and Termination of Medical, Paramedical and Medical Aide Services

Article 5:

The opening for the operation, improvement of a private, oral/dental clinic, maternal consultation clinic, aesthetic operation office, medical laboratory, maternity, polyclinic, and medical, paramedical and medical aide services and other private medical aide practices shall be decided by Prakas of the Ministry of Health. After obtaining an authorization from the Ministry of Health, all comply with the exiting procedures.

For a closing of operation facility must also request for authorization of the Ministry of Health.

Article 6:

The eligible professional practitioners as provided in article 3 of this Law shall have the rights to request for the opening of the operation of:

- A private clinic– this is for a medical doctor or medical assistant only;
- A private dental or oral cabinet/clinic– this is for dental doctor, dentist or a specialized dental only;
- A private occupational therapy office – this is for a physical therapist only
- A private healthcare cabinet/clinic – this is for secondary nurses only
- A private aesthetic operation office – this is for a doctor who are specializing in aesthetics;
- A private laboratory– this is for a medical doctor, pharmaceutical doctor, or superior pharmacist who have laboratory specialty; and
- A private maternity or polyclinic – this is for medical doctor only.

Secondary midwife shall authorize to operate a private maternity counseling only.

Article 7:

A responsible person(s) of a private maternity and poly-clinic(s) that treats inpatients and of laboratory shall be present at all time in his/her facility.

A replacement-person shall be assigned to take place when a responsible person is absent. The qualifications of the responsible person and a replacement-person shall be stipulated in the Prakas of the Ministry of Health

Article 8:

A medical, paramedic, or medical aide professionals shall have rights to apply for the opening of the operation of one private medical, or paramedical, or medical aide service only regardless of his or her several diplomas of specialties.

Article 9:

The procedure and conditions for opening the operation, improvement and closing of a private medical, paramedical and medical aide practice including technical conditions shall be stipulated in the Prakas of the Ministry of Health.

**CHAPTER 3
Supervision and Monitoring Authority**

Article 10:

The authority to provide instruction, to supervise and monitor all activities of medical, paramedical and medical aide profession shall be under the competence of the Ministry of Health and assisted by professional councils in accordance with the code of ethics of each professional ethics.

The organizing and functioning of each professional council shall be determined by a Royal –decree (Reach Kret).

The provisions of each professional ethics shall be defined by Sub-decree (Anukret).

Article 11:

A commercial advertisement shall be strictly prohibited except dissemination within professional framework which has no negative impact on Code of Ethics that determined by the Prakas of the Ministry of Health.

Article 12:

The management of private medical, paramedical and medical aide professional practice shall be subject to be taxed and levied, unless otherwise, as stipulated in the existing law on taxation.

CHAPTER 4

Penalties

Article 13:

Any person who violates Articles 5, 6, 7, 8, 11 or 12 of this Law shall be fined from 1,000,000 (one million) Riels to 5,000,000 (five million) Riels plus suspension of medical, paramedical and medical aide professional operations from 1 to 3 months or either one of both penalties this is yet, does not include other offenses.

Any case of recidivism shall be subject to be fined double and suspended their operation or termination.

Article 14:

Any person who obstructs the inspection of the competence authority as stated in article 10 above shall be fined from 5,000,000 (five million) Riels to 10,000,000 (ten million) Riels.

Article 15:

Any civil servant or person who conspired or abused of his or her roles shall be subject to penalty as stipulated in articles 13 or 14 of this Law.

CHAPTER 5

Transitional Provisions

Article 16:

No later than 6 (six) months after this Law comes into force, a private medical, paramedical and medical aide professionals whose operational service officially authorized by the Ministry of Health shall fulfill other formalities sin accordance with the provisions of this Law.

CHAPTER 6

Final Provision

Article 17:

Any provisions that are contrary to this Law shall be deemed abrogated.

Phnom Penh, November 3, 2000

Norodom Sihanouk

Submitted to and Requested
His Majesty the King for Royal

Signature

Prime Minister: **Hun Sen**

Have submitted to Samdech Prime Minister for signature
Senior Minister and Minister of Health: **Hong Sun Huot**

No.215 C.D. for copying and distribution.
Phnom Penh, November 22, 2000

For distribution

November 22, 2000

Nady Tan

Secretary General of the Royal Government