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ROYAL DECREE NO. 22/96

ISSUING THE LAW ON THE PRACTICE OF

HUMAN MEDICINE AND DENTISTRY

We, QABOOS BIN SAID, Sultan of Oman, after perusal of:

Royal Decree No. 26/75 issuing the Law Organising the Administrative

Apparatus of the State as amended; and

Royal Decree 9/83 regarding the practice of Human Medicine and

Dentistry and its amendments; and

Royal Decree 47/92 endorsing the organisational structure of the

Ministry of Health; and

In furtherance of public interest,

Have decreed as follows:-

Article 1

The terms of the enclosed Law on the Practice of Human Medicine and

Dentistry shall be put into force.

Article 2

The Minister of Health shall issue regulations and decisions

requisite for the implementation of this code.

Article 3

Law No.9/73 on the Practice of Human Medicine and Dentistry shall be

repealed, and all other articles contrary to its terms shall be null

and void.

Article 4

This Decree shall be published in the Official Gazette and shall

come into force with effect from the date of issue.

Qaboos bin Said

Sultan of Oman

Issued on 14 Dhuladeh 1416H

corresponding to 3rd April 1996

Article 1

In applying the terms of this Law each word and phrase will have the

meaning shown against it, unless stipulated otherwise or unless the

context has another meaning:

Ministry : Ministry of Health

Minister : Minister of Health

Medical Profession : Human Medicine and Dentistry

Practising Medicine : Giving medical advice, or

examining patients, or surgically operating, or prescribing a

medicine or any compensatory devices such as medical glasses, or

examining the mouth of a patient, or treating him in any way either

in general or in particular Jobs Affiliated to the: Jobs

affiliated to medicine such as X-Ray, Medical Profession :

nursing, massage and any other jobs specified by the Minister.

Article 2

Nobody shall practice medicine unless licensed by the Ministry in accordance with the conditions issued vide a decision from the Minister.

Article 3

The Minister shall pass a decision specifying those jobs affiliated to the medical profession which are not to be practiced without a license. The decision will specify the conditions and procedures for obtaining a license as well as the rules organizing these jobs.

Article 4

Two tables are to be created in the Ministry in order to register

those physicians whom the Technical Committee provided for in

Article 21 have allowed to practice medicine, one for human

physicians and the other for dentists. The register shall include:

Name of Physician;

Number and date of registration;

C. Physician's degree, date and

issuing authority;

D. Address, residence and place of work.

The Ministry shall publish in the Official Gazette the names of

those physicians who have been registered within one month from the

date of registration.

Article 5

The Ministry shall give the physician whose name has been registered in the list a license allowing him to practice medicine. This license will include his name, residence, place of work, his serial number on the register and the date of his registration, and the area or areas he is licensed to work in.

Article 6

The medical profession and its affiliated jobs shall be practiced in medical clinics, hospitals or suitably licensed places of work.

Article 7

A physician should practice his profession in a manner that encourages respect. He should act with special care and regard for the patient and medical procedures, both technically and morally. A physician should treat his patients with humanity regardless of their financial or social conditions, nationalities or beliefs.

Article 8

Pare not allowed combining their profession with pharmacology or veterinary science. It is strictly prohibited to share money with pharmacists or any other body. Physicians are prohibited from examining patients in shops or where medicines and medical equipment are demonstrated or in pharmacies, except in urgent cases requiring the treatment of an injured patient.

Article 9

The Minister shall issue a decision organising clinics and private

hospitals and specifying licencing conditions and procedures for

them.

Article 10

A physician is not allowed to refrain from treating a patient or injured person unless the case is too specialist for him. However, in such cases he should do whatever first aid is necessary and then refer him to the nearest hospital along with a primary report on the patient's symptoms and the treatment given to the patient before his arrival at the hospital.

Article 11

A physician should not take any medical action which results in a woman's abortion and he is not allowed to perform an abortion unless there are medical reasons entailing one and upon a decision by a specialised medical board. In such a case, the operation should be performed by a gynaecologist wherever possible.

Article 12

No physician is allowed for any reason, to write a report or give a certificate contrary to fact.

Article 13

A physician shall not divulge private secrets gained through practicing medicine unless the relevant party agrees to this. He is allowed to divulge secrets to a patient's family member such as the husband, wife, father, mother or adult sons, if the patient's condition is serious or if there are other sufficient reasons. The physician can also divulge secrets in the interest of preventing crimes, or detecting a crime, or if he doubts that the patient is suffering from an epidemic disease (legally specified). In such cases divulgence should be to the formal authority concerned either by himself or at their request. If the physician is asked by a life insurance company to examine its customers, then he has the right to divulge the findings to the company only.

Article 14

Taking into account the traditions of the profession, a physician shall not advertise himself, although he can fix a signboard to his clinic, and he can publicise the opening of the clinic or if changing its address or its opening times.

Article 15

The quantity of medicine that a physician can keep in his clinic shall be specified by the Minister. He can also keep narcotic drugs in his clinic provided that he maintains a special record of them, noting quantities purchased, date of purchase, quantities used, date of use, name of patient to whom it was given, diagnosis, the dosage of the narcotics given and the patient's full address.

Article 16

A physician should maintain a register in his clinic showing details of his patients including their names, ages, addresses, dates of their birth, their diagnosis and their treatment.

Article 17

The Ministry shall have the right to appoint independent physicians to inspect clinics and private hospitals, and to submit reports to the Ministry.

Article 18

A physician shall not be responsible for the effects of a medicine, provided that he took due care, used all available means to diagnose the case and prescribed the medicine correctly.

Article 19

A physician shall be responsible for his work and damages arising therefrom in the following circumstances:-

(a) If he makes an error through ignorance of such scientific or technical matters that a physician is supposed to know;

(b) In case of negligence or default or if he fails to exert due care;

(c) If he carries out experiments and research on patients which are not approved by the Ministry;

(d) If he carries out any operation or gives any treatment in his clinic which is not allowed to be carried out or given outside hospitals.

Article 20

Without prejudice to any harsher punishment provided for by any other law, he who practises the medical profession in a way contrary to this law will be punished by a period not exceeding one year's imprisonment or by a fine not exceeding Rials Omani one thousand or both.

In all cases, a licence may be cancelled perpetually, or for a certain period. A place of practice may also be closed, its signs removed, and its property confiscated. The judgment shall be published in the Official Gazette at the expense of the offender. All parties that sustain damage as a result of the default shall have the right to claim compensation from the offender before the competent court.

Article 21

A Technical Committee shall be formed by the Minister with

jurisdiction :-

(a) To decide upon licence applications to practice medicine

submitted to the Ministry.

(b) To govern the application of the terms of this law.

(c) To preserve the standards of the medical profession in the

Sultanate and to ensure that its principles are complied with.

Article 22

Without prejudice to the punishments provided for in this Law or any

other law, the Committee provided for in the previous article shall

look into the breaches of this law made by physicians. The

physician shall be notified to attend in person before the

Committee. The Committee will outline the breach to him, hear his

response and investigate his defence.

The Committee shall have the right to impose one of the following

disciplinary punishments:-

(a) to warn the physician;

(b) to bar the physician from practising medicine for a period

not exceeding one year;

(c) to cancel the physician's licence and to strike his entry from

the register;

The physician shall be notified of the Committee's decision within a

maximum period of one month from the date of its issue, and he can

submit an appeal to the Minister within one month of being notified.

The Minister shall issue a decision either rejecting the appeal or

referring the matter again to the Committee. In the latter case,

the Committee's second decision shall be final and binding unless

objected to by the Minister.

Final decisions cancelling a physician's licence and striking out

his entry from the register shall be published in the Official

Gazette at the expense of the party breaching the law.

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25.5.96

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