

Cabinet Resolution No. (67) of 2020
Concerning the Executive Regulations of Federal Law No. (5) of 2019
Regulating the Practice of Human Medicine Profession

The Cabinet:

Having reviewed:

- The Constitution;
- Federal Law No. (1) of 1972 concerning the Competencies of Ministries and the Powers of Ministers, as amended;
- Federal Decree-Law No. (4) of 2016 concerning the Medical Liability;
- Federal Law No. (5) of 2019 Regulating the Practice of Human Medicine Profession;
- Cabinet Resolution No. (7) of 2007 concerning the Health Advertising Regulation;
- Cabinet Resolution No. (16) of 2012 on the National Training Regulation for Spending the Internship Year at the Health Facilities Affiliated to the Ministry of Health;
- Cabinet Resolution No. (9) of 2017 on the Training of Graduates of the Faculties of Medicine and Medical Professions other than Physicians and Pharmacists;
- Cabinet Resolution No. (20) of 2017 Approving the Unified Healthcare Professional Qualification Requirements (PQR) at the State Level, as amended; and
- Cabinet Resolution No. (40) of 2019 concerning the Executive Regulations of Federal Decree-Law No. (4) of 2016 concerning the Medical Liability;
- And based on the proposal of the Minister of Health and Prevention, and the approval thereof by the Cabinet,

Hereby resolves as follows:

Article (1)

The definitions contained in Federal Law No. (5) of 2019 referred to shall be applicable to this Resolution; otherwise, the following words and expressions shall have the meanings assigned thereto respectively, unless the context requires otherwise:

Law : Federal Law No. (5) of 2019 Regulating the Practice of Human Medicine Profession

Article (2)

In addition to the conditions to be met by the license applicant as stipulated in Article (5) of the Law, the license applicant shall fulfill the following:

1. The conditions and requirements contained in Cabinet Resolution No. (20) of 2017 referred to;
2. Obtaining a license or equivalent to practice the profession from the state(s) where he has worked before submitting the application, if he has previously practiced the profession there;
3. Submitting a Good Professional Conduct Certificate issued by the licensing authority or its equivalent in the state(s) in which he has previously practiced the profession, proving his good behavior and the absence of a judgment against him or a disciplinary decision preventing him from practicing the profession or restricting his practice thereof in accordance with what is determined by the health authority;
4. Submitting a declaration that he has never been convicted of a felony or misdemeanor involving moral turpitude or dishonesty unless he has been rehabilitated, and disclosing all lawsuits, cases or judgments that have been rendered against him or those which are still pending, if any; and
5. Disclosing all infectious diseases or any diseases, which he is afflicted with and affect the patient and his competency in practicing the profession, if any.

Article (3)

1. The health authority may reject the license application if the applicant does not fulfill the conditions stipulated in the Law or this Resolution.
2. A person whose license application is rejected or whose license is revoked or withdrawn may appeal the decision issued in this regard to the chairman of the health authority, as the case may be, within thirty days from the date of his knowledge of the decision, and the decision issued regarding the appeal shall be final.
3. The health authority shall issue the license after the prescribed fee is paid. The license shall indicate the grade of the physician, his field of specialization, the health facility where he is licensed to work, and any other data and instructions. Furthermore, the health authority shall determine the validity period of the license.
4. A physician licensed to practice the profession shall submit an application to the health authority issuing the license for renewing his license at least one month prior to its expiry date.
5. The health authority may renew the license for a period of not less than one year in accordance with the Unified Healthcare Professional Qualification Requirements (PQR) and any other requirements specified by the health authority. The license shall not be renewed unless the practitioner of the profession meets the requirements for renewal according to the grade of license and the field of specialization.

Article (4)

1. There shall be created, in the Ministry, a national register in which the data of physicians licensed to practice the profession in the State shall be recorded. This register shall be divided into:
 - a. Register of general practitioners; and
 - b. Register of specialist physicians.

2. There shall be created, in other health authorities, a special register in which the data of the physicians licensed thereby to practice the profession shall be recorded. This register shall be divided into:
 - a. Register of general practitioners; and
 - b. Register of specialist physicians.
3. The registers of physicians referred to in Clauses (1) and (2) of this Article shall include the following:
 - a. Personal identification data of the physician;
 - b. Data of the license granted to the physician;
 - c. Any other data specified by the health authority.
4. The registers referred to in Clauses (1) and (2) of this Article shall be numbered (the numbering of the enrolment in the registers).
5. Registers may be in paper or electronic form.
6. Any deletion, scraping or erasing in the register shall be prohibited except in accordance with the procedures set by the health authority.
7. The information contained in the registers shall be subject to the information protection system as determined by the health authority, as well as the provisions related to maintaining confidentiality in accordance with the legislation in force in this field.
8. Such registers shall be updated periodically, and at least once a year.

Article (5)

If a physician suffers from a disease or disability which renders him physically unfit to practice the profession in whole or in part, his license shall be revoked, or the work that he may practice depending on his physical fitness shall be determined by a decision of the chairman of the health authority, as the case may be, based on the recommendation of a committee formed by the health authority for this purpose. The members of such committee shall not be less than three consultant physicians in the relevant specialty, and the chairman of the health authority

may amend his decision based on the proposal of the committee depending on the nature of the health condition of the physician.

Article (6)

The license to practice the profession shall be revoked in the event of not practicing the profession for a period of (6) six consecutive months during the validity period of the license without an excuse acceptable to the health authority granting the license. In this case, another license shall be obtained to re-practice the profession in accordance with the conditions and controls specified in Cabinet Resolution No. (20) of 2017 referred to.

Article (7)

1. The physician shall be reinstated to practice the profession after the end of his temporary interruption from practicing, in accordance with the conditions and procedures specified by Cabinet Resolution No. (20) of 2017 referred to.
2. If a disciplinary decision is issued against the physician to suspend him from practicing the profession for a period of not less than (3) three months and not more than (1) a year due to a medical error, the health authority may re-evaluate his competence, restrict the clinical privileges granted to him, require that he shall pass a practical training course in his field of specialization or restrict his practice of the profession under supervision for a certain period, as determined by the health authority.

Article (8)

A new license may be granted to a licensee whose license has been revoked if there are no longer grounds for revocation or if he re-provides evidence proving the conditions for the license are met in accordance with the provisions of the Law and this Resolution. If the reason for the revocation of the license is the delivery of a court judgment in a felony or misdemeanor

involving moral turpitude or dishonesty, then evidence that he has been rehabilitated shall be submitted.

Article (9)

In order to practice the profession by the visiting physician, the following conditions and controls are required:

1. Conditions and controls for a visiting physician inside the State:
 - a. Having a valid license in his original workplace in the State;
 - b. Submitting a Good Professional Conduct Certificate issued by the licensing authority in the State, proving his good behavior and the absence of a judgment against him or a disciplinary decision preventing him from practicing the profession or restricting his practice;
 - c. Obtaining the approval of the authority he works for; and
 - d. Any other conditions set by the health authority in a manner that does not conflict with the provisions of the Law and this Resolution.
2. Conditions for a visiting physician coming from abroad:
 - a. Submitting a Good Professional Conduct Certificate issued by the state in which he works, proving his good behavior and the absence of a judgment against him or a disciplinary decision preventing him from practicing the profession or restricting his practice of it;
 - b. Submitting evidence of his practicing the profession in the state in which he works without interruption;
 - c. Submitting a copy of the academic qualifications and certificates; and
 - d. Any other conditions set by the health authority in a manner that does not conflict with the provisions of the Law and this Resolution.
3. The health authority may exempt the visiting physician coming from abroad from one or more of the conditions and controls mentioned in Clause (2) of this Article as it deems appropriate.

Article (10)

The resident physician shall be subject to the licensing controls mentioned in Cabinet Resolution No. (20) of 2017 referred to.

Article (11)

Any intern shall spend the internship period in the health facility authorized to do so by the health authority. Such facility shall fulfill the conditions and controls stipulated in Cabinet Resolution No. (16) of 2012 and Cabinet Resolution No. (9) of 2017 referred to, and any other resolutions issued in implementation thereof. The intern shall abide by the resolutions and regulations issued in the field of medical education, training and licensing.

Article (12)

Without prejudice to the Law and Cabinet Resolution No. (7) of 2007 referred to, the physician may announce in newspapers or other means of advertising the location of his clinic, whether at the start of work in his clinic or when changing it or in the event of his travel or return from a leave of more than one month, and the announcement shall be for a period not more than a week and in a way that does not make sense of advertising.

Article (13)

A physician shall be prohibited from practicing the profession in an unlicensed place except in the following cases:

1. Emergencies, disasters and crises;
2. Providing assistance and relief;
3. Treating family members;
4. Treatment at home, according to the legislation in force at the health authority;
5. Providing a remote health service in accordance with the legislation in force in this regard;
6. Any other case determined by the health authority.

Article (14)

Every provision that contradicts or conflicts with the provisions of this Resolution is hereby repealed.

Article (15)

The chairman of the health authority shall issue the necessary resolutions to implement the provisions of this Resolution in a manner that does not conflict with the provisions of the law.

Article (16)

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

Sheikh Mohammed bin Rashid Al Maktoum

Prime Minister

Issued by us:

On: 21 Safar 1442 AH

Corresponding to: 08 October 2020 AD