

بطاقة النظام

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Law of Private Health Institutions



Article \

The following terms and phrases – used herein – shall have the meanings assigned thereto save as otherwise provided:

- Private Health Institution: a health institution owned by the private sector and prepared for treatment, diagnosis, nursing, medical analysis or rehabilitation or for accommodation of convalescents. It shall include the following:
 - ١- Hospital: a facility where patients are received, examined, treated and hospitalized.
 - ٢- General Polyclinic: a facility where patients are received, examined and treated. It shall have at least three different medical specialties, one of which a primary specialty (surgery; internal medicine; obstetrics and gynecology; pediatrics; family medicine).
 - ٣- Specialized Polyclinic: a polyclinic including one or more medical specialty, and its subspecialties.
 - ٤- Clinic: a facility where patients are received, examined and treated.
 - ٥- Radiology Center: a facility for medical imaging or radiotherapy.
 - ٦- Medical Laboratory: a facility for conducting laboratory examinations.
 - ٧- Same-Day Surgery Center: a health institution licensed to hospitalize patients for conducting medical procedure; such as minor or intermediate operations, provided the patient be discharged on the same day, in accordance with the Implementing Regulations.
 - ٨- Health Service Support Center: a facility providing health or technical services required for completing therapy and rehabilitation. It shall include the following:

- a- Physiotherapy center
- b- Optical store
- c- Prosthetic store
- d- Support centers approved as health services by the Minister of Health
- ٩- Ambulance Transport Service Center: a unit in charge of transporting and providing first-aid services for patients or injured persons before hospitalization, in accordance with specifications and controls set forth by the Saudi Red Crescent Society.
- Ministry: Ministry of Health.
- Minister: Minister of Health.



Article ٢

- ١- Save for hospitals, a private health institution shall be exclusively owned by Saudis.
- ٢- The owner of a clinic must be a physician specialized in the clinic's area of specialty and shall supervise the clinic on a full-time basis.
- ٣- The owner or at least one of the partners of a polyclinic or same-day surgery center must be a physician specialized in the area of specialty of the polyclinic or same-day surgery center and shall supervise the clinic on a full-time basis.
- ٤- The owner or at least one of the partners of the medical laboratory or radiology center must be a professional specialized in the relevant area of specialty under whose direct supervision the work shall be carried out.
- ٥- In all cases, each private health institution shall have a full-time supervisor specialized in the institution's area of specialty.
- ٦- The medical director in hospitals shall be a qualified Saudi physician, as per the Implementing Regulations.
- ٧- The management of a private health institution shall be limited to qualified Saudis, in accordance with controls and conditions specified by the Implementing Regulations.
- ٨- Remote areas specified by the Implementing Regulations shall be exempt from the provisions set forth in paragraphs ٢ ,١ and ٥ of this Article, regarding nationality of the owner and supervisor.



Article ٣

Premises of a private health institution shall conform to the sanitary conditions as well as architectural specifications and proper distribution. It shall contain necessary furniture, medical and non-medical devices and equipment. The institution shall have a medical waste disposal system, an infection control system and a health information system. The required standards and conditions shall be specified in the Implementing Regulations.



Article ٤

- ١- No private health institution may be opened or operated except after completing all conditions and requirements stipulated in this Law and its Implementing Regulations, upon obtaining all

necessary licenses.

٢- Health institutions shall be granted a renewable five-year license.



Article ٥

An applicant for license to open a private health institution or renewal thereof shall pay the prescribed fee as follows:

Private Health Institution License or Renewal Fee Hospital with ٥٠ beds or less ٥,٠٠٠ riyals Hospital with ٥١ to ١٠٠ beds ١٠,٠٠٠ riyals Hospital with more than ١٠٠ beds ١٥,٠٠٠ riyals General polyclinic ٢,٠٠٠ riyals Specialized polyclinic ٢,٠٠٠ riyals Clinic ١,٠٠٠ riyals Radiology center ١,٠٠٠ riyals Medical laboratory ٢,٠٠٠ riyals Same-day surgery center ٢,٠٠٠ riyals Health service support center ١,٠٠٠ riyals Ambulance transport service center ١,٠٠٠ riyals



Article ٦

A private health institution shall be classified, upon obtaining or renewing the license, according to criteria and conditions set by a specialized committee. The Implementing Regulations shall specify such committee and determine classification procedures and manner of implementation.



Article ٧

A committee comprising representatives from the Ministry, Ministry of Higher Education, military health sectors, Council of Cooperative Health Insurance, the Council for Saudi Chambers of Commerce and Industry and health insurance companies shall determine the average rate for services rendered by a private health institution pursuant to specific criteria; to be reviewed every three years. A decision forming the committee shall be issued by the Minister upon nomination of representatives by their respective agencies. Meetings of said committee shall be valid only if attended by two-thirds of its members. Recommendations thereof shall pass by majority vote of attending members, and shall be effective upon approval by the Minister. Private health institutions shall display their rates and comply therewith upon approval by the Ministry.



Article ٨

A private health institution may not hire physicians or other health practitioners or pharmacists except after obtaining a practice license from the Ministry.



Article ٩

The number of beds may not be less than thirty beds in a general hospital; twenty beds in a bi-specialist hospital; and ten beds in a mono-specialist hospital.



Article ١٠

A hospital shall have an adequate number of resident physicians, specialists, consultants, pharmacists, technicians, nurses, ancillary health staff and other necessary services on the basis of

hospital capacity and level of classification, in accordance with standards and controls set forth by the Implementing Regulations.



Article ١١

A hospital shall be equipped with the following:

- ١- Necessary medical devices and equipment; a laboratory and radiology unit based on specialty; isolation rooms; intensive care beds; and all required ambulatory services as per the Implementing Regulations.
- ٢- A dispensary satisfying terms and specifications in accordance with the Pharmacy Practice Law and its Implementing Regulations.



Article ١٢

A private health institution shall notify the competent health authority of any infectious pathological cases immediately upon diagnosis. Quarantine cases of infectious diseases shall be directly referred to Ministry hospitals and the competent health authority shall be immediately notified. The Implementing Regulations shall specify the requirements thereof.



Article ١٣

Clinics and polyclinics shall have an adequate quantity of medications and first aid tools not intended to be sold as defined by the Implementing Regulations.



Article ١٤

Licensing for either the general or the specialized polyclinic requires employing at least one consultant in each of the licensed major specialties and assigning at least one nurse to each clinic. As an exception, said health institutions may reduce the number of consultants in remote areas determined by the Ministry to one consultant, or may have specialists only.



Article ١٥

Services of the laboratory, radiology center, same-day surgery center, and health service support center, irrespective of type, shall be rendered by licensed specialists. The Implementing Regulations shall specify the conditions and work procedures for providing such services as well as the required qualifications of workers.



Article ١٦

A private health institution shall provide first-aid treatment to all incoming serious emergency cases without any financial claims prior to providing treatment, in accordance with the Implementing Regulations.



Article ١٧

Committees for inspection of private health institutions shall be formed in each directorate of health affairs to ensure implementation of the provisions of this Law and its Implementing Regulations as well as decisions issued by the Ministry under this Law, and to monitor quality level. The Implementing Regulations shall determine manner of formation of said committees as well as their work procedures.



Article ١٨

The license shall be revoked upon transfer of ownership of a private health institution to another owner, change of the institution's activity or location without the Ministry's approval.



Article ١٩

The license shall terminate in the following cases:

- ١- Expiry of license and failure of the licensee to request renewal; however, an application may be submitted to obtain a new license upon satisfying all statutory conditions.
- ٢- Lapse of six months from the death of the owner of a private health institution. The heirs may retain the license for a period to be specified by the Ministry on a case by case basis, provided the heirs shall request retention of the license within six months from the date of death.



Article ٢٠

Without prejudice to any severer penalty prescribed by another law, a person opening a private health institution without a license shall be subject to the following penalties:

- ١- Closure of the institution and denial of license for a period not less than six months and not exceeding two years from date of closure.
- ٢- A fine of not less than ١٠,٠٠٠ riyals and not exceeding ٣٠,٠٠٠ riyals, for health service support centers.
- ٣- A fine of not less than ٣٠,٠٠٠ riyals and not exceeding ١٠٠,٠٠٠ riyals, for medical laboratories, radiology centers, or ambulance transport service centers.
- ٤- A fine of not less than ٥٠,٠٠٠ riyals and not exceeding ١٥٠,٠٠٠ riyals, for clinics, polyclinics or same-day surgery centers.
- ٥- A fine of not less than ١٠٠,٠٠٠ riyals and not exceeding ٣٠٠,٠٠٠ riyals, for hospitals regardless of class.



Article ٢١

Save for violations stipulated in Article ٢٠ and without prejudice to any severer penalty prescribed by another law, a person violating any of the provisions of this Law shall be subject to one or more of the following penalties:

- ١- A fine of not less than ١٠,٠٠٠ riyals and not exceeding ١٠٠,٠٠٠ riyals.
- ٢- Closure of the private health institution for a period not exceeding sixty days. The institution shall take all necessary arrangements to transfer inpatients to other institutions prior to closure.

٢- Withdrawal of license to the effect that the licensee may not apply for a new license except after the lapse of at least two years from the date of withdrawal.



Article ٢٢

The legal medical committee provided for in the Law of Practicing Human Medicine and Dentistry shall have the power to consider the liability of private health institutions for medical errors subject of claims of private or public rights.



Article ٢٣

Pursuant to a decision by the committees provided for in Article ٢٠, the activity subject of the violation may - as a preventive measure - be suspended if there are strong evidence and presumptions of occurrence of violations substantiated in the preliminary investigation; the penalty for which, if established, is withdrawal of license or closure of the health institution.



Article ٢٤

If closure of a private health institution results in harming the patients thereof, the Ministry shall take all necessary measures to keep patients under treatment in the manner it deems fit.



Article ٢٥

١- Committees shall be formed at directorates of health affairs pursuant to a decision by the Minister; each committee shall include three members at least, one of whom shall be a consultant in a medical profession; the second, a legal adviser, to decide any violation of the provisions of this Law and impose stipulated penalties. Decisions of such committees shall be enforced only upon approval by the Minister or designee.

٢- Aggrieved parties may appeal such decisions before the Board of Grievances within sixty days from notification date.

٣- The final decision imposing the penalty shall be published at the expense of the violator in three local newspapers, one of which at least is issued in his place of residence. If no such newspaper exists in said area, it shall be published in the newspaper issued in the nearest area.

٤- The Implementing Regulations shall specify the term of membership of such committees and followed procedures regarding conduct of business and notification of decisions.



Article ٢٦

A private health institution shall, prior to signing the contract with any person it seeks to recruit, explain the provisions of the Labor Law, procedure guide, job description and relevant laws applicable in the Kingdom of Saudi Arabia.



Article ٢٧

A private health institution shall enable health practitioners to attend continuing medical education programs in their specialty within the Kingdom or abroad, as determined by the Saudi

Commission for Health Specialties.



Article ٢٨

All hospitals shall have a medical library therein and shall subscribe to relevant scientific periodicals within their field; other health institutions shall provide major scientific periodicals related to their specialty.



Article ٢٩

In case of emergencies that require mobilizing all medical resources, the Minister may order the use of any private health institution, or part thereof, for purposes he determines; provided the Ministry pay fair compensation for such use.



Article ٣٠

A private health institution shall promptly notify the nearest competent security agency and the local directorate of health affairs of any criminal incident or death case of outpatients or in-patients. It shall as well report any criminal incident that requires the injured person to request an ambulance or be treated therein. It shall also keep a full record of all traffic accidents and injuries.



Article ٣١

A private health institution may not undertake any acts of publicity that conflicts with the code of professional ethics, in accordance with criteria set forth in the Implementing Regulations.



Article ٣٢

The Minister shall issue the Implementing Regulations of this Law within ninety days from date of publication in the Official Gazette.



Article ٣٣

This Law shall supersede the Law of Private Medical Institutions promulgated by Royal Decree No. (M/٥٨) dated ١٤٠٧ / ١١ / ٢H.



Article ٣٤

Licenses issued to private health institutions in accordance with the laws and directives in force at the time of issuance of this Law shall remain valid. Such institutions shall adjust their status according to the provisions of this Law and its Implementing Regulations within five years from the effective date of the Implementing Regulations. This period may be extended upon approval by the Prime Minister based on recommendation by the Minister of Health.



Article ٣٥

This Law shall be published in the Official Gazette, and shall enter into force ninety days from publication date.

