

**Cabinet Resolution No. (29) of 2020**  
**Concerning the Executive Regulations of Federal Law No. (4) of 2015**  
**Concerning Private Health Facilities**

**The Cabinet:**

- Having reviewed the Constitution;
- Federal Law No. (1) of 1972 on the Competencies of Ministries and the Powers of Ministers, as amended;
- Federal Law No. (4) of 2015 Concerning Private Health Facilities; and
- In consideration of the proposal of the Minister of Health and Prevention and the approval thereof by the Cabinet,

**Hereby resolves as follows:**

**Article (1)**

**Definitions**

Definitions set out in Article (1) of the above-referenced Federal Law No. 4 of 2015 shall apply to this Resolution.

**Article (2)**

**Private Health Facility's Establishment and Operation Conditions**

1. The application for obtaining a license, whereby which the natural or legal person is permitted to establish, operate and manage a Private Health Facility, shall be submitted to the Competent Health Authority according to the relevant form approved in this regard, and accompanied by all documents and statements to be specified by the Competent Health Authority.
2. The Competent Health Authority shall examine the application referred to in Clause (1) of this Article and its annexes and shall decide whether to grant the initial approval to the applicant or not. If the applicant is granted the approval, the same shall complete the remaining licensing requirements within one year from the approval date. The Competent Health Authority may extend such time limit for

similar periods based on a written application to be submitted thereto by the license applicant.

3. The Private Health Facility shall be prohibited from providing any medical or ancillary services within the time limit referred to in Clause (2) of this Article, until it obtains the license in accordance with the provisions of this Resolution.

### **Article (3)**

1. The following requirements shall be completed for the license to be issued:
  - a. Submitting all documents that demonstrate the completion of construction work and the design's conformity with the engineering drawings and standards approved by the relevant authority, in coordination with the Competent Health Authority.
  - b. Providing the health and professional staff duly licensed in accordance with the relevant applicable legislation.
  - c. Appointing a director of the Private Health Facility in accordance with the provisions of Article (9) of this Resolution.
  - d. Submitting a statement of medical devices and equipment registered.
  - e. Submitting a certificate demonstrating that the facility has successfully passed the security, public safety and environment requirements.
  - f. Submitting a copy of the facility's approved policies and procedures on patient admission and treatment.
  - g. Submitting a copy of insurance contracts with a licensed insurance company operating in the UAE, in accordance with the relevant applicable legislation.
  - h. Submitting a copy of medical waste disposal contract.
  - i. Submitting a copy of valid commercial license issued by the relevant authority.
  - j. Payment of the fees chargeable to the Private Health Facility.
  - k. Any other conditions or requirements specified by the Competent Health Authority or the relevant authority.

2. The Competent Health Authority shall issue its resolution to grant the license after conducting an on-site inspection and examination of the facility, and verify that all conditions and requirements for obtaining the license are met, in coordination with the relevant authority.
3. The Private Health Facility may not engage in any activity or discipline only within the limits of the license granted thereto.

#### **Article (4)**

The Competent Health Authority shall determine the license term, which may not be less than one year and not exceeding three years, and shall be renewable for similar durations based on an application to be submitted thereto prior to license expiry, and according to the requirements it defines, including the requirements related to ensuring the achievement and sustainability of the international health accreditation.

#### **Article (5)**

##### **Types & Operation Areas of Private Health Facilities**

The Schedule set out in the Annex attached to this Resolution shows the types and classification of Private Health Facilities and their operation areas. This Schedule may be amended under a resolution of the Minister in coordination with the health authorities.

#### **Article (6)**

##### **Private Health Facility's Ownership and Management Controls**

The ownership of a private health facility shall be subject to the following rules, conditions, and procedures:

1. Ownership rules and conditions:
  - a. The ownership applicant shall not have a legal impediment to the same.
  - b. In the event of transfer of ownership to the heirs, there shall be no conflict between the heirs, the documents required for establishing the ownership shall be submitted within the deadline stipulated in Article (9) of Federal

Law No. (4) of 2015 referred to above and the conditions and procedures stipulated in Article (7) hereof shall be satisfied.

- c. The prohibition of ownership shall be temporary in the event of a court decision of receivership, seizure, or attachment of the facility, or in the case where the facility is mortgaged. The prohibition shall expire when the case that causes the same ends.
  - d. In the event of transfer of ownership, the documents proving such transfer issued by the competent authorities in the State shall be submitted.
  - e. A legal person may own the facility if it takes one of the forms of companies mentioned in Decree-Law No. (32) of 2021 referred to above and meets the ownership requirements contained therein.
2. Ownership procedures:

The application for ownership shall be submitted in accordance with the procedures approved by the competent authority in the Emirate in which the health facility is located and in accordance with the legislation in force in this regard.

### **Article (7)**

1. Subject to the provisions of both Federal Law No. 5 of 2019 Regulating the Practice of Medicine Profession and the domestic legislation on licensing the practice of professional activities, if the owner or a partner of the Private Health Facility dies, the ownership of or the stake in the same shall devolve upon the legal heirs within six months from the death date, based on a written application to be submitted by the heirs or their legal representative to the Competent Health Authority, and accompanied by the following:
  - a. The death certificate of the owner or partner of the Private Health Facility duly attested by the relevant authority.
  - b. Decree of Distribution that establishes the death and designates of legal heirs, to be issued and duly certified by a competent judicial authorities within or outside UAE.

- c. Power of attorney granted to the heirs' authorized signatory, duly attested by the relevant authority.
2. The Minister, Head of Competent Health Authority, or their authorized designee may extend the time limit referred to in Clause (1) of this Article for similar periods, in either of the following cases:
  - a. There is a pending legal dispute between the heirs over the ownership of the Health Facility.
  - b. For any other reason that prevent the heirs from obtaining the Decree of Distribution that establishes the death and designates the heirs.

The license shall be renewed upon its expiry until the reasons mentioned in Clause (2) of this Article cease to exist.

### **Article (8)**

Subject to the provisions of Article (7) hereof, the license granted to the Private Health Facility may not be assigned to any Third Party, unless and until a written approval is obtained from the Competent Health Authority.

### **Article (9)**

1. The Private Health Facility shall be managed by the following persons, depending on the Facility's classification:

**First: Hospital:**

- A physician duly licensed by the Competent Health Authority to practice the medicine profession in any of the specialties covered by the Health Facility's operation activities; or
- An administrative officer holding a university qualification in hospital or health care administration from a recognized university in the UAE.

**Second: Outpatient Care Facilities, Health Diagnostic Centers and Specialty Units:**

- A physician duly licensed by the Competent Health Authority to practice the medicine profession in any of the specialties covered by the Health Facility's operation activities; or

- A specialist professional holding an accredited educational qualification in the same area of the Facility's operation.

**Third: Traditional, Complementary and Alternative Medicine Centers and Ancillary Health Service Centers:**

- A specialist professional holding an accredited educational qualification in the same area of the Center's specialty.

**Fourth: Long-Term Care Homes:**

- A specialist professional holding an accredited educational qualification in the same area of the Center's specialty.
1. The Competent Health Authority may define any other requirements, expertise or qualifications to be satisfied by the person who assumes the management of the Private Health Facility.
  2. The Technical Director may manage more than one Private Health Facility, in accordance with the Controls and conditions to be established by the Competent Health Authority.

**Article (10)**

1. If the position of the Private Health Facility's Director becomes vacant, the Facility's Owner shall either appoint a substitute and notify the Competent Health Authority of the name of the substitute Director, within two weeks from the date of the position's vacancy, or temporarily close down the Facility until a new Director is appointed.
2. The Private Health Facility's Owner or his designee shall be held responsible for providing all documents and statements required by the licensing Health Authority or any other competent body.
3. The Private Health Facility's or his designee shall ensure that the Facility is committed to the medical best practices, and that all health personnel of the Facility are licensed and insured, in accordance with the legislation in force in the UAE.

## **Article (11)**

1. The Health Facility may not change or amend the area of its operation, alter its operational plans or location, unless and until after the approval of the licensing Health Authority is obtained, in accordance with the latter's applicable controls and procedure.
2. The Health Facility shall notify the licensing Health Authority of the change of its name, within the time limit to be set by the Health Authority for this purpose.

## **Article (12)**

The Health Facility may, in the event that the public health is liable to any risks, decide a precautionary closure of the Private Health Facility, in whole or in part, and suspend its operation until the underlying reasons cease to exist, so that the body concerned shall be notified of the closure decision.

## **Article (13)**

### **General Controls on Private Health Facility's Operation**

The Private Health Facility shall provide the staff necessary for operating it, as appropriate, depending on the nature and scope of its activity, in accordance with the controls determined by the licensing Health Authority in this regard.

## **Article (14)**

1. Without prejudice to the legislation in force in the UAE, Private Health Facilities shall keep the patient treatment records and files for a period proportional to the need of data and information for providing the health service in the future to the person concerned, provided that the keeping period is not less than (25) twenty-five years from the date of the last health action taken in this regard. The Health Facility shall determine the entities tasked with keeping such patient treatment records and files in the event of the Private Health Facility's closure or suspended operation.

2. All patient treatment files and records related to health services provided to persons shall be of a confidential nature, and, as such, may not be accessed by or disclosed to any Third Party, except within the limits of cases determined by the relevant legislation in the UAE.

### **Article (15)**

The Private Health Facility shall carry out maintenance of the medical devices on the scheduled dates according to the Manufacturer's instructions, and shall also carry out the following:

1. Keeping records of the medical devices available at the Facility.
2. Keeping periodic maintenance reports of medical devices.
3. Keeping contracts of medical device maintenance.
4. Conducting vital testing on all medical devices on the scheduled dates and according to the Manufacturer's instructions.

### **Article (16)**

The Private Health Facility shall give vaccinations to its health personnel on the scheduled dates, and keep a record of the vaccinations.

### **Article (17)**

The Private Health Facility shall provide necessary emergency requirements, according to the standards and requirements applicable in the UAE, and carry out periodic training on the implementation of emergency plan.

### **Article (18)**

It is not permissible to operate any Private Health Facility, in the event of malfunction of its sterilization devices or in the absence of an alternative measure that ensures the provision of sterilization services. The Facility shall abide by sterilization as well as infection control conditions and requirements established by the Competent Health Authority.



### **Article (19)**

The Private Health Facility may not permit unlicensed health personnel or visiting doctors to work therein, unless the approval of the licensing Health Authority is obtained beforehand.

### **Article (20)**

The Private Health Facility may not permit the training of unlicensed doctors, nurses, or any other person with health specialties, unless and until the conditions and controls set by the licensing Health Authority are properly satisfied.

### **Article (21)**

The Private Health Facility may take advantage of the services of Health Facilities situated outside the UAE only subject to the controls set by the licensing Health Authority.

### **Article (22)**

Neither the same-day surgery center nor the hospital may benefit from the services of doctors operating in other Health Facilities, without an official permit from the licensing Health Authority, and provided that the same-day surgery center or hospital has a consultant doctor or specialist duly licensed to practice the same specialty, and the Health Authority may establish any other conditions or controls for benefitting from the services of doctors, or add any Health Facilities other than those mentioned in this Article.

### **Article (23)**

The licensed health personnel of a Private Health Facility shall not be allowed to work at any other Health Facility in addition to their original work, without the approval of the Health Facility at which they work and after obtaining an official permit from the licensing Health Authority, in accordance with its procedures applicable in this regard.

## **Article (24)**

Health professionals licensed with the Private Health Facility shall be permitted to work at any of its subsidiaries, after notifying the licensing Health Authority, provided that the licensed specialties of the Facility are observed, and without affecting the number of health personnel assigned to the facility. In the event that the subsidiary is affiliated with any other Health Authority, a license shall be obtained from the latter.

## **Article (25)**

### **Final Provisions**

Private Health Facilities existing on the issuance date of this Resolution shall adjust their affairs conditions in the accordance with the provisions hereof, not later than one year from the date of its issuance.

## **Article (26)**

### **Implementing Resolutions**

The Minister shall issue the resolutions required to implement the provisions of this Resolution.

## **Article (27)**

### **Publication and Entry into Force**

This Resolution shall be published in the Official Gazette and shall enter into force from the day following the date of its publication.

**Mohammed bin Rashid Al Maktoum**

**Prime Minister**

Issued by us:

On: 22 Sha'ban 1441 AH

Corresponding to: 15 April 2020 AD

## Annex

### Attached to Cabinet Resolution No. (29) of 2020 on the Executive Regulations of Federal Law No. (4) of 2015 Concerning Private Health Facilities

Classification of Health Facilities	Area of Operation	Types
<b>Hospitals</b>	A Health Facility having an independent premises and providing health services to patients and customers, and the following conditions are required to be satisfied: 1. To provide different health services 24 hours a day. 2. To provide hospitalization services. 3. To provide the ancillary health services, including: Clinical laboratory, radiology, pharmacy and ambulance service to transport patients and urgent or emergency cases.	<b>General Hospital:</b> Provides a set of health services to patients and customers, including at least the following specialties: 1. General Surgery 2. Internal Medicine 3. Orthopedics 4. Obstetrics and Gynecology 5. Pediatrics 6. Urgent or emergency services
		<b>Specialty Hospital:</b> Provides specialist health services in the area of one or more medical disciplines.
		<b>Rehabilitation Hospital:</b> provides specialist health services in patient habilitation and rehabilitation, including

		the treatment of addition of different types.
<b>Outpatient Care Facilities</b>	A facility that provides health care, medical consultation and first aid services, and the patients' hospitalization therein does not exceed (24) hours, and is required to provide the sufficient number of health staff in proportion to the specialty and area of operation of the facility and as determined by the Health Authority.  These Facilities do not provide emergency services, and emergency cases therein are required to be transferred to the hospital.  Medical diagnostic services may be provided at the centers according to the conditions determined by the Health Authority.	<b>General Medicine Clinic:</b> A Health Facility at which patients are admitted and cared for by one or more general practitioners.
		<b>General Dental Clinic:</b> A Health Facility at which patients are admitted and cared for by one or more general dentists.
		<b>Specialty Clinic:</b> A Health Facility at which one or more physicians in one medical discipline are working basically and constantly.
		<b>Specialty Dental Clinic:</b> A Health Facility at which a dentist or more of specialist dentists in one medical discipline are working basically and constantly.
		<b>School Clinic</b>
		<b>KG Clinic</b>
		<b>Medical Center:</b> A multidisciplinary Health Facility providing various

		<p>diagnostic and treatment services, and at which more than one specialist doctor in several disciplines or one doctor (or more) are working together with a professional specialist an ancillary medical discipline.</p>
<p><b>External Health Care Facilities</b></p>		<p><b>Same-day Surgery Center:</b> A Health Facility at which selective (non-emergency) same-day surgeries are performed and at which the patient's hospitalization does not exceed (24) hours as determined by the health authority. These centers are required to have a room for performing surgeries, and they shall transfer patients in the event of complications during or after the surgery to a nearby hospital, under a prior agreement.</p>

		<p><b>Fertility Clinic:</b> A center at which medical assisted reproductive techniques are performed, which include all clinical and biological interventions, with the aim of helping pregnancy without normal sexual intercourse.</p>
		<p><b>Dialysis Center:</b> A specialist center operating as an independent facility for treating kidney diseases and providing dialysis services, especially Hemodialysis.</p>
		<p><b>Sleep Disorder Diagnostic and Treatment Center:</b> A Health Facility that provides specialist services in the area of sleep disorders, and at which a specialist doctor (or more) are operating, and has patient hospitalization capabilities as</p>

		determined by the health authority.
<b>Outpatient Care Facilities</b>		Remote Patient Monitoring Center
		<b>Oncology Center:</b> The Health Facility that provides diagnostic and therapeutic services for cancer patients and does not need the patient's hospitalization at the facility, and includes radiotherapy and chemotherapy services.
		<b>Gastrointestinal Endoscopy Center:</b> A Health Facility equipped to provide medical and therapeutic consultations and Gastrointestinal Endoscopy services. It is required that the service be provided by a gastroenterologist (or more), provided that the same shall basically and constantly work at which.
		<b>Psychotherapy Center:</b> A specialist Health Facility that provides various psychological treatment

		services, including ETC, which is made under general anesthesia, and these centers are required to provide qualified medical staff to assess the medical conditions and follow up on their treatment.
<b>Medical Diagnostic Centers</b>	A facility that provides diagnostic services supervised by a doctor who specializes in the same field.	<b>Medical Imaging Centers</b>
		<b>Medical Analysis Laboratories</b>
<b>Specialist Units</b>		<b>First Aid Unit:</b> A facility that provides first aid services to an injured or sick person before providing the necessary and specialist medical care.
		<b>Umbilical Cord and Stem Cell Blood Storage Center:</b> According to the legislation issued in this regard.



		<p><b>Mobile Medical Unit:</b> It is a unit that provides a set of temporary primary health services in specific locations (rural / remote / schools) where a bus / vehicle provides the necessary sources for this service, which is provided by licensed medical staff. The Mobile Medical Unit may be a single-disciplinary or multidisciplinary. The following services can be provided through this unit:</p> <ul style="list-style-type: none"> <li>- Dental treatment services.</li> <li>- Vision screening services.</li> <li>- General / specialist medical clinic services.</li> <li>- Diagnostic medical imaging services.</li> <li>- Medical laboratory services.</li> <li>- Laboratory sampling unit.</li> </ul>
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		<p>Health and ambulance services center: (ambulance and health transport services by ambulance / air ambulance / patient escort services and any other health service related to the transfer of the patient or injured person.</p>
		<p>Home Care Center: A facility that provides various health services to patients at their residence in accordance with the controls established by the health authority.</p>
<p><b>Traditional, complementary and alternative medicine centers</b></p>	<p>Traditional, complementary and alternative medicine centers provide health services based on knowledge, skills and practices based on theories, beliefs and authentic experiences stemming from the cultural heritage. They aim to preserve health and prevent physical or psychological diseases, or diagnose or treat them or to improve the conditions of</p>	<p><b>Chinese acupuncture center</b></p> <p><b>Ayurveda Center</b></p> <p><b>Chiropractic Center</b></p> <p><b>Osteopathy center</b></p> <p><b>Cupping Center</b></p> <p><b>Naturopathy Center</b></p> <p><b>Homeopathy Center</b></p>

	<p>those affected by them. The services of traditional and complementary medicine and alternative therapy are among the health services that do not fall within the scope of modern traditional medicine.</p> <p>These centers may include more than one specialty to provide traditional, complementary and alternative medicine services. These centers may also be among the independent Facilities or among other Health Facilities.</p>	<b>Traditional Chinese Medicine Center</b>
		<b>Traditional Korean Medicine Center</b>
		<b>Traditional Greek Medicine Center</b>
<b>Ancillary Health Service Centers</b>	<p>They are Health Facilities that provide health services specializing in habilitation, rehabilitation and follow-up on patient treatment under the supervision of a professional staff licensed by health authorities in the same field.</p>	<b>Physiotherapy Center</b>
		<b>Occupational Therapy Center</b>
		<b>Speech and Communication Therapy Center</b>
		<b>Audiology Center</b>
		<b>Orthotics and Prosthetics Centers</b>
		<b>Dental Lab</b>
		<b>Optical Center</b>
		<b>Psychology Center</b>

		<b>Diet and Weight Control Center</b>
		<b>Foot Treatment Center</b>
<b>Long-term Health Care Homes</b>	They provide hospitalization services for 24 hours or more to stable patients whose condition is subject to treatment for diseases, injuries, or distortions, or any abnormal physical or mental condition or insufficient self-reliance to perform daily life activities or hospitalize them for the purpose of recovery in post-medical treatment period, they are in need of constant care that does not require hospitalization. These Facilities do not provide services for emergency and intensive care to patients.	<b>Nursing Home</b>
		<b>Palliative Care Home</b>
		<b>Assisted Living Home</b>