

KINGDOM OF CAMBODIA
Nation - Religion - King

KRAM

NS/RKM/1100/10

We,
Preah Bat Samdech Norodom Sihanouk,
King of the Kingdom of Cambodia,

- *Having seen the Constitution of the Kingdom of Cambodia;*
- *Having seen Royal Kram No. NS/RKM/0399/01 dated June 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 January 20, 1994, promulgating the Law on the Organization and Functioning of the Council of Ministers;*
- *Having seen Royal Kram No. NS/RKM/1096/06 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 Practice 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 form and legal concepts on the 28th of August 2000 at its 3rd plenary session of the 1st legislature; except paragraph 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 Practice

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 practice in the Kingdom of Cambodia.

Article 2:

- A physician, pharmacist, dentist and midwife shall be considered medical and paramedical practitioners; and
- A male nurse, female nurse, laboratory specialist, physical therapist, dental specialist, and similar practitioners shall be considered medical aide practitioners.

Anukret shall determine professions similar to those stated in the above paragraph.

Article 3:

Any person who has the following qualifications shall be entitled to practice as medic, paramedic, and medical aide:

- Cambodian national;
- Hold a degree recognized by the Ministry of Health;
- Register with physician association, pharmacist association, dentist association, midwife association, or nurse association;
- Have never been convicted of any crime; and

- Good health to practice such service.

Article 4:

A foreign medic, medical assistant, medical aide with high skill may be authorized to practice his or her profession in the Kingdom of Cambodia. Anukret shall define the procedure and condition for authorization.

CHAPTER 2**Creation, Change and Termination of Medical, Paramedical and Medical Aide Services****Article 5:**

The creation or change in form of a private consultation and treatment office, oral/dental consultation and treatment office, pregnancy consultation office, aesthetic operation office, medical laboratory, maternity, polyclinic, other private medical, paramedical and medical aide service shall be decided by Prakas of the Ministry of Health. After obtaining an authorization from the Ministry of Health, a medical practitioner shall respect the procedures in force.

The Ministry of Health shall authorize the termination of medical operation.

Article 6:

The eligible practitioners provided in Article 3 of this Law have the right to form:

- A private consultation and treatment office - only a medical doctor or medic;
- A private dental or oral consultation and treatment office - only a dental doctor, dentist or a physician of oral specialty;
- A private movement treatment office - only a physical therapist (massager);
- A private healthcare office - only a medium male nurse or female nurse;
- A private aesthetic operation office - only a doctor having aesthetic specialty;
- A private laboratory office - only a medical doctor, pharmaceutical doctor, or superior pharmacist who have laboratory specialty; and
- A private maternity or polyclinic - only a person who is medical doctor.

A medium midwife is entitled to operate only a private pregnancy consultation office.

Article 7:

A responsible person shall be present at his or her private maternity and polyclinic having a treatment office for patient and private medical laboratory.

A replacement shall be assigned in the absence of a responsible person (manager). Prakas of the Ministry of Health shall determine qualifications of the responsible person and assignee.

Article 8:

A medic, paramedic, or medical aide shall have the right to apply for a creation of only one private medical, paramedical, or medical aide service regardless of his or her degree of multiple skills.

Article 9:

The procedure and condition for creation change in form, termination of and technical characteristics of a private medical, paramedical and Prakas of the Ministry of Health shall determine medical aide service.

CHAPTER 3**Supervision and Monitoring Authority****Article 10:**

The authority to instruct, supervise and monitor all medical, paramedical and medical aide professional activities shall be borne by the Ministry of Health with a support of the professional committee under the code of ethics of each profession.

The organization and functioning of each professional committee shall be determined by a Reach Kret (royal decree).

Anukret shall determine the provisions of the code of professional ethics.

Article 11:

A commercial advertisement or promotion shall be strictly prohibited except if it is a professional advertisement that is not contrary to the code of ethics and determined by Prakas of the Ministry of Health.

Article 12:

The management of private medical, paramedical and medical aide professional practice shall be subject to taxation and levies determined by the law in force unless there is an exception provided in the law.

CHAPTER 4**Penalties****Article 13:**

Any person who violates Articles 5, 4, 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 regardless of any other offenses.

Any case of recidivism shall be subject to double fine penalty and permanent suspension or termination.

Article 14:

Any person who hindered any competent agent from performing his or her inspection under 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:**

Within no later than 6 (six) months after the entry into force of this Law, a private medical, paramedical and medical aide practitioner whose service was officially authorized by the Ministry of Health shall properly comply with additional formalities under 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

Having submitted to the King for signature

Prime Minister: **Hun Sen**

Having submitted to Samdech Prime Minister for signature

Senior Minister and Minister of Health: **Hong Sun Huot**

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Phnom Penh, November 22, 2000

Secretary General of the Royal Government: **Nady Tan**