

Decree-Law No. (7) for the year 1989
On the practice of medicine and dentistry

We Isa bin Salman Al Khalifa, Amir of the State of Bahrain.

After reviewing the Constitution,

The Amiri Order No. (4) of 1975,

And Decree-Law No. (6) of 1971 on practicing the profession of human medicine and dentistry,

And Decree-Law No. (23) of 1986 concerning private hospitals,

Based on the presentation by the Minister of Health,

and after the Council of Ministers' agreement,

We have drawn up the following law:

Article 1:

No one may give medical advice, examine a patient's or treat him, carry out an operation, carry out a delivery procedure , prescribe drugs or give anaesthesia to a patient in any way, nor examine or treat the patient's mouth, or the installation of artificial teeth in it, or prescribe medicine, and in general practice the profession of medicine or dentistry, except for those who are licensed to practice this profession under an official license issued by the Ministry of Health as set out in this law.

Article 2:

Those who wish to obtain a license to practice medicine or dentistry must submit an application after payment of the prescribed fees to the Ministry of Health, accompanied by the following documents:

A- birth certificate or an official extract thereof, or a certificate issued by the competent authority in the country to which it belongs.

B - The origin of the certificate / scientific certificates obtained or an official extract thereof.

C - Names of three supervisors / managers / whom the applicant worked with, to obtain information or certificates in relation to his professional level and basic personal qualities.

D- Proof of the passing local qualifications or personal interviews conducted by the Ministry to assess the level of the applicant technically and professionally, in accordance with the rules laid down by the Minister of Health.

E- A certificate of recommendation from the union / council / medical association in the country in which he works or belongs to him.

F- 2 x 6 cm. personal photo.

The practice of the profession shall not commence unless the official license has been obtained.

Article 3:

The documents referred to in the previous article shall be certified by the competent official authorities in the country of the applicant or any other competent authority.

Article 4:

The Minister of Health may, without derogating from the procedures referred to in the preceding articles of this law, grant exceptional licenses to practice the profession in Bahrain to doctors invited to visit Bahrain from a health facility in the country. These licenses shall be for short and specific periods. The ministry should approve the program during the visit.

Article 5:

A committee to consider applications for a license to practice the profession of medicine and dentistry shall be formed by a decision of the Minister of Health, after verifying the scientific certificates of the applicant and ensuring his professional competence, as well as examining requests for licenses to open private clinics for doctors, In accordance with the regulations and conditions prescribed in a decision issued by the Minister of Health.

Article 6 -

If the application is approved, the doctor is granted a formal license to practice the profession. The license should be registered in special records prepared by the Ministry of Health. The names of the licensed doctors and their specialties are published in the Official Gazette and in a directory of doctors licensed to practice in Bahrain.

These registration records include the following data:

- 1 - Registration number.
- 2 - Name of the doctor (first, middle & Family name), and his age and nationality.
- 3 - Educational qualifications carried by the doctor and his field of specialization.
4. The place of residence, the place of work and the address of the clinic if he is authorized to open a private clinic.
5. The number and date of the committee's decision to license him to practice the profession.

A special file in the Ministry of Health should be prepared for each doctor licensed to practice medicine and dentistry, with the following documents:

1. The application form for obtaining the license.
2. All copies of the documents referred to in Article 2 of this Law.
- 3 - certified copy of the license issued to him to practice the profession.

Any person whose application has been rejected may appeal against the decision to refuse the license before the Grand Civil Court not later than sixty days from the date of notification of the refusal decision or within 60 days from the date of being notified of the decision if not notified.

Article 7:

Anyone who has given a license to practice medicine must notify the Ministry of Health by registered mail with entitled Clinic or hospital to which he will work before he commences work, and should do so when changing the workplace or clinic.

Article 8

A private clinic may only be opened after obtaining a license from the Ministry of Health, subject to the approval of the Committee referred to in Article 5 of this Law.

It is not permitted to open a private clinic, except for those who have been licensed to practice medicine in Bahrain.

The Minister of Health may authorize companies, bodies and institutions to open private clinics to care for their employees.

Article 9

The opening of private clinics must meet the requirements and specifications necessary to achieve their objectives. The Minister of Health shall issue a decision regarding the requirements and specifications to be met in such clinics, as well as the tasks and medical instruments required for them, the fees to be performed and the documents to be submitted at the request or renewal of the license.

The clinic may be transferred from the authorized place or carry out any amendment in it, after the approval of the Ministry of Health to the request for transfer or amendment.

The request for transfer or amendment referred to shall be decided within thirty days from the date of its submission.

Article 10

Licenses to open private clinics shall be subject to the implementation of any amendments or additions which the Ministry of Health decides to introduce to the conditions and specifications to be provided in these clinics within the period specified by the Ministry.

Article 11

A decision by the Minister of Health shall be issued after the approval of the Cabinet to determine the license fees for practicing the profession. The Minister of Health shall determine, by virtue of a decision, the validity of such licenses and the conditions and procedures for their renewal.

Article 12

When the doctor leaves the country for more than a week, he must notify the Ministry of Health with a registered letter. The practice in the clinic shall be closed during his absence, unless the Ministry, at his request, requires another physician licensed to practice the profession in a private clinic during his absence.

Article 13

A physician licensed to practice the profession in a private clinic may open a second clinic with a special license from the Minister of Health, provided that he is not allowed to practice the profession in either of the two clinics in the absence of his presence there.

Article 14

No doctor may lodge patients in his clinic, however he may harbor the patient in the case of urgent emergency.

Article 15

Each doctor must keep a record of the patient's data in his / her clinic. These data include name, age, address, date of visit, diagnosis and treatment, as well as any other data specified by the Ministry.

Article 16

A doctor may not keep in his private clinic quantities of medicines for the purpose of selling to patients. He may, with exception, keep in his clinic a small quantity of drugs used to treat urgent medical cases, and may keep a small quantity of narcotic drugs such as morphine or pethidine , or sedative drugs under the control of the Ministry of Health, provided that a special record of such drugs shall be prepared, including the quantities purchased, the date of purchase, the quantities used, the date of their use, the name of the patient who gave him the drug or the restricted medicine, and his diagnosis, Without prejudice to the provisions of Decree-Law No. (4) of 1973 on the control of the circulation and use of substances and narcotic preparations, and the Legislative Decree No. (26) for the year 1975 concerning the organization of pharmacy profession and pharmaceutical centers and their amendments.

Article 17

In private clinics, it is permitted to administer the local anaesthetic for simple surgical procedures. It is not permitted to conduct Surgery requiring general or spinal anaesthetic in the clinic.

Article 18

Circumcisions may not be performed outside hospitals or health centers, except with a special permit from the Ministry of Health.

Article 19

No doctor may prescribe a drug to abort a pregnant woman or carry out an abortion unless the continuation of the pregnancy is a risk to the life of the pregnant woman, provided that the abortion is approved by three consultants licensed to practice in Bahrain, in which case the abortion or prescription of the drug for abortion must be conducted by a gynaecologist in a public hospital or any private hospital and after receiving the consent of the guardian pregnant woman.

Article 20

If the doctor suspects that a patient has an infectious disease, he must comply with the provisions of Decree Law No. (14) of 1977 regarding health precautions for the prevention of infectious diseases.

Article 21

Without prejudice to the provisions of the preceding Articles, no physician may combine the practice of the medical profession with the agencies of the pharmaceutical companies or the medical devices companies or the advertising of any for them

Article 22

The doctor may not advertise for himself in any manner of advertising that does not conform to the dignity of the profession, whether it is by publication or other means of advertising. This does not include spreading health awareness through the methods mentioned above.

Article 23

A doctor may not produce a medical report or give a medical certificate other than the truth.

Article 24

No doctor may refrain from treating a patient or give emergency care to an injured patient, unless his condition is beyond his competence or has serious reasons and considerations that justify such abstinence. In this case, he must perform what he deems necessary for first aid, and then refer him to the nearest hospital or A health center, with a brief report on the preliminary results of the examination conducted on the patient, treatment or emergency care received by the patient before referral.

Article 25

If a doctor has to stop treating a patient for any reasonable reason, he or she must give the patient a report of the information that is believed to be necessary for the continuation of his treatment by another doctor.

Article 26

A doctor may not disclose a patient's private secret that he has learned through his profession, except with the permission of the court or upon the patient's consent in writing, or if his disclosure to a relative of the family (husband, wife, father, adult children) is mandatory either because of the seriousness of the patient's medical condition or any other reasons considered by the treating physician to be sufficient to justify this disclosure, and the doctor is entitled to disclose this secret in order to prevent the occurrence of crime, and disclosure in this case is limited to the competent official authority.

If the doctor is assigned by a life insurance company to examine the company's clients, he is entitled to disclose the secret to the insurance company.

Article 27

The doctor shall not be responsible for the condition reached by the patient, if it is found that he has done the necessary care, and resort to all means that can be in such circumstances to diagnose the disease and treat the patient, but is responsible in the following cases:

A - If he commits an error that caused the injury to the patient as a result of ignorance of technical or practical matters that are supposed to be known to each physician.

B - If the patient is harmed as a result of the doctor's negligence or lack of care.

C - If the physician conducted experiments or scientific research on the patients not approved by the Ministry of Health, and resulted in that damage them.

The Committee provided for in Article 5 of this Law shall be responsible for determining the occurrence of the errors referred to.

Article 28

The Ministry of Health has the right to inspect private medical clinics at any time it deems appropriate and without prior knowledge.

The employees of the Ministry shall be doctors and specialists, who shall be delegated by the Minister of Health for this purpose, to prove the matter

Article 29

Without prejudice to any more severe penalty provided for in the Penal Code or any other law, he shall be punished by imprisonment for a period not exceeding three years and a fine not exceeding two thousand Dinars or one of these two penalties, with the closure of the clinic where the violator is engaged, Including tasks, devices, signs, etc.:

A. Anyone who practices the medical profession or runs a clinic without a license;

B. Any person who submitted incorrect data or resorted to illegal methods, which resulted in him being granted a license to practice medicine or to be register profession records without right.

C. Any person who has assumed the title of a doctor or other titles that is referred to the medical profession, without being qualified for it.

D. Any person who is not licensed to practice the profession, uses leaflets, banners, plates or any other means of publication, if this leads the public to believe that he has the right to practice the profession.

In all cases, the clinic is closed administratively until the criminal proceedings are adjudicated.

Article 30

Without prejudice to criminal or civil liability, the committee referred to in Article 5 of this Law shall be subject to disciplinary action by the licensees in the exercise of the profession, in violation of the provisions of this law or of the principles, requirements and ethics of the profession.

The disciplinary action shall be brought by a decision of the Undersecretary of the Ministry of Health. The offender shall be notified before the Committee by a recorded letter at least one week prior to the scheduled date of the Committee.

In certain special cases, an immediate summons may be filed for the offender to appear before the Commission and to investigate the offenses referred to him.

The committee may investigate the charges against the violator or assign one of its members to do so. The committee or the person assigned to the investigation upon the request of the committee or at the request of the offender, may instruct witnesses to appear. The violator may present his defence orally or in writing.

If the offender does not attend the commission despite informing him, he may be punished in his absence.

Article 31

The disciplinary penalties that may be imposed on the violator are:

- 1 - Warning.
2. Suspension for a period not exceeding one year.
- 3 - Cancellation of the license to practice the profession, and the cancellation of the name of the violator from the register of the Ministry of Health.

The signing of one of the last two penalties, will result in the closure of the private clinic licensed to the violator.

Article 32

The decisions of the Committee may be implemented only after they have become final by the Minister of Health or thirty days after the date on which the decisions have been communicated to the minister, without objection being expressed.

Article 33

A person against whom a decision has been issued in accordance with Article 32 of this Law may appeal against this decision within two weeks from the date of notification thereof to another committee formed by the Minister of Health to consider his grievance. The Committee may support or amend the decision, and its decision is considered final after minister approval.

Article 34

A person who has been issued a decision to revoke the license to practice the profession, may not apply for a new license to practice the profession, unless two years have passed from the date of issuing the said decision.

Article 35

The Minister of Health shall issue the necessary decisions for the implementation of this Law.

Article 36

Decree-Law No. (6) of 1971 regarding the practice of medicine and dentistry is repealed.

Article 37

The Ministers - each in his own capacity - shall implement this Law and shall come into force one month after the date of its publication in the Official Gazette.

Prince of the State of Bahrain

Issa bin Salman Al Khalifa

Issued at Riffa Palace:

On 6 Ramadan 1409 AH

Corresponding to 11 April 1989