



(2023.09.10-ны өдрийн орчуулга)

Unofficial translation

## LAW OF MONGOLIA

May 5, 2011

Ulaanbaatar city

### ON HEALTH

#### CHAPTER ONE

#### GENERAL PROVISIONS

##### Article 1. Purpose of the Law

1.1. The purpose of this Law is to determine the basic principles and policies of the state regarding health, and regulate the relations connected to the obligations of enterprises, organizations, officials and citizens to ensure the citizens' right to receive health care and services and to have protected their health, and the activities of health care organizations and employees.

##### Article 2. Legislation on health

2.1. Legislation on health shall consist of the Constitution of Mongolia, this Law and other legislative acts enacted in compliance with these laws.

2.2. In case that any international treaty to which Mongolia is a party provides otherwise than this Law, the provisions of the international treaty shall prevail.

##### Article 3. Definition of terms of the Law

3.1. The following terms used in this Law shall have the following meanings:

3.1.1. "health" means that a person is free from diseases and disorders and is well-being in terms of physical, mental and social life;

3.1.2. "health protection" means complex medical, social and economic measures aimed at protecting the health of the population by organizing health care and services for the population;

3.1.3. "health care and services" means public health and medical care and services;

3.1.4. "health care organization" means a legal entity with the purpose and main functions of providing health care and services to the population;

3.1.5. "medical specialist" means a doctor, junior doctor, dentist, traditional medicine doctor, nurse, midwife, or pharmacist who has graduated from a medical university or college and has a permit to practice, drug director, rehabilitation specialist;

*/This paragraph was modified according to the law as of April 22, 2016/*

3.1.6. "health worker" means a medical specialist and other employees working in a health care organization;

3.1.7. "international quarantine disease" means the disease set forth in the International Health Regulations;

3.1.8. "reduction of active epidemic center" means taking measures to heal the foci of natural foci of infectious diseases that can be transmitted from animals or animals to humans when the natural foci become active or when the disease occurs;

3.1.9. "treatment" means complex professional activities of a doctor aimed at diagnosing and curing diseases, rehabilitation of patients, and prevention of illness;

3.1.10. "nursing" means comprehensive professional activities of nurses aimed at preventing illness, curing illness, and rehabilitating patients;

3.1.11."midwifery" means complex professional activities aimed at diagnosing, monitoring, managing childbirth, treating, and preventing diseases of mothers, fetuses, and newborns during pregnancy, childbirth, and postpartum;

3.1.12."preparation of medicine" is the activity of preparation, packaging and inspection of medicines according to pharmaceutical science;

3.1.13."medical equipment" means an independent functional item designed for the purpose of diagnosis, treatment, rehabilitation, and control of human body structure, function, disease, disorder, or defect;

3.1.14."medical instrument" means an object designed for the purpose of diagnosis, treatment, nursing, rehabilitation, or control of human body structure, function, disease, or defect, or used for manual actions;

3.1.15."accessories of medical equipment" means auxiliary equipment necessary for normal operation of medical equipment;

3.1.16."prosthetics" means things created for the purpose of replacing human tissues and organs or correcting disorders and defects;

3.1.17."accreditation of a health care organization" means external assessment and conclusion of the structure and operation of a health care organization, the technology and quality of medical care and services;

3.1.18."donor" is defined in Sub-paragraphs 3.1.2-3.1.4 of the Law on Donors;

3.1.19."health promotion" means comprehensive activities aimed at monitoring and strengthening the health of the population, forming healthy behavior in the population, and creating a healthy living environment.

3.1.20."other medical specialist" means any other specialist who has graduated from a medical university or college and does not require a permit to engage professional activity;

*/This paragraph was added according to the law as of April 22, 2016/*

3.1.21."rehabilitation" means joint complex activities of rehabilitation and other medical specialists aimed at eliminating the consequences of the loss of human body structure and function caused by illness, injury, or other factors;

*/This paragraph was added according to the law as of April 22, 2016/*

3.1.22."basic specialization" means the knowledge, ability, and practice of working independently in one field of medical science of a senior doctor who graduated from a medical education university;

*/This paragraph was added according to the law as of April 22, 2016/*

3.1.23."varied specialization" means the knowledge, ability, and practice of working in a specific field of medical science of a medical specialist who graduated from a medical education school;

*/This paragraph was added according to the law as of April 22, 2016/*

3.1.24."primary health care and services" means family health care and services provided by the state based on the health needs of the population and some essential care and services of basic specialization in the territory of jurisdiction with the participation of citizens, families and enterprises activities to be provided to everyone regardless of territorial jurisdiction;

*/This sub-paragraph was added according to the law as of May 15, 2020/*

3.1.25."long-term medical care and services" means the provision of specialized nursing and rehabilitation care and services for a period of 1 month or more.

*/This sub-paragraph was added according to the law as of May 15, 2020/*

#### **Article 4. Policy and basic principles to be adhered by the state regarding health**

**4.1. The state shall implement the following policies regarding the health of the population:**

4.1.1. to receive the health of the population to the state special attention and patronage;

4.1.2. to provide equal and accessible health care and services to the population without discrimination;

4.1.3. to treat health care facilities equally regardless of ownership;

4.1.4. in accordance with the Constitution of Mongolia, the state shall be responsible for the payment of some types of health care and services provided to citizens.

**4.2. The following basic principles shall be followed in the implementation of the policy set forth in Paragraph 4.1 of this Law:**

4.2.1. to provide health care and services to the population based on humanitarian and compassionate ethics, scientific knowledge, findings, evidence, and advanced modern and traditional medical methods;

4.2.2.to make public health care and services a priority, and then to ensure the independent, open and multi-proprietary basis of health care organizations in providing medical care and services;

4.2.3.implementation of health policies and measures through joint activities of Government and non-Government organizations, local administrative and local self-governing organizations, enterprises, organizations, communities, families and citizens.

## CHAPTER TWO

### HEALTH MANAGEMENT AND ORGANIZATION

#### Article 5.Health management system

5.1.The health management system consists of the State Great Khural of Mongolia, the Government, the state central administrative organization in charge of health issues, local administrative and local self-governing organizations, and the management of health care organizations.

*/This paragraph was amended according to the law as of August 17, 2012/*

#### Article 6.Powers of the State Great Khural of Mongolia

6.1.The State Great Khural of Mongolia shall exercise the following powers to protect and promote health:

6.1.1.to determine the policy to be followed by the state regarding health;

6.1.2.supervise the work organized by the Government on the implementation of health legislation;

6.1.3.to determine the duties of health care organizations, citizens and other organizations in matters of health and life protection of the population during emergencies;

6.1.4.to solve the issue of Mongolia's accession to or termination of international treaties on health issues;

6.1.5.other powers provided by law.

#### Article 7.Powers of the Government of Mongolia

7.1.The Government of Mongolia (hereinafter referred to as "Government") shall exercise the following powers in addition to Article 9 of the Law on the Government of Mongolia regarding the protection and promotion of health:

7.1.1.to organize the implementation of the state policy regarding health;

7.1.2.to organize the fulfillment of regulations on health;

7.1.3.to finance and monitor the implementation of approved health policies and programs;

*/This sub-paragraph was amended according to the law as of December 17, 2021/*

7.1.4.to enter into agreements and negotiations with the Governments of other countries and international organizations within the scope of their powers on issues of cooperation in the health sector;

7.1.5.to approve the procedure for granting funds to citizens who shall undergo medical treatment in a foreign country;

7.1.6.other powers provided by law.

7.2.Next to the Prime Minister of Mongolia, a non-full-time National council with the responsibility for coordination of the implementation of health policy at the national level can be established and be operated.

7.3.The Prime Minister of Mongolia shall approve the composition and working procedures of the National council set forth in Paragraph 7.2 of this Law.

#### Article 8.Powers of the state central administrative organization in charge of health issues

8.1.The state central administrative organization in charge of health issues shall exercise the following powers to protect and promote health:

8.1.1.to organize and ensure implementation of laws and Government decisions on health;

8.1.2.to study, control and evaluate the health status of the population, determine the policy and development trends of the health sector based on demand;

8.1.3.to provide professional and methodical management to various specialty hospitals, specialized centers, general and specialized hospitals, and other state organizations working under the state central administrative organization responsible for health issues;

*/This paragraph was modified according to the law as of April 22, 2016/*

8.1.4. to plan and organize health care and services for the population at the industry level, to determine the location, structure and organization of health care organizations, the type and hierarchy of care and services, and the upper limit of hospital and sanatorium beds;

8.1.5. to provide professional and methodological assistance to citizens, Government and non-Government organizations to protect and support the health of the population;

8.1.6. to develop and coordinate the implementation of national programs and projects to protect and strengthen the health of the population, conduct monitoring and evaluation, and calculate the results;

8.1.7. to commission academic research and research on urgent health issues;

8.1.8. to define and implement the human resource development policy of the health sector;

8.1.9. to determine the policy of qualification and retraining of medical specialists and to ensure its implementation, to solve the issue of health professional direction and index, the number of medical education training institutions admission control, and the provision of teaching base hospitals in cooperation with the state central administrative organization in charge of education;

8.1.10. to solve the issue of providing social security for health workers in cooperation with relevant organizations;

8.1.11. to determine the financing policy for health care and services, planning and implementing the budget;

8.1.12. to determine the health insurance financing policy together with the relevant organization;

8.1.13. to guide and control the activities of aimag and capital city health care organizations;

8.1.14. to define health management and information system policies and provide information;

8.1.15. in accordance with the Law on Public-Private Partnerships in the Healthcare Sector, plan public-private partnership projects, to make project proposals, ensure and supervise the implementation of public-private partnership agreements;

*/This sub-paragraph was added according to the law as of August 17, 2012/*

*/This sub-paragraph was modified according to the law as of April 22, 2016/*

*/This sub-paragraph was invalidated according to the law as of December 21, 2017/*

*/This sub-paragraph was modified according to the law as of December 9, 2022 and it shall be enforced on December 31, 2023/*

~~8.1.16. to develop and approve health care, services, health care organizations and industry standards together with the competent authorities;~~

*/This sub-paragraph was invalidated according to the law as of December 21, 2017/*

8.1.17. to organize the work of granting permission to medical specialists to engage in professional activities;

*/This sub-paragraph was added according to the law as of August 17, 2012/*

8.1.18. to monitor the implementation of health care and service quality policies and organize activities for granting accreditation to health care organizations;

*/This sub-paragraph was added according to the law as of August 17, 2012/*

8.1.19. to compile and report health statistics;

*/This sub-paragraph was added according to the law as of August 17, 2012/*

8.1.20. to ensure the implementation of health sector development and health worker development policies, and conduct research;

*/This sub-paragraph was added according to the law as of August 17, 2012/*

8.1.21. to protect the health of citizens, to prevent illness, to reduce or eliminate the health consequences caused by diseases, disorders, and injuries, to conduct training and promotion, and to organize health promotion measures;

*/This sub-paragraph was added according to the law as of August 17, 2012/*

*/This sub-paragraph was amended according to the law as of February 5, 2016/*

8.1.22. to organize activities for registration and verification of medicines and to inform the public about the quality and safety of medicines;

*/This sub-paragraph was added according to the law as of August 17, 2012/*

8.1.23.to organize activities for the participation of health workers in post-graduate training and the awarding of qualification degrees;

*/This sub-paragraph was added according to the law as of August 17, 2012/*

8.1.24.to organize and monitor the implementation of the prevention of infectious and non-infectious diseases, early detection, screenings, analysis and diagnosis based on the population's age, gender, and health risks;

*/This sub-paragraph was added according to the law as of May 15, 2020/*

8.1.25.other powers provided by law.

*/The numbering of this sub-paragraph was amended according to the law as of August 17, 2012/*

*/The numbering of this sub-paragraph was amended according to the law as of May 15, 2020/*

8.2.Under the state central administrative organization in charge of health issues, a non-full-time professional council may be established and employed with the task of determining the policy and development trends of the health sector, organizing the implementation of health laws and Government decisions, and providing advisory functions to ensure their implementation.

8.3.The composition and working procedures of the professional council set forth in Paragraph 8.2 of this Law shall be approved by the Cabinet member in charge of health issues.

8.4.The Government shall approve the procedures for exchanging, storing, protecting, enriching and using data of electronic medical records and databases.

*/This paragraph was added according to the law as of May 15, 2020/*

8.5.The procedure for organizing activities set forth in Sub-paragraphs 8.1.24 and 19.3.3 of this Law shall be approved by the Cabinet member in charge of health issues.

*/This paragraph was added according to the law as of May 15, 2020/*

8.6.The Cabinet member in charge of health issues shall approve the package of essential health care and services.

*/This paragraph was added according to the law as of May 15, 2020/*

8.7.The list and procedure for providing long-term medical care and services in combination with education and social welfare services shall be jointly approved by the Cabinet member in charge of health, education and social welfare issues.

*/This paragraph was added according to the law as of May 15, 2020/*

8.8.Procedures for providing specialty hospitals and other health care organizations at the state and regional level with expertise and methods, as well as directions and scope of assistance and services, shall be approved by the Cabinet member in charge of health issues.

*/This paragraph was added according to the law as of May 15, 2020/*

8.9.The Cabinet member in charge of health issues shall approve the methodology for identifying rare diseases and disorders that are dangerous to human life or cause disability.

*/This paragraph was added according to the law as of May 15, 2020/*

#### **Article 9:**

*/This article was invalidated according to the law as of August 17, 2012/*

#### **Article 10.Powers of the Khural of Citizens' Representative of Aimags, Soums, Capital city, and Districts**

*/The heading of this article was amended according to the law as of April 22, 2022/*

10.1.The Khural of Citizens' Representative of Aimags, Soums, capital city and Districts shall exercise the following powers to protect and promote health:

*/This paragraph was amended according to the law as of April 22, 2022/*

10.1.1.to organize the implementation of health laws and Government decisions issued in connection with their implementation in the territory under their jurisdiction;

10.1.2.to discuss the Governor's report and information on the health issues of the population of the territory under his jurisdiction and give a conclusion;

10.1.3.to make programs and decisions on the protection and support of the health of the population of the territory under their jurisdiction, and supervise their implementation;

10.1.4.to ensure joint participation of Governmental and non-Governmental organizations and citizens in measures to protect and support the health of the population of the territory under their jurisdiction, and coordinate their activities;

10.1.5.other powers provided by law.

#### Article 11.Powers of the Governor at all levels

11.1.Governors of Aimags and capital city exercise the following powers to protect and promote health:

11.1.1.to organize the implementation of the decisions made by the Government and local self-governing organizations in connection with the implementation of laws and regulations on health;

11.1.2.to protect and support the health of the population in the territory under its jurisdiction, to develop programs and projects that define the immediate and future, and to organize the implementation of decisions made by the Khural of Citizens' Representatives;

11.1.3.to improve the structure and organization of health care organizations in the territory under their jurisdiction in consultation with the state central administrative organization in charge of health issues, to optimally allocate material bases, human and financial resources;

11.1.4.to promptly take the necessary measures in the event of an extremely dangerous natural phenomenon or an international quarantined disease;

11.1.5.to organize work to encourage and promote groups, enterprises, and organizations that actively and proactively work in the field of health protection and promotion;

11.1.6.to appoint and dismiss the head of the health department of the Aimag and capital city in accordance with the Civil Service Law in consultation with the Cabinet member in charge of health issues;

11.1.7.to organize work to provide social security and stable working conditions for medical specialists working in the health care organizations of the jurisdiction;

11.1.8.to provide additional funds to the health care organizations of the jurisdiction;

11.1.9.to consult with the head of the health department on the issue of appointing and releasing the management of health care organizations other than general hospitals;

*/This sub-paragraph was amended according to the law as of April 22, 2016/*

11.1.10.other powers stipulated by law.

11.2.Governors of districts, baghs, and khoroos shall exercise the following powers to protect and promote health:

*/This paragraph was amended according to the law as of April 22, 2022/*

11.2.1.to organize the implementation of decisions made by the Government, local self-governing organizations, and higher-level governors in connection with the implementation of health legislation in their respective territories;

11.2.2.to ensure equality and access to health care and services for the population of the territory under jurisdiction;

11.2.3.to organize work involving enterprises, organizations and citizens in public events in the field of health protection and promotion;

11.2.4.to strengthen the health care organizations of the jurisdiction in terms of personnel, material base, and finances;

11.2.5.other powers stipulated by law.

11.3.The head of the health center of a district or village shall be appointed and dismissed in consultation with the Governor of the relevant level and the head of the aimag health department.

#### Article 12.Powers of aimag and capital city health departments

12.1.Aimag and capital city health departments shall exercise the following powers to protect and promote health:

12.1.1.to organize the implementation of decisions made by the Government, local self-governing organizations, and governors in connection with the implementation of health legislation in their respective territories;

~~12.1.2.to make suggestions and conclusions on the issue of whether or not to establish and grant a permit to health care organizations other than those with national services or those with foreign investment, and present them to the Governor of that level;~~

*/This paragraph was invalidated according to the law as of January 06, 2023/*

12.1.3.to organize hospital beds within the limits set by the state central administrative organization in charge of health issues;

12.1.4.to provide professional and methodical management and supervision of the activities of health care organizations in the jurisdiction;

12.1.5.to provide statistics on the health of the population of the territory under jurisdiction, as well as the reports, news and information of health care organizations, to the relevant authorities.

12.2.The head of the health department of the Aimag or capital city, in consultation with the Governor of that level, shall appoint and dismiss the head of the health care organization other than the affiliated general hospital in accordance with the laws and regulations.

*/This paragraph was amended according to the law as of April 22, 2016/*

## CHAPTER THREE

### TYPES OF HEALTH CARE AND SERVICES

#### Article 13.Types of health care and services

13.1.Health care and services shall have the following types:

13.1.1.social health care and services;

13.1.2.medical care and services.

13.2.Community health care and services include monitoring, researching and controlling the health status of the population and the factors affecting it, promoting and protecting health, preventing diseases and disorders, and providing health education to the population.

13.3.The health care organization shall provide public health care and services alone or in cooperation with other enterprises, organizations, communities, and citizens.

13.4.Medical care and services shall have types of family health, specialized medical, midwifery, medical emergency, specialized nursing, emergency care, and rehabilitation.

*/This paragraph was modified according to the law as of April 22, 2016/*

13.5.Medical care and services shall be primary and referral.

*/This paragraph was modified according to the law as of April 22, 2016/*

13.6.The type of medical care and services and related relations shall be regulated by the Law on Medical care and services.

*/This paragraph was modified according to the law as of April 22, 2016/*

13.7.The disaster health care and services provided by health care organizations alone or in cooperation with the Government, communities, enterprises, organizations, and citizens in the event of outbreaks of infectious diseases and dangerous phenomena that cover the mass population shall be organized by the Disaster prevention health department in accordance with the Law on Disaster prevention, which was established by such law.

*/This paragraph was added according to the law as of April 22, 2016/*

*/This paragraph was amended according to the law as of February 02, 2017/*

## CHAPTER FOUR

### HEALTH FACILITY SYSTEM

#### Article 14.Health care organization system

14.1.The system of health care organizations shall consist of public, private, and mixed-ownership health care organizations responsible for public health, medical care, services, drug supply, medical education, research, and training activities.

#### Article 15.Types of organizations providing health care and services

15.1.Organizations providing health care and services are of the following types:

15.1.1.family health center;

15.1.2.soum and village health center;

15.1.3.relief and care center;

*/This sub-paragraph was modified according to the law as of April 22, 2016/*

15.1.4.clinic;

15.1.5.maternity house;

15.1.6.community health center;

15.1.7.general hospital;

15.1.8.nursing home;

15.1.9.ambulance center;

15.1.10.rehabilitation center;

*/This sub-paragraph was modified according to the law as of April 22, 2016/*

15.1.11.specialized hospital;

*/This sub-paragraph was modified according to the law as of April 22, 2016/*

15.1.12.special professional center;

15.1.13.various specialty hospitals;

*/This sub-paragraph was added according to the law as of April 22, 2016/*

15.1.14.nursing center.

*/This sub-paragraph was added according to the law as of April 22, 2016/*

15.2.The organization set forth in Sub-paragraphs 15.1.12 and 15.1.13 of this Law shall work under the jurisdiction of the state central administrative organization in charge of health issues.

*/This paragraph was amended according to the law as of April 22, 2016/*

#### Article 16.Functions of organizations providing health care and services

16.1.The executive functions of the organization set forth in Sub-paragraphs 15.1.1, 15.1.2, 15.1.3, 15.1.4, 15.1.5, 15.1.7, 15.1.8, 15.1.9, 15.1.10, 15.1.11, 15.1.13, 15.1.14 of this Law shall be organized in accordance with the Law on Medical care and services.

*/This paragraph was modified according to the law as of April 22, 2016/*

16.2.The family health center shall be a registered private health care organization on a voluntary basis with the main function of providing family health care and services provided by the Government to the population of cities and towns.

*/This paragraph was amended according to the law as of April 22, 2016/*

~~16.3.The model rules of the family health center shall be approved by the Cabinet member in charge of health issues.~~

*/This paragraph was invalidated according to the law as of April 22, 2016/*

16.4.Soum and village health center shall be a locally owned legal entity providing primary health care services to the rural population in the form of outpatient and inpatient treatment and depending on the location, population concentration, illness and injury situation, there shall be emergency care, service and bagh doctor departments.

*/The numbering of this paragraph was amended and modified according to the law as of April 22, 2016/*

*/This paragraph was modified according to the law as of May 15, 2020/*

~~16.5.The ranking of soum health centers, the scope of service of some soum health centers that shall provide care and services to the population of other soum, and the establishment and reorganization of soum doctor branches shall be decided by the Cabinet member in charge of health issues.~~

*/This paragraph was invalidated according to the law as of April 22, 2016/*

~~16.6.The relief and care center is an institution that provides relief care and services to patients in the terminal stages of cancer and other diseases.~~

*/This paragraph was invalidated according to the law as of April 22, 2016/*

16.7.The clinic shall be an organization that provides specialized medical care and services in the form of outpatient or day treatment, or in the form of outpatient or inpatient treatment, based on basic or specialized specialization.

*/The numbering of this paragraph was amended and modified according to the law as of April 22, 2016/*

*/This paragraph was modified according to the law as of May 15, 2020/*

16.8.A midwifery center shall be an organization that provides midwifery care and services to the population.

*/The numbering of this paragraph was amended and modified according to the law as of April 22, 2016/*



16.9.The Community health center shall implement the state policies and laws on public health and organize activities to create an environment to support health at the aimag and district levels.

*/The numbering of this paragraph was amended according to the law as of April 22, 2016/*

16.10.The general hospital shall be an organization that provides primary health care and referral care and services in not less than five basic health specialties in soum with a resident population of at least 10 thousand, and referral care and services in the form of outpatient and inpatient care in aimag centers and districts in not less than seven basic specialties. General hospitals operating in aimag centers and districts may additionally provide essential referral care and services in some specialized specialties based on the health needs of the population.

*/The numbering of this paragraph was amended and modified according to the law as of April 22, 2016/*

*/This paragraph was modified according to the law as of May 15, 2020/*

16.11.The nursing home shall be an institution that provides rehabilitation and traditional medical care and services in the form of inpatient treatment using springs and deposits of other natural factors the quality and resources of which have been determined.

*/The numbering of this paragraph was amended and modified according to the law as of April 22, 2016/*

16.12.An ambulance center shall be an organization that provides emergency services.

*/The numbering of this paragraph was amended and modified according to the law as of April 22, 2016/*

16.13.The rehabilitation center shall be an organization that provides rehabilitation care and services in the form of outpatient service and inpatient treatment to patients sent from households, soum, village health centers and other hospitals.

*/The numbering of this paragraph was amended and modified according to the law as of April 22, 2016/*

16.14.The special hospital shall be an institution that provides primary and referral medical care and services to employees of the defense and law enforcement agencies, convicts serving sentences, and citizens who have been investigated and temporarily detained in connection with crimes.

*/The numbering of this paragraph was amended and modified according to the law as of April 22, 2016/*

16.15.The specialized center shall provide consultation care and services on an outpatient basis in one of the main or specialized specialties, conduct training, research, and academic work, and shall provide other health care organizations with expertise and methods.

*/This paragraph was modified and modified according to the law as of April 22, 2016/*

16.16.Hospital of various specializations shall be an organization with the functions of providing specialized care and services of the medical reference hierarchy in the form of outpatient and inpatient treatment, conducting training, research and academic work, and providing other health care organizations with expertise and methods.

*/This paragraph was added according to the law as of April 22, 2016/*

*/This paragraph was modified according to the law as of May 15, 2020/*

16.17.The nursing center shall provide care and services for inpatient treatment of elderly, chronically ill and disabled citizens who require constant care.

*/This paragraph was added according to the law as of April 22, 2016/*

16.18.Health care and service providers shall provide health care and services to students and pupils regardless of their nationality.

*/This paragraph was added according to the law as of May 18, 2017/*

16.19.The General hospital of traditional medicine shall provide basic and specialized specialty care and services of Mongolian traditional medicine.

*/This paragraph was added according to the law as of May 15, 2020/*

16.20.Assistance and services related to the functions set forth in Paragraph 16.10 of this Law may be provided jointly by several legal entities from one point.

*/This paragraph was added according to the law as of May 15, 2020/*

**Article 17.Management and organization of state and local owned specialized hospitals and general hospitals**

17.1.Relations with the property of state and local specialized hospitals and general hospitals shall be governed by the Law on State and local ownership, and relations with management, organization, financing, and human resources by this Law and the Law on

**Medical care and services.**

17.2.The Government shall issue a decision to establish, reorganize, and liquidate state and local owned specialized hospitals and general hospitals.

17.3.Relationships related to the establishment of private hospitals and special hospitals shall be regulated by other relevant laws and regulations.

17.4.Except for state and local owned specialized hospitals and general hospitals in soum set forth in Paragraph 16.10 of this Law, management of general hospitals shall be carried out by the hospital's board of directors and executive management appointed by it.

*/This paragraph was modified according to the law as of May 15, 2020/*

17.5.The management of locally owned organizations set forth in Sub-paragraphs 15.1.2, 15.1.3, 15.1.4, 15.1.5, 15.1.6, 15.1.8, 15.1.9, 15.1.10, and 15.1.14 of this Law shall be appointed and dismissed according to Sub-paragraph 11.1.9 and Paragraph 12.2 of this Law.

17.6.The issue of appointment and dismissal of management of organizations other than those set forth in Paragraphs 17.4 and 17.5 of this Law shall be regulated by relevant other laws.

17.7.The board of directors of state and local owned specialized hospitals and general hospitals shall have three members representing the owner, three members representing the community of the hospital, and three members representing the public.

17.8.Members who meet the criteria set forth in Paragraph 15.1 of the Law on Medical care and services shall be nominated as members of the board of directors of state-owned hospitals as follows:

17.8.1.by nominating three members representing the owner of the hospital, one person each from the state central administrative organization in charge of health, financial and budgetary issues, and the state administrative organization in charge of health insurance;

17.8.2.by nominating three members representing the hospital community, one person from each of the representatives of doctors, nurses, special specialists, and employees other than medical specialists, from a meeting attended by the usual majority of representatives of the community;

17.8.3.three members representing the public by selecting one person each from an organization that protects the rights and legal interests of the majority of the insured, a non-Governmental organization operating in the field of health, and a representative of the health professional association, association, and professional branch council.

*/This paragraph was added according to the law as of April 22, 2016/*

17.9.Members who meet the criteria set forth in Paragraph 15.1 of the Law on Medical care and services shall be nominated as members of the Board of Directors of a locally owned hospital as follows:

17.9.1.by nominating three members to represent the owner of the hospital, one person each from the Governor's Office of the Aimag and district, the Department of Health of the Aimag and the capital city, and the health insurance unit of the Aimag and district;

17.9.2.by nominating three members representing the hospital community in accordance with Sub-paragraph 17.8.2 of this Law from a meeting attended by the usual majority of the community;

17.9.3.by selecting three members representing the public in accordance with Sub-paragraph 17.8.3 of this Law.

*/This paragraph was added according to the law as of April 22, 2016/*

17.10.The Board of Directors shall have the following rights:

17.10.1.to approve medical development policies and plans in accordance with the Government's health policies and plans;

17.10.2.to approve the human resources development plan of the hospital in accordance with the policies and plans of the health sector;

17.10.3.to discuss the hospital budget for the current year and approve the budget allocation;

17.10.4.to establish hospital organizational structure, maximum number of employees, salary fund in accordance with budget limits;

17.10.5.to appoint and release the director of the hospital according to the relevant procedures;

17.10.6.to approve the procedure for selecting the deputy director of the hospital and management of the organizational unit;

17.10.7.to approve the hospital's annual and mid-term investment plan;

~~17.10.9.to discuss the concession and other public and private sector partnership projects to be implemented in the hospital and make suggestions and conclusions;~~

*/This sub-paragraph was invalidated according to the law as of December 9, 2022 and it shall be enforced on December 31, 2023/*

17.10.9.to make assessments and conclusions on the quality and accessibility of medical care and services;

17.10.10.to discuss the report of the hospital's operation and make a conclusion;

17.10.11.to review the contract with the director of the hospital;

17.10.12.to discuss financial, budget performance and audit reports of the hospital;

17.10.13.to discuss the spending of donations and aid given by enterprises, organizations, and citizens, and monitor their implementation;

17.10.14.if deemed necessary, to have an external assessment of the hospital's operation and performance by a professional organization or expert;

17.10.15.other powers stipulated by law.

*/This paragraph was added according to the law as of April 22, 2016/*

17.11.The Board of Directors shall have the following duties:

17.11.1.to support the implementation of organizational development and human resource development plans;

17.11.2.to support and monitor the implementation of the hospital's annual and mid-term investment plans;

17.11.3.to monitor the budget expenditure of the hospital for the current year;

17.11.4.to select and appoint the director of the hospital in accordance with the relevant procedures, release him, or dissolve him if he fails to release him;

~~17.11.5.to monitor the implementation of the concession and public-private partnership projects implemented in the hospital;~~

*/This sub-paragraph was invalidated according to the law as of December 9, 2022 and it shall be enforced on December 31, 2023/*

17.11.6.to impose responsibility in accordance with laws and regulations on matters related to the implementation of the hospital director's contract;

17.11.7.to resolve the issue of compensation for damages caused to the hospital due to illegal actions or omissions of the hospital director in accordance with the relevant legislation;

17.11.8.to publicly report on the activities of the board of directors;

17.11.9.other obligations stipulated by law.

*/This paragraph was added according to the law as of April 22, 2016/*

*/This article was modified according to the law as of April 22, 2016/*

#### Article 18.Registration of health care organizations in the state registry

18.1.Health care organizations shall be registered in the state registry in accordance with the procedure set forth in the Law on State registration of legal entities.

18.2.The health care organization shall be considered to be established from the date of its registration in the state registry.

*/This Article 18 was modified according to the law as of January 29, 2015/*

#### Article 19.Issuance, extension, and cancellation of a permit for activities in the field of health

*/The heading of this article was amended according to the law as of April 22, 2016/*

19.1.Any type of health care facility with a description of the need to operate in the field of health, with appropriate buildings, equipment, equipment, and human resources, shall be granted a permit to operate in the field of health (hereinafter referred to as "permit").

*/This paragraph was modified according to the law as of April 22, 2016/*

19.2.The state central administrative organization in charge of health shall grant a permit to health care organizations to provide care and services at the national level and foreign-invested health care organizations, a permit set forth in the Law on Medicines and medical devices shall be granted by the state administrative bodies in charge of the control and regulation of medicines and medical

devices, and other health care organizations shall obtain a permit from the health department of the Aimag and capital city/hereinafter referred to as "competent authority to grant permit"/.

*/This paragraph was modified according to the law as of April 22, 2016/*

*/This paragraph was modified according to the law as of April 22, 2022/*

19.3.A permit to engage in activities in the field of health shall be granted in the following areas:

19.3.1.to provide medical care and services;

19.3.2.to produce, import, export and supply of human medicines and medical equipment;

*/This sub-paragraph was amended according to the law as of January 06, 2023/*

19.3.3.to produce, import, export and supply of narcotic and psychoactive drugs, medicinal substances, precursors and medicines;

19.3.4.to produce, import, export and supply of biologically active products;

19.3.5.to sale of medicines, medical equipment, narcotics and psychoactive drugs;

19.3.6.to produce, import, supply, and maintenance of medical instruments, equipment, accessories, prostheses;

~~19.3.7.import, production and supply of household insecticides and rodenticides, sterilization and disinfection agents;~~

*/This sub-paragraph was invalidated according to the law as of June 17, 2022/*

19.3.8.sale and service of household insect and rodent extermination, sterilization and disinfection agents.

*/This paragraph was added according to the law as of April 22, 2016/*

19.4.Based on the health demands and needs of the population, the priority direction for issuing permits shall be determined by the state central administrative organization in charge of health issues for a period of three years.

*/This paragraph was modified according to the law as of April 22, 2016/*

19.5.The organization applying for a permit shall obtain a description of needs from the authorized organization for granting a permit in the following cases, within the framework of the priorities set forth in Paragraph 19.4 of this Law:

19.5.1.to start new activities in the field of health;

19.5.2.to purchase and repair expensive medical equipment;

19.5.3.to increase the current capacity of the health care organization by 30 percent or more;

19.5.4.to construct, expand, and renovate the buildings for the purpose of health care organizations.

*/This paragraph was added according to the law as of April 22, 2016/*

19.6.The organization applying for a permit shall submit its request for a need assessment to the authorized organization for granting a permit together with the project of professional activities, and the project shall include the type of organization and assistance and services, the planned location, the area planning of buildings and structures, the composition of human resources, and technical and technological forces. powers and investment sources shall be included.

*/This paragraph was modified according to the law as of April 22, 2016/*

19.7.Needs assessment shall be carried out by professional associations and associations selected by the competent licensing authority.

*/This paragraph was modified according to the law as of April 22, 2016/*

19.8.The authorized organization for granting a permit shall issue a reference of needs based on the conclusion made by the organization set forth in Paragraph 19.7 of this Law within 10 working days from the date of receipt of a request for a permit.

*/This paragraph was added according to the law as of April 22, 2016/*

*/This paragraph was amended according to the law as of January 06, 2023/*

19.9.The organization applying for a permit shall develop a construction plan based on the definition of needs and have it reviewed and approved by the competent authority in accordance with the relevant laws and regulations.

*/This paragraph was added according to the law as of April 22, 2016/*

19.10.In order to obtain a permit, in addition to set forth in the Clause 3, Paragraph 5.1, of the Law on Permits, the following documents must be prepared:

*/This paragraph was amended according to the law as of June 17, 2022/*

19.10.1. founder's decision;

19.10.2. description of the needs issued by the authority to grant permits;

*/This sub-paragraph was modified according to the law as of April 22, 2016/*

19.10.3. project of professional activity set forth in Paragraph 19.6 of this Law;

*/This sub-paragraph was modified according to the law as of April 22, 2016/*

19.10.4. a decision made by the relevant authority on whether the building of the institution to conduct health activities was built according to the professional activity project and the approved drawing budget, and whether it can be used for its intended purpose;

*/This sub-paragraph was modified according to the law as of April 22, 2016/*

19.10.5. conclusion of the relevant authority that medical instruments and equipment meet safety requirements;

19.10.6. list of medical specialists, registration number of specialists, permission to create employment relationship.

*/The numbering of this paragraph was amended and modified according to the law as of April 22, 2016/*

19.11. The authorized organization for granting a permit shall receive the applicant's documents set forth in Paragraph 19.10 of this Law and appoint a non-full-time expert team to review the application and requirements to put forth for the documents shall be approved by the Cabinet member in charge of health issues.

*/The numbering of this paragraph was modified according to the law as of April 22, 2016/*

*/This paragraph was modified according to the law as of January 06, 2023/*

~~19.5.1. the founder shall submit the documents set forth in Paragraph 19.3 of this Law together with the application to the organization set forth in Paragraph 19.2 of this Law~~

*/This sub-paragraph was invalidated according to the law as of April 22, 2016/*

19.12. The expert team set forth in Paragraph 19.11 of this Law shall review the application as follows:

19.12.1. verify the documents prepared by the applicant;

19.12.2. to study the decision made by the relevant authority set forth in Sub-paragraph 19.10.4 of this Law on the construction performance of the organization applying for a permit;

19.12.3. to check and evaluate the implementation of the project of professional activity set forth in Sub-paragraph 19.10.3 of this Law;

19.12.4. to discuss and decide whether or not to grant a permit by the authorized organization for granting a permit.

*/This paragraph was added according to the law as of April 22, 2016/*

19.13. The organization referred to in Paragraph 19.2 of this Law shall decide whether to issue a permit within 30 days from the date of receipt of the founder's application and relevant documents.

*/The numbering of this paragraph was modified according to the law as of April 22, 2016/*

19.14. The permit shall not be issued in the following cases:

19.14.1. the documents set forth in Paragraph 19.10 of this Law have not been completed;

19.14.2. it has been established that the documents set forth in Paragraph 19.10 of this Law have been forged;

19.14.3. does not meet the conditions and requirements of the permit;

19.14.4. the decision of the organization set forth in Sub-paragraph 19.10.4 of this Law has not been issued;

19.14.5. the organization applying for a permit has been dissolved;

19.14.6. the applicant's permit to engage in the field of health has been canceled in accordance with this Law and other laws and regulations, and six months have not passed since a decision was made not to grant a permit on the basis of Sub-paragraph 19.14.2 of this Law.

*/This sub-paragraph was amended according to the law as of January 06, 2023/*

*/This paragraph was added according to the law as of April 22, 2016/*

19.15. The competent authority to issue a permit shall notify the applicant in writing of the decision on refusal to issue a permit within two working days.

*/This paragraph was added according to the law as of April 22, 2016/*

*/This paragraph was amended according to the law as of January 06, 2023/*

19.16. The holder of a permit shall make a request for the extension of the permit period to the organization that issued the permit at least 30 days before the end of the period.

*/The numbering of this paragraph was amended according to the law as of April 22, 2016/*

19.17. In addition to Paragraph 5.5 of the Law on Permits, the term of the permit shall be extended if the following conditions are met:

*/This paragraph was amended according to the law as of June 17, 2022/*

19.17.1. Conclusions of the authorized organization that carried out progress monitoring and inspection of the activities of the organization during the period of granting the permit;

*/This sub-paragraph was amended according to the law as of November 11, 2022/*

19.17.2. the inspection report set forth in Paragraph 19.25 of this Law by the authorized organization that issued the permit."

*/This sub-paragraph was amended according to the law as of April 22, 2016/*

19.18. The permit shall be granted for a period of three years if it is being granted for the first time, and five years if it is being renewed.

*/This paragraph was added according to the law as of April 22, 2016/*

19.19. Licensing authorities shall adhere to the period set forth in Paragraph 5.5 of the Law on Permits for the extension and rejection of the permit for the operation of health care organizations and for the verification of applications.

*/This paragraph was added according to the law as of April 22, 2016/*

*/This paragraph was modified according to the law as of January 06, 2023/*

19.20. In addition to Paragraph 6.2 of the Law on Permits, permits shall be revoked by the organization set forth in Paragraph 19.2 of this Law on the following grounds:

*/This paragraph was amended according to the law as of April 22, 2016/*

*/This paragraph was amended according to the law as of June 17, 2022/*

19.20.1. the permit has not been extended on time;

*/This sub-paragraph was amended according to the law as of January 06, 2023/*

~~19.20.2. did not start operating within six months after obtaining a permit.~~

*/This paragraph was invalidated according to the law as of January 06, 2023/*

19.20.3. the health care organization is not registered in the state registry of legal entities in accordance with relevant regulations;

*/This sub-paragraph was added according to the law as of April 22, 2016/*

19.20.4. the competent authority has concluded that the building and equipment of the health care organization do not meet the requirements for operation;

*/This sub-paragraph was added according to the law as of April 22, 2016/*

19.20.5. it is not possible to provide health care and services set forth in the permit due to the lack of professional human resources;

*/This sub-paragraph was added according to the law as of April 22, 2016/*

19.20.6. it was concluded by the competent authority that there is a risk of health care, service quality and safety;

*/This sub-paragraph was added according to the law as of April 22, 2016/*

19.20.7. the holder of the permit engaged in health care and services other than the approved activities and types;

*/This sub-paragraph was added according to the law as of April 22, 2016/*

19.20.8. other grounds provided by law.

*/This sub-paragraph was added according to the law as of April 22, 2016/*

*/The numbering of this paragraph was amended according to the law as of April 22, 2016/*

19.21. Prior to revoking the permit, the licensing authority shall notify in advance of the elimination of the conditions set forth in Sub-paragraphs 19.20.3, 19.20.4, 19.20.5, 19.20.6, and 19.20.7 of this Law, and shall be temporarily suspended for the period set forth in Paragraph 6.1 of the Law on Permits.

*/The numbering of this paragraph was modified according to the law as of April 22, 2016/*

*/This paragraph was amended according to the law as of June 17, 2022/*

19.22.If the decision to revoke a permit applies to some areas and types of health care and services provided, the permit to engage in that activity shall be partially revoked.

*/This paragraph was added according to the law as of April 22, 2016/*

19.23.The permit shall be reissued if the conditions set forth in Sub-paragraph 19.20.3, 19.20.4, 19.20.5, 19.20.6, and 19.20.7 of this Law are completely disappeared.

*/This paragraph was added according to the law as of April 22, 2016/*

19.24.The decision on the cancellation or suspension of the permit for the operation of the health care organization by the competent authority set forth in Paragraph 19.2 of this Law shall be notified to the permit holder and the tax authority within two working days after the decision, and the decision shall be made public.

*/This paragraph was added according to the law as of April 22, 2016/*

*/This paragraph was amended according to the law as of January 6, 2023/*

19.25.In addition to Sub-paragraph 1.2, Paragraph 3.2 of the Law on Permits, the competent authority for granting a permit shall supervise the following areas:

*/This paragraph was amended according to the law as of June 17, 2022/*

19.25.1.to monitor and evaluate the implementation of the project set forth in Sub-paragraph 19.10.3 of this Law aimed at satisfying operational standards and permit requirements;

19.25.2.to extend the period of permit and supervise according to citizens' complaints and suggestions.

*/This paragraph was added according to the law as of April 22, 2016/*

19.26.The integrated database of licensed health care organization shall be a reference for information on health care organizations at the national level, and each health care organization shall have a permit number.

*/This paragraph was added according to the law as of April 22, 2016/*

19.27.The database of permits of health care organizations shall contain the information set forth in Sub-paragraph 3, Paragraph 5.3 of the Law on Permits and shall be updated at least twice a year.

*/This paragraph was added according to the law as of April 22, 2016/*

*/This paragraph was amended according to the law as of June 17, 2022/*

19.28.The Cabinet member in charge of health issues shall approve the procedure for maintaining, updating and use of the integrated database of permits of health care organizations.

*/This paragraph was added according to the law as of April 22, 2016/*

19.29.Assessment of needs, evaluation of professional activity projects, determination of needs, granting, extension, suspension, restoration, cancellation of permits, working procedures of the permit commission, selection and employment of non-full-time experts shall be approved by the Cabinet member in charge of health issues, and the definition of needs and the amount of service fees related to the granting of permits, and the standards of related costs shall be jointly approved by the members of the Cabinet members in charge of finance, budget and health issues.

*/This paragraph was added according to the law as of April 22, 2016/*

## **Article 20.Rights and obligations of health care organizations**

20.1.The health care organization shall have the following rights:

20.1.1.to submit issues related to the health of the population to higher professional organizations or local self-governing and local administrative organizations;

20.1.2.to provide professional advice and instructions to enterprises, organizations, families and individuals;

20.1.3.to make demands on Government and non-Government organizations and citizens on specific issues of the profession;

20.1.4.to refuse to provide the assistance and services in case of being required to act contrary to the goals, rights and duties of the organization;

20.1.5.to reimburse the unexpected expenses incurred by the health care organization due to accidents and poisoning caused by the wrongful actions of citizens or organizations by the guilty party;

20.1.6.to issue requirements and warnings to citizens and legal entities in the field of preventing the spread of infectious diseases and eliminating the causes;

*/This sub-paragraph was added according to the law as of April 29, 2020/*

20.1.7.other rights provided by the legislation.

*/The numbering of this sub-paragraph was amended according to the law as of April 29, 2020/*

20.2.The health care organization shall undertake the following obligations:

20.2.1.to comply with laws and regulations on health, decisions of higher professional organizations, local self-governing and local administrative organizations, and requirements of state inspectors;

20.2.2.buildings, diagnostic and treatment tools, equipment and other related technical equipment shall meet hygiene and standard requirements, to be suitable for the work characteristics of medical workers, and have safety conditions;

20.2.3.to meet the requirements of quality standards in their activities;

20.2.4.to publicize laws and regulations on health;

20.2.5.to cooperate with other organizations to provide health education to individuals, families, and communities, and to create an environment that promotes health among the population;

20.2.6.to submit reports and news on their activities on time, to provide other organizations and citizens with information related to their activities on health issues;

20.2.7.to support medical specialists in improving their knowledge and skills, and to take and implement measures to ensure social security of employees;

20.2.8.other obligations stipulated by law.

#### **Article 21.Regulations of health care organizations**

21.1.Health care organization shall have a rule.

21.2.The Cabinet member in charge of health issues shall approve the rules of state-owned health care organizations, Aimag and capital city health departments.

21.3.The rule of the health care organization shall include the followings:

21.3.1.the main goals and functions of the organization;

21.3.2.the management team and its powers;

21.3.3.source of financing;

21.3.4.capital expenditure.

#### **Article 22.Accreditation of activities of health care organizations**

22.1.Health care organizations shall voluntarily assess the operation of their organization and the technology and quality of care and services provided to the population and obtain accreditation.

22.2.The accreditation of the health care organization shall be granted by the state central administrative organization in charge of health care.

*/This paragraph was amended according to the law as of August 17, 2012/*

22.3.The accreditation organization set forth in Paragraph 22.2 of this Law shall evaluate the structure and operation of the health care organization, the technology and quality of medical care and services by non-full-time experts and make a conclusion.

22.4.Procedures for accreditation of health care organizations, selection and employment of experts, and evaluation criteria shall be approved by the Cabinet member in charge of health issues, and the amount of service fees and relevant expenditure standards shall be jointly approved by the Cabinet members in charge of finance, budget and health issues.

*/This paragraph was modified according to the law as of April 22, 2016/*

### **CHAPTER FIVE**

#### **HEALTH FINANCING SYSTEM**

#### **Article 23.Financing system of health**



23.1. The health financing system shall be aimed at improving the health of the population, providing equal, accessible and qualified health care and services to the population, and increasing efficiency.

**Article 24. Financing of health care and services**

24.1. Financing of health care and services shall comprise the state budget, health insurance, special funds of the Government, donations of enterprises, organizations, communities and citizens, and income from paid care and services of health care organizations and other operations, and other sources not prohibited by the legislation.

*/This paragraph was amended according to the law as of January 29, 2015/*

*/This paragraph was modified according to the law as of April 22, 2016/*

24.2. The Cabinet members in charge of health and financial and budgetary issues shall jointly approve the procedures for health care and service package, quantity, quality criteria index, payment amount, financing and monitoring procedures set forth in sub-paragraphs 24.6.3 and 24.6.4 of this Law in accordance with relevant legislation.

*/This paragraph was modified according to the law as of August 28, 2020/*

24.3. The Cabinet member in charge of health issues shall approve the procedure and list of paid care and services provided by state-owned health care organizations and the Cabinet members in charge of finance and health issues shall jointly approve their standard amount of fees.

24.4. The health care organization shall collect the payment from the citizen for the care and services provided to that citizen, who does not have health insurance, except for the care and services set forth in Sub-paragraph 24.6.10 of this Law.

*/This paragraph was amended according to the law as of August 28, 2020/*

24.5. The state-owned health care organization shall provide additional and paid care and services in accordance with the legislation, and use the income earned to improve the working conditions of health workers, ensure social security, purchase, repair, and service equipment, medicine, and medical equipment, and the model procedure shall be jointly approved by the Cabinet members in charge of finance and health issues.

24.6. The state shall be responsible for the following payments for health care and services for citizens of Mongolia:

*/This paragraph was amended according to the law as of August 28, 2020/*

24.6.1. costs of obstetric care and services related to pregnancy, childbirth, and the postpartum period;

*/This paragraph was modified according to the law as of April 22, 2016/*

24.6.2. certain medical care and services provided to children by state-owned health care organizations;

*/This sub-paragraph was amended according to the law as of April 22, 2016/*

24.6.3. Epidemiological services, mandatory and epidemiological immunization, disinfection and disinfection of infectious disease centers;

24.6.4. health care and services during public health activities and measures and disasters and public outbreaks of infectious diseases;

*/This sub-paragraph was modified according to the law as of January 29, 2015/*

*/This sub-paragraph was amended according to the law as of April 22, 2016/*

*/This sub-paragraph was amended according to the law as of August 28, 2020/*

24.6.5. treatment of an injured or sick person who went to save a person's life in an unavoidable situation;

24.6.6. certain treatments for tuberculosis, cancer, mental disorders;

*/This sub-paragraph was modified according to the law as of January 29, 2015/*

24.6.7. the cost of certain drugs for diseases and palliative treatment that require long-term compensatory treatment;

24.6.8. medical and mental rehabilitation assistance and services for victims of physical and sexual violence and exploitation;

*/This sub-paragraph was added according to the law as of January 19, 2012/*

*/This sub-paragraph was amended according to the law as of April 22, 2016/*

~~24.6.9. Medical expenses for children with disabilities up to the age of 16;~~

*/This sub-paragraph was added according to the law as of February 07, 2013/*

*/This sub-paragraph was invalidated according to the law as of April 22, 2016/*

24.6.10.emergency and emergency medical care, diagnosis and treatment of infectious diseases, some assistance and services provided at the level of households, soum, and villages.

*/This sub-paragraph was added according to the law as of August 28, 2020/*

24.7.The procedure for choosing the health care and service package, payment amount and health insurance contract set forth in Paragraph 9.1 of the Law on Health insurance shall be based on the proposal of the state central administrative organizations in charge of social insurance and health issues, as stipulated in the Law on Health insurance to be approved by the National Health insurance board.

*/This paragraph was modified according to the law as of January 29, 2015/*

*/This paragraph was amended according to the law as of April 22, 2016/*

## CHAPTER SIX

### RIGHTS, DUTIES AND SOCIAL GUARANTEE OF HEALTH WORKERS

Article 25.A permit to engage in professional activities of a medical specialist, post-graduate training and degree of qualification

*/The heading of this article was modified according to the law as of April 22, 2016/*

25.1.Medical care and services shall be provided by a medical specialist with a permit to engage in professional activities, and care and services shall be provided only in the type for which the permit was granted.

*/This paragraph was modified according to the law as of April 22, 2016/*

25.2.The permit to engage in the professional activity of a medical specialist shall have types of treatment, medication, nursing, midwifery, and rehabilitation.

*/This paragraph was amended according to the law as of April 22, 2016/*

25.3.A medical specialist who has graduated from a university or college licensed to provide medical education and has passed the professional activity examination shall be granted a professional activity permit for the following period of time by the Cabinet member in charge of health issues:

25.3.1.permit to engage in treatment activities for a resident doctor for a period of three years;

*/This sub-paragraph was modified according to the law as of April 22, 2016/*

*/This paragraph was amended according to the law as of January 6, 2023/*

25.3.2.five-year permit to practice medical treatment for a qualified doctor who has completed basic specialization training;

*/This sub-paragraph was modified according to the law as of April 22, 2016/*

25.3.3.permit to practice medical treatment for a junior doctor for a period of five years;

*/This sub-paragraph was added according to the law as of April 22, 2016/*

25.3.4.a permit for pharmacists and pharmacists to carry out drug compounding activities for a period of 5 years;

*/The numbering of this sub-paragraph was amended according to the law as of April 22, 2016/*

25.3.5.a permit for nurses to engage in nursing activities for a period of 5 years;

*/The numbering of this sub-paragraph was amended according to the law as of April 22, 2016/*

25.3.6.a permit for midwives to practice midwifery for a period of 5 years;

*/The numbering of this sub-paragraph was amended according to the law as of April 22, 2016/*

25.3.7.a permit for a rehabilitation specialist to carry out rehabilitation activities for a period of five years.

*/This sub-paragraph was added according to the law as of April 22, 2016/*

25.4.The resident doctor stipulated in sub-paragraph 25.3.1 of this Law shall work in a specialized specialty hospital and a general hospital with a permit to conduct post-graduate training by signing an employment contract during the period of basic specialty training.

*/This paragraph was modified according to the law as of April 22, 2016/*

25.5.The permit to engage in professional activities other than those set forth in Sub-paragraph 25.3.1 of this Law shall be extended for a period of five years to the medical specialist who has attended training continuously every year and worked collecting credit hours.

*/This paragraph was modified according to the law as of April 22, 2016/*

25.6.If a citizen of Mongolia who has graduated from a medical education school abroad, or a foreign citizen who has graduated from a medical education school in Mongolia, and attends training as a resident doctor in Mongolia, shall receive a permit to engage in professional activity in accordance with Paragraph 25.3 of this Law.

*/This paragraph was modified according to the law as of April 22, 2016/*

*/This paragraph was modified according to the law as of January 6, 2023/*

25.7.A Mongolian citizen who has a permit to practice treatment, nursing, midwifery, medicine, and rehabilitation issued by an authority of foreign country may be granted a permit to practice in that profession directly.

*/This paragraph was added according to the law as of April 22, 2016/*

25.8.A permit to engage in professional activities in Mongolia shall be granted to foreign medical specialists who meet the following criteria:

25.8.1.graduated from a medical education school and obtained a medical education equivalent to the Mongolian medical education degree;

25.8.2.have a valid permit to engage in professional activities in their country or equivalent documents;

25.8.3.has a valid document proving that he/ she has studied in specialized specializations and has worked in specialized specializations for five or more years;

25.8.4.have a contract or agreement to work in a health care organization in Mongolia.

*/This paragraph was added according to the law as of April 22, 2016/*

25.9.A permit to engage in professional activities in Mongolia for a period of up to two years shall be granted to foreign nationals set forth in Paragraph 25.8 of this Law in a simplified manner under the following conditions:

*/This paragraph was modified according to the law as of January 06, 2023/*

25.9.1.a permit for up to six months only once without examination of permit to engage in professional activities;

25.9.2.in case of passing the examination for a permit to engage in professional activities for a period of more than six months.

25.10.A foreign medical specialist with a permit set forth in Paragraph 25.9 of this Law shall conduct his professional activities in the territory of Mongolia in the Mongolian language and, if necessary, with translation.

25.11.Post-graduate training of a medical specialist shall have two types of specialization and continuous training, and post-graduation training shall include basic and specialized training.

25.12.The state central administrative organization in charge of health issues shall undertake management of the activity related to the permit to engage in the professional activity of a medical specialist and post-graduation training.

25.13.The state organization authorized by the state central administrative organization in charge of health issues shall organize the activity of issuing, extending, compensating, revoking the permit to engage in professional activities of medical specialists, as well as awarding post-graduate training and qualification degrees, and shall ensure the participation of professional associations and associations.

25.14.At the state central administrative organization in charge of health issues, a non-full-time council shall work to provide methodological support for the permission of medical specialists, the granting of professional degrees, and post-graduate training activities.

25.15.Organization and management of activities related to permission of medical specialists, provision of unified management of activities related to permission, methodical support of non-full-time council members, working procedures, organization of licensing examinations, calculation of credit hours, issuance of permit certificates, reimbursement procedures, documents to be prepared, professional activity permit certificate templates and relevant forms shall be approved by the Cabinet member in charge of health issues, and the relevant cost standards shall be jointly approved by the Cabinet members in charge of finance, budget and health.

*/This paragraph was modified according to the law as of January 06, 2023/*

25.16.The composition of non-full-time councils for methodological support in post-graduation training and qualification activities of medical specialists, working procedures, procedures for awarding, compensation and revocation of qualification degrees, organizing qualification and continuous training, selecting and granting a permit for training institutions, extension and cancellation procedures,

the model of the identity card and certificate issued to the graduates of the qualification degree and post-graduation training shall be approved by the Cabinet member in charge of health issues, and the procedure for financing the expenses of the post-graduation training from the state budget, cost standards, the criteria for awarding training scholarships, the amount of the scholarship, and the examination fees of the qualification degree and cost standards shall be jointly approved by Cabinet members in charge of finance, budget and health issues.

25.17. The unified registry database of medical specialists shall be a reference for information about medical specialists, and each medical specialist shall have as a unique number of a permit.

*/This paragraph was added according to the law as of April 22, 2016/*

*/This paragraph was amended according to the law as of January 6, 2023/*

25.18. The unified registration database of medical specialists shall contain information of the date, month, and day of registration of medical specialists, profession, qualification, post-graduation training, degree of qualification, former and current organizations, and current positions, and it shall be updated annually.

25.19. The state central administrative organization in charge of health issues shall approve the procedure for maintaining, updating and use of the integrated registry database of medical specialists.

25.20. In addition to Paragraph 6.2 of the Law on Permits, the Cabinet member in charge of health issues shall revoke the permit of a medical specialist to engage in professional activities on the following grounds:

25.20.1. in accordance with Paragraph 26.3 of this Law;

25.20.2. in accordance with a valid court decision;

25.20.3. failed to fulfill the obligation to collect credit hours during the valid period of the permit;

25.20.4. not passed or failed the permit examination;

25.20.5. has not engage in professional activities for more than two years for reasons other than those set forth by law;

25.20.6. medical specialist who attended post-graduate training with state budget funding did not fulfill his contractual obligations;

25.20.7. has not fulfilled the obligations stipulated by the law.

*/This paragraph was added according to the law as of January 06, 2023/*

25.21. In addition to Paragraph 6.2 of the Law on Permits, the authorized person set forth in Paragraph 25.20 of this Law shall revoke the permission granted to a foreign medical specialist on the following grounds:

25.21.1. premature termination of the contract at the initiative of the organization or foreign medical specialist;

25.21.2. it has been detected that institutional and foreign medical specialists have violated the Law on Health, the Law on Medicines and Medical Devices, the Law on the Legal Status of Foreign Citizens, the Law on Labor Migration and relevant other legislation by the decision of the competent authority;

25.21.3. it was detected by the decision of the relevant authority that the foreign medical specialist committed a medical specialist's ethical violation or professional error.

*/This sub-paragraph was added according to the law as of January 06, 2023/*

25.22. In case of fulfillment of the contractual obligations set forth in Sub-paragraph 25.20.6 of this Law, the permission of the medical specialist may be restored.

*/This paragraph was added according to the law as of January 06, 2023/*

**Article 26. The establishment of ethical norms of medical specialists and revocation and reissuance of the permission to engage in professional activities**

26.1. Ethical control committee of medical specialists and medicine shall work at the state central administrative organization in charge of health, ethics subcommittees at the regional and metropolitan health departments, central hospitals, special professional centers, and Sub-committee for Medical Ethical Control at the research institutes, universities, professional center. The model rules of ethics control committees and subcommittees, and ethical norms of medical and medical specialists shall be approved by the Cabinet member in charge of health issues.

26.2. In addition to the rights and obligations of citizens regarding health provided by this Law, the rights and obligations related to the ethical norms of medical specialists and medicine may be determined by the state central administrative organization in charge of health issues.

26.3. Based on the decision of the Ethics Control Committee, the Cabinet member in charge of health issues, who seriously violates the ethical standards of medical specialists, the permit to engage in professional activities of a medical specialist shall be revoked for a period of 6 months to 1 year and if it has been detected by the appropriate organization that the professional error has caused damage to human life and health, and criminal liability is not imposed, it shall be revoked for a period of 1-3 years, respectively.

26.4. The Ethical Subcommittee shall submit a proposal to the relevant authorized officials to impose punishment in accordance with the law on the medical specialist who violates the norms of medical ethics and medical specialist ethics.

26.5. A professional and ethical committee on the issue of cell, tissue, and organ transplantation shall work at the state central administrative organization in charge of health issues. The rules and composition of the committee shall be approved by the Cabinet member in charge of health issues.

*/This paragraph was added according to the law as of June 17, 2022/*

#### Article 27. Oath of the medical doctor

27.1. Every person who has graduated as a doctor from a university with a permit to provide medical education shall take an oath that "I, a doctor, shall strictly adhere the ethics of the doctor and state laws, and devote my knowledge and compassion to the life and health of precious people, I swear, swear, swear."

*/This paragraph was amended according to the law as of April 22, 2016/*

27.2. The procedure for taking the oath set forth in Paragraph 27.1 of this Law shall be approved by the Cabinet member in charge of health issues.

27.3. The medical doctor shall use stamp, who taken the oath set forth in Paragraph 27.1 of this Law.

#### Article 28. Rights and obligations of medical specialist

28.1. The medical specialist shall have the following rights:

28.1.1. to make demands and giving advice to state and non-state organizations, their management, and citizens on professional matters;

28.1.2. to mobilize vehicles owned by citizens, enterprises, and organizations in cases where emergency medical assistance is necessary, such as childbirth or sudden illness or accident;

28.1.3. to refuse treatment and service in case of demands to perform actions contrary to the rights and obligations of the medical specialist and the life of the patient;

28.1.4. to provide the working conditions necessary to exercise the mandate of the position;

28.1.5. to improve professional skills and participate in post-graduate training every 5 years at the expense of the organization;

28.1.6. other rights stipulated by law.

28.2. Certain rights related to the specialty of a medical specialist can be established by the state central administrative organization in charge of health issues.

28.3. The costs incurred in connection with the exercise of the rights set forth in Sub-paragraph 28.1.2 of this Law shall be reimbursed by the relevant medical institution at the rate of ambulance service.

28.4. The medical specialist undertakes the following duties:

28.4.1. to fulfill the ethical norms of a medical specialist, to value humanity and compassion, and not to use the profession against human health;

28.4.2. to provide medical assistance under any conditions to a citizen whose life is in danger due to a sudden illness, accident, or injury, or to a mother who is about to give birth, except as set forth in Sub-paragraph 28.1.3 of this Law;

28.4.3. to work in compliance with health laws, diagnosis, treatment, preventive work standards, technology, guidelines for providing medical care and services;

28.4.4.to conduct training and advertising in the field of health education for the population, and to support the habituation of healthy lifestyles;

28.4.5.to provide information about the patient's illness, disease, and the deceased to relevant organizations, citizens, and the family of the deceased person;

28.4.6.to improve his/ her professional skills constantly;

28.4.7.other obligations stipulated by law.

#### **Article 29.Social security of health workers**

29.1.The minimum standard of the special network of salary for health workers shall be determined by the Government, taking into account the types and characteristics of health care and services, based on the proposals of the state central administrative organization in charge of labor and the Government on the basis of proposal of the central organization of civil service.

29.2.One-time retirement for medical specialists and other health workers who have worked for 25 years or more in state-owned health and institutions in other field, 10 years or more in family, community, village health centers and special hospitals providing primary care and services cash benefits shall be calculated from the average basic salary, and the average amount of salary for calculating one-time benefits and the criteria for granting benefits shall be determined in accordance with the procedure stipulated in the Civil Service Law.

*/This paragraph was modified according to the law as of January 23, 2015/*

*/This paragraph was modified according to the law as of April 22, 2016/*

*/This paragraph was modified according to the law as of January 18, 2019/*

29.3.The organization shall include in its budget the costs required for the provision of one-time monetary benefits set forth in Paragraphs 29.2 and 29.5 of this Law.

*/This paragraph was modified according to the law as of April 22, 2016/*

29.4.Local administrative and local self-governing organizations, enterprises, and organizations shall take measures to provide incentives to medical specialists and support the improvement of social guarantee.

29.5.For medical specialists and other medical specialists working continuously in family, soum, and village health centers and special hospitals providing primary care and services, shall be given a monetary allowance equal to six months basic salary once every three years, and for medical specialists working continuously in state and local health care organizations in the Aimag, specialists and other medical specialists shall be given a monetary allowance equal to six months' basic salary once every five years by the respective organization.

*/This paragraph was modified according to the law as of April 22, 2016/*

*/This paragraph was amended according to the law as of January 18, 2019/*

29.6.Health workers shall undergo medical examinations and tests once a year free of charge.

29.7.For every 5 years of service, a health worker shall be granted 1 day of additional leave in addition to the basic and additional leave prescribed by the Labor Law.

29.8.Medical specialists who have been working for 5 or more years in Soum and village health centers, bagh doctor branches, and special hospitals providing primary care and services shall attend professional development training every 5 years at the expense of the state.

*/This paragraph was amended according to the law as of January 18, 2019/*

29.9.The Cabinet members in charge of finance, budget and health issues shall jointly approve the procedure for granting monetary benefits set forth in Paragraph 29.5 of this Law shall.

*/This paragraph was added according to the law as of April 22, 2016/*

*/This paragraph was amended according to the law as of May 15, 2020/*

#### **Article 30.Additional remuneration and compensation for health workers**

30.1.Health workers who have been mobilized in the center of an international quarantined epidemic or during a disaster shall be paid their salary increasing 3 times for the period of work within 1 month in the place where the mobilization was organized.

30.2.If a health worker dies due to infection while working in an internationally quarantined infectious disease center or while performing his duties, his family shall be given a one-time grant equal to his/ her 5-year basic salary, and in case of temporary loss of working capacity or loss of working capacity due to injury or other damage to health, the difference of the pension, benefits, and salary received shall be paid for the total period of receiving benefits for temporary loss of working capacity or loss of working capacity.

*/In this paragraph the wording as "disabled" was changed to "loss of working capacity" and the wording as "disability" was changed to "loss of working capacity" by the law dated July 7, 2023, and it shall come into force from January 1, 2024/*

30.3.Citizens mobilized in the epicenter of an infectious disease under international quarantined shall be given compensation and salary difference in the similar with health workers.

30.4.If the citizen set forth in Paragraph 30.3 of this Law does not work regularly, the salary shall be calculated at the minimum amount of employment wage applicable at that time.

30.5.Salary increments and cash incentives shall be provided to health workers in accordance with the legislation, and the Government shall approve their type, amount, and providing procedure.

## CHAPTER SEVEN

### HEALTH CARE AND SUPERVISION

#### *Article 31.Qualification and refresher training of medical specialists*

~~31.1.The state central administrative organization in charge of health issues shall coordinate with the state central administrative organization in charge of education regarding the procedures for post-graduation qualification and refresher training of medical specialists, issuing permits, extending, revoking, and granting professional degrees, and financial issues related to the amount and cost standards of service payments. shall be determined and implemented in cooperation with the central Government administration organization in charge.~~

~~31.2.Under the state central administrative organization in charge of health, a non-full-time council responsible for post-graduation qualification and refresher training of medical specialists, licensing, extension, cancellation, and granting of professional degrees may be established. approved by the land member.~~

*/This paragraph was invalidated according to the law as of April 22, 2016/*

#### *Article 32.Special rights of health care organizations*

32.1.Written permission from the pregnant mother, her husband or family member, guardian or supporter, if necessary, in cases where the fetus in the mother's womb has been found to have genetic or organ malformation, or in special circumstances where the pregnancy may pose a serious threat to the life of the mother or fetus and by the joint decision of the doctors, the pregnancy can be medically terminated.

*/This paragraph was modified according to the law as of April 22, 2016/*

32.2.Abortion shall be performed by obstetrician and gynecologist, who has a permit, in an accredited hospital with a permit set forth in Sub-paragraphs 14.2.2 and 14.2.3 of the Law on Medical Care and Services.

*/This paragraph was modified according to the law as of April 22, 2016/*

32.3.The Cabinet member in charge of health issues shall approve the procedures for abortion.

32.4.The issue of compulsory administrative treatment of some sick people who may pose a danger to the society shall be regulated by law.

#### *Article 33.Pathological screenings*

33.1.The body of the deceased shall be subjected to a pathological screenings in order to determine whether the cause of death and the correct diagnosis of the disease have been established.

33.2.The Cabinet member in charge of health issues shall approve the procedure for the screenings set forth in Paragraph 33.1 of this Law and the procedure for pathological tissue and cytological analysis of live specimens.

*/This paragraph was modified according to the law as of May 15, 2020/*

*Article 34.Obtaining, analyzing, processing, storing, transporting, transplanting, destroying, and crossing the state border of donor blood, blood products, cells, tissues, and organs for medical purposes*

34.1.Acquisition, analysis, processing, storage, transportation, transplantation, destruction, import, and export of donor blood, blood products, cells, tissues, and organs for medical purposes shall be regulated by law.

*/This article was modified according to the law of January 19, 2018/*

#### **Article 35.Prevention and control of infectious diseases**

35.1.The Cabinet member in charge of health issues shall approve the procedures for prevention of infectious diseases, prevention of spread, containment, isolation and quarantined in case of outbreaks.

35.2.Measures to prevent infectious diseases of international quarantined and natural outbreaks and reduce active outbreaks shall be carried out by local administrative bodies in cooperation with relevant organizations.

35.3.Individuals with infectious diseases and carriers of bacteria who may pose a threat to the health of others shall be isolated and treated in the hospital, and when necessary, a quarantine shall be established by isolating their contacts.

35.4.It shall be prohibited to culture, multiply, store, stockpile, transport, sell, export or import disease-causing bacteria and their toxins for laboratory or industrial purposes without the permission of the state central administrative organization in charge of health issues.

35.5.Public health measures to combat infectious diseases shall be regulated by this Law and other legislation issued in compliance with it.

35.6.In order to prevent infectious diseases, citizens of Mongolia, foreign citizens permanently or temporarily residing in the country, and stateless persons shall be subjected to immunization.

35.7.The issue of organizing immunization shall be regulated by law.

#### **Article 35<sup>1</sup>.Screening, analysis and diagnosis for early detection of cancer**

*/This article was added according to the law as of October 17, 2019/*

35<sup>1</sup>.1.Mongolian citizens shall be subjected to cancer prevention and early detection screenings, tests, and diagnoses based on their age, gender, and health risk.

35<sup>1</sup>.2.The state central administrative organization in charge of health issues shall approve and monitor the implementation of procedures for cancer prevention and early detection screenings, analysis, and diagnosis.

35<sup>1</sup>.3.The costs of cancer prevention, early detection, screenings, analysis and diagnosis set forth in paragraph 35<sup>1</sup>.1 of this Law, which are not included in the preventive and early detection screenings, tests and diagnoses set forth in Paragraph 9.4 of the Law on Health insurance, shall be financed from the state budget.

#### **Article 36.Methods used in diagnosis and treatment**

36.1.The health care organization shall conduct diagnosis, treatment, and prevention activities in a manner approved by the state central administrative organization in charge of health issues.

36.2.If a citizen is to be subjected to specific and complicated diagnosis or surgery, or to participate in medical research or experiments, a written consent shall be obtained from that citizen, or if he/ she is a child under the age of 18, or a patient who has been found legally incapable due to mental illness, from their legal representative/parent, guardian, or the sponsor/

36.3.In the event that the use of specific and complicated diagnostic methods or the delay in surgery may endanger the patient's life, the problem can be resolved directly by doctors and medical institutions.

#### **Article 37.Testing, registration and introduction of new methods of diagnosis, treatment and prevention**

37.1.The Cabinet member in charge of health issues shall approve the procedure for testing, introducing, registering, verifying and reporting new methods of diagnosis and treatment in the field of medicine.

37.2.New methods and technologies for diagnosing, treating and preventing diseases shall be used in medical practice after conducting clinical trials.

37.3.Procedures for obtaining and using human blood, blood products, biological fluids, tissues, and organs for the purpose of conducting medical experiments, research, and analysis shall be approved by the Cabinet member in charge of health issues.

37.4.Procedures for conducting research and analysis, testing, verifying, registering, reporting, and introducing assistance and services for new products and services based on biotechnology, nanotechnology, and innovative technologies for diagnostic and



therapeutic purposes shall be approved jointly by the Cabinet members in charge of health and scientific issues.

*/This paragraph was modified according to the law as of April 22, 2016/*

#### Article 38. Issuing a medical report

38.1. Doctors and medical institutions shall issue their opinions on the following issues:

38.1.1. Citizens of Mongolia, foreign citizens permanently or temporarily residing in the country, and stateless persons falling ill, suffering accidents, injuries, death, giving birth, getting artificial limbs, nursing, leg arrest, patient care;

38.1.2. partial or complete loss of working ability;

38.1.3. issue a conclusion on the autopsy of the corpse;

38.1.4. other issues related to health.

#### Article 39. Health care and services for mentally ill people

39.1. Provision of health care and services to mentally ill persons shall be regulated by law.

#### Article 39<sup>1</sup>. Health care and services for disabled children

39<sup>1</sup>.1. A child with a disability shall receive health care and services under the constant supervision of his/ her family, soum, village health center, and general hospital.

*/This paragraph was modified according to the law as of April 22, 2016/*

~~39<sup>4</sup>.2. The Cabinet member in charge of health issues shall approve the procedure for providing necessary medicines to disabled children.~~

*/This paragraph was invalidated according to the law as of April 22, 2016/*

~~39<sup>4</sup>.3. The state budget shall support the financing of measures for the provision of medicines set forth in Paragraph 39<sup>4</sup>.2 of this Law.~~

*/This paragraph was invalidated according to the law as of April 22, 2016/*

~~39<sup>4</sup>.4. A qualified pediatrician shall work in the family, soum, and district health centers.~~

*/This paragraph was invalidated according to the law as of April 22, 2016/*

~~39<sup>4</sup>.5. The doctor set forth in Paragraph 39<sup>4</sup>.4 of this Law shall go on call when necessary and provide health care and services to disabled children.~~

*/This paragraph was invalidated according to the law as of April 22, 2016/*

*/This article was added according to the law as of February 07, 2013/*

#### Article 40. Production, sale, import and supply of medical instruments, equipment, accessories and prostheses

40.1. The production, sale, import, and supply of medical instruments, equipment, accessories, and prostheses shall be carried out by a legal entity that received a permit from the state central administrative organization in charge of health issues.

*/This paragraph was amended according to the law as of August 17, 2012/*

40.2. For the production, sale, import, supply, and use of medical instruments, equipment, accessories, and prostheses, the technical and quality certification documents of the products shall be attached.

40.3. The document set forth in Paragraph 40.2 of this Law shall include the conditions for the product's material structure, quality, technical and other specifications, warranty period, repair and service, and the provision of accessories and reagents.

#### Article 41. Import, manufacture, supply, and sale of household insect and rodent extermination, sterilization, and disinfection substances

41.1. The state administrative organization in charge of pharmaceuticals shall be responsible for the registration and sale of household insecticides, rodenticides, disinfectants, and disinfectants.

*/This paragraph was amended according to the law as of August 17, 2012/*

*/This paragraph was modified according to the law as of January 06, 2023/*

41.2. The Cabinet member in charge of health issues shall approve the procedure for registering household insecticides, rodenticides, disinfectants, and disinfectants in the state registry.

41.3.Procedures of assessing needs related to activities of the registration of household insects, rodenticides, sterilization and disinfection substances, evaluating projects of professional activities and determining needs, selecting and appointing experts and experts' work shall be approved by the Cabinet members in charge of health issues, and the amount of payment for services related to issue a reference on needs, the standard of related expenses, the standard of expenses to be paid to the expert shall be jointly approved by the Cabinet members in charge of health, finance and budget issues.

*/This paragraph was added according to the law as of January 06, 2023/*

#### Article 42.Health control

*/The heading if this article was amended according to the law as of November 11, 2022/*

42.1.The functions for monitoring, analysis, inspection and evaluation of health care activities, conducting inspections on the implementation of laws and regulations on health, reporting of the results of inspections, elimination of disclosed violations and deficiencies by the guilty official, and imposing administrative liability on the person guilty of violating the laws in accordance with this Law shall be carried out by the state central administrative organization in charge of health issues, the competent authority for inspection and the department responsible for internal control of the health care organization.

*/This paragraph was amended according to the law as of November 11, 2022/*

42.2.The right of a state inspector can be granted to the heads and employees of departments responsible for internal control over the quality and safety of health care and services.

*/This paragraph was amended according to the law as of November 11, 2022/*

42.3.The Cabinet member in charge of health and professional inspection issues shall approve the official rule for internal control on health care, service quality and security.

*/This paragraph was amended according to the law as of November 11, 2022/*

42.4.A non-full-time health quality control council can be established next to the state central administrative organization in charge of health issues, and the Cabinet member in charge of health issues shall approve the charter and composition of such council.

## CHAPTER EIGHT

### RIGHTS AND OBLIGATIONS OF CITIZENS AND BUSINESS ENTITY, ORGANIZATION, PUBLIC PARTICIPATION

#### Article 43.Rights and obligations of citizens

43.1.Citizens shall have the following rights for preservation of their health:

43.1.1.to receive assistance and services from doctors and health care organizations;

43.1.2.to select and get registered by their own family doctors;

43.1.3.to obtain information about own health from a doctor or health care organizations;

43.1.4.to refuse to undergo treatment, diagnosis and screenings except for infectious diseases;

43.1.5.to submit petitions and complaints to relevant organizations about enterprises, organizations, and citizens that are operating against human health;

43.1.6.to obtain information from health care organizations and employees in order to improve health education;

43.1.7.to keep information related to your health confidential within the law.

43.2.Citizens shall have the following obligations to protect their health:

43.2.1.obtaining health education, getting used to it and creating favorable living conditions;

43.2.2.to participate in the work that is planned to protect and support the health of the population;

43.2.3.to prevent the spread of infectious diseases and follow the quarantined regime;

43.2.4.to report timely to health care organizations about diseases, poisonings, accidents, injuries, and adverse environmental factors that are dangerous to human health and society;

43.2.5.to comply with the requirements of the health care organization regarding refraining from or preventing risky behaviors that have a negative impact on human health, and stopping actions that have a negative impact on health;

43.2.6.to undergo an infectious disease screenings and diagnoses on his/ her own initiative or at the request of a doctor or medical institution;

43.2.7.to receive medical care other than emergency medical care in writing sent by the general specialist of the family, soum, village, or inter-soum health care organization;

43.2.8.not to interfere with the performance of the health worker's duties, not to attack his/ her reputation or body;

43.2.9.not to give false information with the purpose of not disrupting the normal operation of the health care organization or discrediting the reputation of the health care organization;

43.2.10.participate in cancer prevention and early detection screenings, tests, and diagnoses in the scheduled period set forth in Paragraph 35<sup>1</sup>.1 of this Law.

*/This sub-paragraph was added according to the law as of October 17, 2019/*

#### Article 44.Duties of enterprises and organizations regarding health protection and promotion

44.1.Enterprises and organizations of all types of property shall undertake the following duties for the protection and promotion of health:

44.1.1.to comply with the regulations on health, decisions of the Government, local administration and local self-governing organizations, and requirements of health care organizations and state inspectors;

*/This sub-paragraph was amended according to the law as of November 11, 2022/*

44.1.2.to organize measures to promote the health of employees of their organization, prevent diseases, and provide health education in accordance with the recommendations of the health care organization;

44.1.3.to take measures to improve working and hygienic conditions, reduce work incapacity, prevent any disease, especially poisoning, infection, accident, injury, and occupational disease, and strictly adhere to hygiene standards, norms, and procedures approved by the competent authorities to maintain;

44.1.4.enterprises and organizations engaged in production and services that may adversely affect human health shall include in their annual budgets and plans the funds required for measures to prevent and protect against such effects, and shall spend on operations to ensure hygiene, technological conditions, product quality and safety of production and services;

44.1.5.to create conditions to prevent infectious diseases, poisoning, accidents and injuries that endanger human health and society, and to carry out work and services that ensure safety;

44.1.6.to prevent employees of their own organizations from the disease and have undergone in early detection screenings, tests, and diagnoses at the scheduled time in accordance with the procedures set forth in Paragraph 8.5 of this Law;

*/This paragraph was added according to the law as of May 15, 2020/*

44.1.7.it shall be prohibited that a citizen, enterprise, or organization requires a health care organization or medical specialist to provide information about the client's health, without the consent of the client, his family, guardian, or authorized organization, and inform to public.

*/This paragraph was added according to the law as of May 15, 2020/*

#### Article 45.Participation of non-Governmental organizations in health protection and promotion

45.1.Non-Governmental organizations may carry out the following activities for the protection and promotion of health:

45.1.1.to put public monitoring of the implementation of the regulations on health, demand the elimination of detected violations, and submit the matter to the competent authorities for resolution;

45.1.2.to organize training, advertisement, and health education aimed to have involved the community and citizens at promoting and protecting health, and instilling healthy behavior, either individually or in cooperation with other organizations.

45.2.The suggestions of professional societies and associations can be taken into account when conducting the activities set forth in Sub-paragraphs 8.1.18, 8.1.22, and 12.1.2, and Paragraphs 19.1, 19.2, and 19.25 of this Law.

*/This paragraph was amended according to the law as of April 22, 2016/*

45.3.The Cabinet member in charge of health issues shall approve the procedures for execution of certain works and services in the health sector by non-Governmental organizations, common requirements and criteria for non-Governmental organizations.

*/This paragraph was added according to the law as of April 22, 2016/*

**CHAPTER NINE**

**MISCELLANEOUS**

**Article 46. Liability to be imposed on the violators of the Law**

46.1. In case that the actions by a civil servant violating this Law does not have a criminal nature, they shall be subject to liability specified in the Law on Civil Service.

46.2. Any person or legal entity violating this Law shall be subject to liability specified in the Criminal Law or the Law on Violations.

*/This article was modified according to the law as of December 04, 2015/*

**Article 47. The paragraph 25.4 of this Law shall enter into force on January 1, 2021.**

*/This article was added according to the law as of September 7, 2016/*

**THE CHAIRMAN OF THE STATE GREAT KHURAL OF MONGOLIA DEMBEREL.D**