



شعبة الترجمة الرسمية  
Official Translation Department

## **Law of Practicing Healthcare Professions**

Royal Decree No. M/59  
December 6, 2005

**Translation of Saudi Laws**



**NOTE:**

The translation of Saudi laws takes the following into consideration:

- Words used in the singular form include the plural and vice versa.
- Words used in the masculine form include the feminine.
- Words used in the present tense include the present as well as the future.
- The word “person” or “persons” and their related pronouns (he, his, him, they, their, them) refer to a natural and legal person.



National Center for Archives & Records



## Law of Practicing Healthcare Professions

### Chapter 1: Licensing

#### Article 1

In this Law, the following terms shall have the meanings assigned thereto, unless the context requires otherwise:

**Healthcare Professional:** Any person licensed to practice a healthcare profession, including the following categories: physicians, dentists, pharmacists, healthcare technicians (in radiology, nursing, anesthesia, laboratories, pharmacy, optics, epidemiology, artificial limbs, physiotherapy, dental care and prosthodontics, tomography, nuclear medicine, laser equipment, and surgery), psychologists and social workers, dieticians and public health specialists, midwifery, paramedics, speech therapists and audiologists, occupational rehabilitation and therapy, mediocre physics, and other health professions to be agreed upon by the Minister of Health, the Minister of Civil Service, and the Saudi Commission for Health Specialties.

**Minister:** Minister of Health.

**Ministry:** Ministry of Health.

**Commission:** Saudi Commission for Health Specialties.

#### Article 2

- A. It is prohibited to practice any healthcare profession without a license from the Ministry.
- B. Licensing for the practice of a healthcare profession shall be subject to the following conditions:
  - 1. Obtaining the qualification required for the profession from any college of medicine, pharmacy, applied medical sciences, or health, or from a health institute, or any other qualifications required for the practice of healthcare professions recognized by the Commission, or obtaining a degree from



abroad recognized by the Commission.

2. Completing the mandatory internship period required for the profession in question and being medically fit.
  3. Registering with the Commission in accordance with its registration requirements.
  4. Not being previously convicted of an offense impinging upon honor or integrity, unless rehabilitated.
- C. Employment in healthcare professions at government agencies shall be deemed a license to practice the profession in said agencies; subject to the prior registration with the Commission.

### **Article 3**

1. The license term for practicing a healthcare profession shall be determined by the Implementing Regulations of this Law. Any person who ceases to practice for two consecutive years – for purposes other than studying or training in the profession – may resume practice only after renewal of the relevant license.
2. Rules for the recruitment, registration, and licensing of foreign visiting physicians shall be set forth in the Implementing Regulations.

### **Article 4**

Based on dictates of public interest, the Minister may restrict licensing to practice any of the professions set forth in this Law to Saudi nationals only.

## **Chapter 2: Duties of Healthcare Professionals**

### **Section 1: General Duties of Healthcare Professionals**

### **Article 5**

Healthcare professionals shall serve to the best interest of individuals and the



society within the framework of respecting the right of humans to life, safety, and dignity, and shall observe the customs and traditions prevailing in the Kingdom, and eschew exploitation.

#### **Article 6**

A healthcare professional shall cooperate with the competent authorities in performing his duties towards safeguarding and preventing hazards to public health in times of war and peace.

#### **Article 7**

- A. A healthcare professional shall improve his knowledge and keep abreast of scientific advances and new discoveries in his field. Managements of healthcare facilities shall facilitate his attendance of seminars and courses in accordance with the conditions specified by the Commission.
- B. A healthcare professional may not use methods of diagnosis and treatment that are unestablished scientifically or prohibited in the Kingdom.

#### **Article 8**

A healthcare professional who witnesses or becomes aware of a patient who is critically ill or injured shall provide all possible assistance to him or ensure that he receives the required care.

#### **Article 9**

- A. Healthcare shall always be in the interest of patients, and a healthcare professional shall exert due care to all patients.
- B. A healthcare professional may not, except in emergencies, practice beyond his specialty or capability.

#### **Article 10**

- A. A healthcare professional is prohibited from advertising or promoting himself, directly or indirectly, except in cases provided for in the Implementing



Regulations.

- B. A healthcare professional is prohibited from indicating on signs, cards, prescriptions, or advertisements, academic titles or specialties that he has not obtained in accordance with relevant rules.

### **Article 11**

A healthcare professional, upon examination of a patient suspected to have incurred a crime-related injury or to have an infectious disease, shall immediately notify the competent security and health authorities.

The Minister shall issue a decision designating diseases that must be reported, the authorities to be notified, and the procedures that must be followed in this respect.

### **Article 12**

A healthcare professional may not practice more than one healthcare profession, nor may he practice any other profession the practice of which conflicts with healthcare professions. He may not request, accept, or take a commission or reward; nor may he receive any benefit in return for promoting or strictly prescribing certain medications or equipment, or directing patients to a particular pharmacy, hospital, laboratory, or the like.

### **Article 13**

A healthcare professional may not, except in emergencies, perform an examination or treatment, for or without a fee, in pharmacies or places not designated for such purpose.

### **Article 14**

It is prohibited for a healthcare professional to:

- A. employ unlicensed healthcare professionals or provide assistance to any person illegally practicing a healthcare profession;
- B. keep medications and vaccinations in the workplace contrary to instructions



- issued by the Ministry, except for pharmaceutical facilities;
- C. sell medications to patients, except in pharmaceutical facilities, or sell medication samples under any circumstances;
- D. facilitate a patient's receipt of any undue or unlawful privilege or benefit, whether material or otherwise;
- E. accommodate patients in places not designated for such purpose, except in emergencies; and
- F. use diagnosis or treatment equipment prohibited in the Kingdom.

## **Section 2: Duties of Healthcare Professionals towards Patients**

### **Article 15**

A healthcare professional shall use due care in diagnosis, using appropriate technical means and any specialists or assistants the case may require, and provide the patient, upon his request, with reports on his condition and test results, observing accuracy and objectivity.

### **Article 16**

A healthcare professional may, in other than critical or emergency cases, decline treating patients for professional or acceptable personal reasons.

### **Article 17**

The attending healthcare professional shall, if he sees a need for a second opinion, alert the patient or his family thereof, and he shall agree to seek assistance from other healthcare professionals if so requested by the patient or his family. The healthcare professional may suggest names of healthcare professionals he deems fit for consultation.

If the attending healthcare professional decides that there is no need to consult another healthcare professional or disagrees with his opinion upon consultation, he shall have the right to discontinue treatment, with no obligation on his part to justify the same.



### **Article 18**

A healthcare professional shall, after explaining the treatment or surgery involved and the outcome thereof, alert the patient or his family to the necessity of following the instructions provided and he shall warn them of the consequences of failing to follow said instructions.

A physician may, in cases of incurable or life threatening diseases, decide, at his own discretion, whether it is appropriate to inform the patient or his family of the nature of his disease, unless prohibited to do so by the patient or if the patient designates one person or more to be exclusively informed.

### **Article 19**

No medical intervention may be performed except with the consent of the patient, or his representative or guardian, if the patient is legally incompetent. As an exception, a healthcare professional must - in cases of accidents, emergencies, or critical cases requiring immediate or urgent medical intervention to save the patient's life or an organ thereof, or to avert severe damage that might result from delay, where the timely consent of the patient, or his representative or guardian is unattainable – intervene without waiting for such consent. Under no circumstances may the life of a terminally ill patient be terminated even if so requested by the patient or his family.

### **Article 20**

A physician requested to conduct a medical examination on a deceased person may not issue a death report except after establishing the cause of death, based on his medical expertise.

The physician may not issue the report if he suspects the death is caused by a criminal act. In such case, he must immediately notify the competent authorities.

### **Article 21**

A healthcare professional shall maintain the confidentiality of information he





becomes privy to in the course of his practice and he may not disclose it except in the following cases:

a) If disclosure is for the following purposes:

1. Reporting a case of death resulting from a criminal act or preventing the commission of a crime; in which case, disclosure may only be made to the competent authorities.
2. Reporting communicable or epidemic diseases.
3. Refuting accusations pertaining to his competence or the conduct of his profession made by the patient or his family.

b) If the party concerned agrees, in writing, to the disclosure of said information or if such disclosure to the patient's family is beneficial to his treatment.

c) If so ordered by a judicial authority.

## **Article 22**

A physician may not perform abortion on a pregnant woman unless necessary for saving her life.

However, abortion may be performed if pregnancy has not completed four months and it has been conclusively established that the continuation of such pregnancy will have serious consequences on the mother's health, based on a decision by a medical committee formed in accordance with terms and conditions specified in the Implementing Regulations of this Law.

## **Article 23**

A. It is prohibited for a pharmacist to:

1. be the manager in charge of more than one pharmaceutical facility;
2. dispense any medication without a prescription issued by a physician licensed to practice in the Kingdom, excluding medications specified by the Ministry;
3. dispense medications different from those stated in the prescription



without the approval of the issuing physician. A pharmacist may, with the approval of the patient, dispense generically equivalent medications without consulting the physician, excluding medications specified by the Ministry;

4. refill prescriptions unless so stated therein, excluding medications specified by the Ministry; or
  5. dispense medication if he suspects an error in the prescription; in which case, he shall seek clarification from the prescribing physician.
- B. A pharmaceutical technician may only dispense medication under the supervision of a licensed pharmacist.

### **Section 3: Professional Courtesy**

#### **Article 24**

The relationship between healthcare professionals shall be based on cooperation and mutual trust.

It shall be prohibited for a healthcare professional to conspire against colleagues, undermine their professional or moral standing, or spread rumors against them; nor may a healthcare professional, directly or indirectly, solicit or dissuade patients treated by a colleague or co-workers working with him.

#### **Article 25**

A healthcare professional substituting a colleague in treating a patient shall not exploit the situation to his advantage and shall rise above anything that may discredit the practice of his profession.



## Chapter 3: Professional Liability

### Section 1: Civil Liability

#### Article 26

A healthcare professional governed by this Law shall exert due care in line with commonly established professional standards.

#### Article 27

Any healthcare professional who commits malpractice causing harm to a patient shall be liable for indemnification. The Sharia Medical Panel provided for in this Law shall determine the amount of such indemnification. The following shall be deemed malpractice:

1. Error in treatment or inadequate follow-up.
2. Lack of knowledge and skills that are expected of others in the same profession.
3. Performing experimental and unprecedented surgery on a person, in violation of relevant rules.
4. Conducting unapproved experiments or scientific research on patients.
5. Administering medication to patients on an experimental basis.
6. Using medical instruments or equipment without adequate knowledge of their use, or failing to take appropriate precautions to prevent damage arising from such use.
7. Failure to provide adequate monitoring or supervision.
8. Failure to consult anyone the consultation of whom is necessitated by the condition of a patient.

Any provision limiting the liability of a healthcare professional or holding him accountable shall be deemed invalid.



## **Section 2: Criminal Liability**

### **Article 28**

Without prejudice to any severer punishment provided for in other laws, a person committing any of the following shall be subject to imprisonment for a period not exceeding six months and a fine not exceeding 100,000 riyals, or either punishment:

1. Practicing healthcare without a license.
2. Providing false information or using unlawful means resulting in his obtaining a license to practice healthcare.
3. Using means of advertising that would lead the public to believe in his eligibility to practice healthcare, contrary to fact.
4. Unlawfully claiming a title usually associated with healthcare professionals.
5. Possessing instruments or equipment usually used in the practice of healthcare professions without having a license to practice such professions or a legitimate reason for such possession.
6. Unjustifiably declining to treat a patient.
7. Violating the provisions of Articles 7(b), 9, 11, 14(a) and (f), 19, 20, 22, 23, 24, and 27(3) of this Law.
8. Trading in human organs or performing human organ transplants knowing that the organ in question is obtained by means of trade.

### **Article 29**

Any person violating the provisions of Articles 10, 12, 13, and 14(b, c, d and e) of this Law, shall be subject to a fine not exceeding 50,000 riyals.

### **Article 30**

Any violation of the provisions of this Law or its Implementing Regulations for which no specific penalty is provided therein shall be punishable by a fine not exceeding 20,000 riyals.



### **Section 3: Disciplinary Liability**

#### **Article 31**

Without prejudice to provisions of criminal or civil liability, a healthcare professional who defaults in performing any duty provided for in this Law, violates relevant codes of practice, or acts contrary to professional conduct or ethics, shall be subject to disciplinary action.

#### **Article 32**

Disciplinary penalties for professional violations shall be as follows:

1. Warning.
2. A fine not exceeding 10,000 riyals.
3. Revocation of the license for the practice of healthcare and striking off the name from the registry of licensees. In case of revocation of the license, reapplication for a new license may not be filed before the lapse of two years from the date of revocation.

### **Chapter 4: Investigation and Trail**

#### **Article 33**

A. A panel called the Sharia Medical Panel shall be set up as follows:

1. A judge of a grade not lower than Grade A designated by the Minister of Justice, Chairman.
2. A legal counselor designated by the Minister.
3. A faculty member from a college of medicine designated by the Minister of Higher Education. In provinces that do not have a college of medicine, the Minister shall designate a member in lieu thereof from any healthcare facility in the province.
4. A faculty member from a college of pharmacy designated by the Minister



of Higher Education. In provinces that do not have a college of pharmacy, the Minister shall designate a member in lieu thereof from any healthcare facility in the province.

5. Two competent and experienced physicians chosen by the Minister.
6. A competent and experienced pharmacist chosen by the Minister.
- B. Participation of the two members referred to in paragraphs (4) and (6) shall be limited to cases relating to pharmacy.
- C. The competent minister shall designate a substitute member to replace an absent member.
- D. This Panel shall have a secretary designated by the Minister.
- E. The Panel may seek the assistance of one or more experts on cases under review.
- F. The seat of this Panel shall be at the Ministry of Health in Riyadh; other panels may be set up in provinces designated pursuant to a decision by the Minister.
- G. The Implementing Regulations shall specify the term of membership of said Panel and shall regulate its proceedings.

#### **Article 34**

The Sharia Medical Panel shall have the following jurisdictions:

1. Considering claims of medical malpractice in cases brought before it regarding private rights ("*diyah*", indemnity, or compensation).
2. Considering cases of medical malpractice leading to death, damage of an organ, or loss of total or partial use thereof, even in the absence of a claim for a private right.

#### **Article 35**

The Sharia Medical Panel shall convene with all its members in attendance and shall pass its decisions by a majority vote, provided the majority includes the



judge. Decisions of this Panel may be appealed before the Board of Grievances within 60 days from the date of notification thereof.

### **Article 36**

Public Prosecution shall be represented before the Sharia Medical Panel by officers designated pursuant to a decision by the Minister.

### **Article 37**

A public right claim may not be heard after the lapse of one year from the date of knowledge of the relevant medical malpractice. The Implementing Regulations shall specify the criteria pertaining to said knowledge.

### **Article 38**

Except for the jurisdiction stipulated for the Sharia Medical Panel, violations arising from the implementation of this Law shall be considered by committees formed pursuant to a decision by the competent minister, provided that each committee includes a legal specialist and a healthcare professional of Saudi nationality. Decisions issued by said committees shall be approved by the competent minister and may be appealed before the Board of Grievances within 60 days from the date of notification thereof.

The Implementing Regulations shall specify committee procedures.

### **Article 39**

The Minister may suspend a licensed healthcare professional from practice for a period he deems appropriate, should there be evidence or presumptions indicating a violation punishable, if proven, by license revocation. If there is a probability that such suspension will adversely affect relevant patients, the Minister shall take appropriate measures to ensure that said patients will continue to receive necessary healthcare. The healthcare professional may appeal the suspension decision before the Board of Grievances within 30 days from the date of notification thereof.



#### **Article 40**

The Implementing Regulations shall set forth the rules and procedures necessary for considering and deciding violations and cases arising from the implementation of this Law.

#### **Article 41**

Subscription to cooperative insurance against medical malpractice shall be mandatory for all physicians and dentists working at public and private health institutions. Said institutions shall guarantee the payment of compensations rendered by final judgments against their staff in case of the lack or insufficiency of insurance coverage, and they shall have the right of recourse against those found liable, for reimbursement. Said mandatory cooperative insurance may include other categories of healthcare professionals pursuant to a resolution issued by the Council of Ministers upon a proposal by the Minister of Health.

### **Chapter 5: Concluding Provisions**

#### **Article 42**

This Law shall repeal the Law of Practicing Medicine and Dentistry Professions issued by Royal Decree No. (M/3), dated 21/2/1409H, the Law of Practicing Pharmacy and Trading in Medicines and Medical Preparations issued by Royal Decree No. (M/18), dated 18/3/1398H, and any provisions conflicting therewith.

#### **Article 43**

The Minister shall issue the Implementing Regulations of this Law which shall be published in the Official Gazette. He shall also issue the decisions and directives necessary for the implementation of this Law.

#### **Article 44**

This Law shall be published in the Official Gazette and shall enter into force 60 days from the date of its publication.