Basic Healthcare and Health Promotion Law of the PRC

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Effective: June 1, 2020

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of developing medical and health undertakings, guaranteeing citizens' access to basic medical and health services, improving the health of citizens, and promoting the construction of a Healthy China.

Article 2 — This Law shall apply to activities related to basic medical and health services and health promotion and their supervision and administration.

Article 3 — Medical and health undertakings shall adhere to the principle of public welfare. The state shall prioritize the people's health as a development strategy, integrate the concept of health into all policies, and provide citizens with comprehensive and lifecycle health services.

Article 4 — The state shall establish a basic medical and health system, establish and improve a medical and health service system, and protect citizens' rights to basic medical and health services.

Article 5 — Citizens shall have the right to obtain basic medical and health services from the state and society in accordance with the law. The state shall establish a basic medical and health security system and improve a multi-level medical security system.

Chapter II — Basic Medical and Health Services

Article 6 — The state shall provide citizens with basic public health services free of charge. The items of basic public health services shall be determined by the health administrative department under the State Council in conjunction with relevant departments.

Article 7 — The state shall implement a system of primary-level medical and health service networks, strengthen the construction of primary-level medical and health institutions, and support the development of primary-level medical and health services.

Article 8 — The state shall establish a tiered diagnosis and treatment system and a system of initial diagnosis at primary-level medical and health institutions. Patients who need referral shall be referred in accordance with regulations.

Article 9 — The state shall develop telemedicine services and promote the application of information technologies such as the Internet and big data in the medical and health field.

Chapter III — Medical and Health Institutions

Article 10 — The state shall encourage and guide social forces to establish medical and health institutions in accordance with the law. Medical and health institutions established by social forces shall enjoy equal rights with those established by the government.

Article 11 — Medical and health institutions shall adhere to the principle of serving the people wholeheartedly and shall not take profit-making as their sole objective. Medical and health institutions shall be responsible for medical quality and medical safety.

Article 12 — The state shall implement a categorized administration system for medical and health institutions, including hospitals, primary-level medical and health institutions and professional public health institutions.

Chapter IV — Medical and Health Personnel

Article 13 — Medical and health personnel shall abide by laws and regulations, observe professional ethics, respect and care for patients, and protect patients' privacy and personal information.

Article 14 — The state shall establish a training system for medical and health personnel, improve the professional quality of medical and health personnel, and strengthen the construction of general practitioner

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training.

Article 15 — The state shall strengthen the construction of the medical and health personnel contingent in primary-level medical and health institutions, and improve the remuneration and benefits of primary-level medical and health personnel.

Chapter V — Security of Drug Supply

Article 16 — The state shall implement a national essential drugs system, select an appropriate quantity of essential drugs, and guarantee their supply. The list of essential drugs shall be dynamically adjusted.

Article 17 — The state shall establish and improve a drug supply guarantee system, ensuring the supply of clinically necessary, safe, effective and reasonably priced drugs.

Chapter VI — Health Promotion

Article 18 — The state shall implement health education, popularize health knowledge, and guide citizens to develop healthy lifestyles. Citizens shall be the first persons responsible for their own health.

Article 19 — The state shall vigorously carry out patriotic health campaigns, improve public environmental sanitation, and build a healthy environment.

Article 20 — The state shall develop health management services for key populations such as maternal and child health care, elderly health care, and occupational health protection.

Chapter VII — Funds Security

Article 21 — The people's governments at all levels shall incorporate the expenditure for medical and health undertakings into the fiscal budget and gradually increase the input.

Article 22 — The state shall establish a diversified financing mechanism for medical and health services, encouraging social funds to invest in the medical and health field.

Chapter VIII — Supervision and Administration

Article 23 — The health administrative departments of the people's governments at or above the county level shall supervise and administer medical and health institutions and their practice activities.

Article 24 — The state shall establish an assessment and evaluation system for medical and health institutions, and make the assessment and evaluation results public to the society.

Chapter IX — Legal Liability

Article 25 — Where medical and health institutions violate the provisions of this Law, the health administrative department shall order correction and give a warning; where the circumstances are serious, the relevant permit shall be revoked.

Article 26 — Where medical and health personnel violate the provisions of this Law, the health administrative department shall impose penalties in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter X — Supplementary Provisions

Article 27 — This Law shall come into effect on June 1, 2020.

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