Legislative Decree No (7) for 1989
On the Practice of Human Medicine and Dentistry

We, Isa bin Salman Al Khalifa Amir of the State of Bahrain
After full consideration of the Constitution,
Legislative Decree No (6) for 1971 on the Practice of Human Medicine and Dentistry,
Legislative Decree No (23) for 1986 on Private Hospitals
With the approval of the Cabinet
And upon submission of the Minister of Health,

Hereby decree the following law:

Article (1)

Any person may not give medical consultation, examine or treat a patient, perform a surgery, delivery operation, prescribe medications or give anesthetics to any patient by any means whatsoever, he also may not examine the mouth of a patient, or carry out any treatment for it, or fix any artificial teeth in it. In general, practicing Human Medicine or Dentistry shall only be allowed to those who hold valid license for practice thereof, issued by the Ministry of Health according to the provisions of this law.

Article (2)

Any person wishes to obtain a license for practicing the profession of Human Medicine or Dentistry shall submit an application on the application form intended for this purpose, after paying prescribed fees to the Ministry of Health accompanied with the following documents:

(a) Birth certificate or an official extract thereof or a certificate stating the age, issued by a competent authority in the respective country.
(b) Original academic certificate/certificates obtained by the applicant or an official document evidencing that these certificates have been obtained.
(c) Names of three superiors/supervisors/managers whom the applicant have worked with in order to obtain from them information or statements as regards the professional level and personal details of the applicant.

(d) Any document certifying the applicant’s success in local concessions or interviews organized by the Ministry for evaluation of the applicant technical and professional level according to the rules prescribed by the Minister of Health.

(e) A recommendation certificate from the union/board/medical association from the respective country.

(f) Two recent 4x6 cm photographs.

Practicing of the profession may not be carried out unless after obtaining an official license.

Article (3)

The documents referred to in the above mentioned article must be authenticated from relevant authorities in the respective country or any other relevant authority.

Article (4)

The Minister of Health, without being restricted to the procedures provided for in the above-mentioned article of this law, may Exceptional licenses for the practice of the profession in Bahrain for guest doctors who are invited to Bahrain by one of the health institutions in the country, provided that these licenses shall be for a specific and short period of time, after the approval of the Ministry on the visit programme.

Article (5)

A committee shall be formed by an order from the Minister to examine license applications for the practice of Human Medicine or Dentistry after verifying academic certificates of the applicant and his professional competence, as well as examining license applications for opening private clinics, or clinic transfer applications, and carry out other powers stipulated in this law according to the rules and requirements defined by an order from the Minister of Health.
Article (6)

Following the approval on the application, the doctor shall be given an official license for the practice of the profession, and shall be listed on special registers prepared by the Ministry of Health. Names of licensed doctors and their specializations shall be published in the Official Gazette and in Guide for doctors licensed to practice the profession in Bahrain.

These registers shall include the following information:

1- Licensee’s registration number in the register.
2- Full name, title, nationality, age and CPR number.
3- Academic certificates and qualifications of the doctor and his specialization.
4- Domicile, business address, clinic address if he is authorized to open a private clinic.
5- Date and number of the decision of the Committee to submit the license.

A special registry shall be prepared by the Ministry of Health for each doctor who is authorized to practice the Human Medicine and Dentistry, which shall contain the following documents:

1- The filled in application form submitted for obtaining the license by the applicant.
2- Photocopies of all the documents referred to in article two of this law.
3- Certified copy of the license issued for the applicant for practicing the profession.

A person whose request is refused shall have the right to plead against the decision before the High Civil Court within sixty days from the date of notification by registered mail on the refusal, or within sixty days from the date of his knowledge of the decision if he is not notified.

Article (7)

Any person licensed to practice Medicine, shall notify the Ministry, by a registered letter on the address of the clinic or hospital in which he shall work in, before he commences work and he shall do the same if he changes the place of work or the clinic.
**Article (8)**

A private clinic may not be opened without obtaining a license from the Ministry of Health, after the approval of the Committee referred to in Article (5) of this law. A license for opening a private clinic shall only be given for individuals who are authorized to practice the profession in Bahrain.

The Minister of Health shall license companies, entities and institutions to open private clinics for the medical care of their employees.

**Article (9)**

In order to obtain a license for opening private clinics, they must comply with the requirements and specifications required for achieving their intended purposes. The Minister shall issue an order on the requirements, specifications, equipments and supplies needed for these clinics, as well as the tools and provisions that must be available at such clinics, the fees and documents that must be submitted on applying for licenses or their renewals. Any transfer of the clinic from its licensed location or any substantial alternations therefor may not be carried out without the Ministry’s approval. A decision on the transfer or alternations request shall be made within thirty days from its submission.

**Article (10)**

Licensees authorized to open private clinics shall carry out any alternations or additions prescribed by the Ministry of Health for the requirements and specifications for these clinics within the period determined by the Ministry.

**Article (11)**

The Minister of Health shall issue an order after the Cabinet’s approval determining the licensing fees for practicing the profession for doctors as well as the licensing fees for opening private clinics and renewal thereof.

The Minister shall also determine the validity period of these licenses, as well as their renewal conditions and procedures.
Article (12)

When a doctor leaves the country for more than one week, he must inform the Ministry by a registered letter and the practice of the profession in the clinic in his absence shall stop, unless the Ministry, and according to the request of the doctor, authorized another licensed doctor to practice the profession in a private clinic to work in his clinic in his absence.

Article (13)

A licensed doctor to practice the profession in a private clinic may open a second clinic with a special authorization from the Minister of Health, provided that he shall not be allowed to practice the profession in any of the two clinics in case he is not present in it.

Article (14)

Any doctor may not lodge any patients in his clinic, nevertheless, he may lodge a patient in case of emergencies.

Article (15)

Each doctor shall maintain a registry in his clinic which shall include the details of patients treated at his clinic. These details shall include the name, age, address, date of visit, diagnosis and therapy, as well as any other details prescribed by the Ministry.

Article (16)

Any doctor shall not keep in his private clinic large quantities of medicine for the purpose of selling them for patients, and he may, except for this provision, keep small quantities used for emergency cases. He may also keep small quantities of anesthetics such as Morphine, or analgesics or tranquilizers which are under the control of the Ministry of Health, provided that he shall dedicate a special register for these drugs which includes the amounts purchased, date of purchase, amounts used and date of their use, name of the patient who was given the anesthetic or the medicine under restricted usage, full address of the patient, amount of anesthetics or medicine under restricted usage, diagnosis of the case, without prejudice to the provisions of the legislative decree No (4) for 1973 on the control of circulation of anesthetic materials.
and compounds and their use, and legislative decree No (26) for 1975 on the regulation of Pharmacology, Pharmaceutical centers, as amended.

**Article (17)**

Local anesthetics are allowed to be given in private clinics for performing light surgeries. Surgeries that require general anesthetic or an anesthetic.

**Article (18)**

Circumcisions shall not be performed outside the Health Centers and hospitals, unless a special authorization is obtained from the Ministry of Health.

**Article (19)**

Any doctor may not prescribe a medicine with the intention of aborting a pregnant woman, or performing abortion operation unless, the continuation of the pregnancy is threatening the life of the pregnant woman. Provided that, this shall be decided by three consultant doctors authorized to practice in Bahrain. In this case, the abortion operation must be performed, or a medicine shall be prescribed with the intention of abortion in a government or an authorized private hospital by a Gynecologist and after the approval of the person in charge of the pregnant woman.

**Article (20)**

If a doctor suspects the contraction of the patient of one of the infectious diseases, he shall comply with the provisions of legislative decree No (14) for 1977 on the health precautions for protection against infectious diseases.

**Article (21)**

Without prejudice to the provisions of the above mentioned articles, any doctor may not combine between practicing medicine and representation of drug or medical equipment companies, or be involved in the advertising operations of any such companies.
Article (22)

Any doctor may not conduct any publicity for himself by any means whatsoever that could prejudice the integrity of the profession whether this publicity is carried out through publications or any other means. This condition does not include spreading health awareness by any of the above-mentioned means.

Article (23)

A doctor may not issue a medical report or give a medical certificate contrary to the reality.

Article (24)

Any doctor may not abstain from treating a patient or aid an injured, unless the patient’s case is not within his specialization or has had serious reasons and considerations for this abstention. In this case he shall carry out what he sees necessary for first aids, then transfer the patient to the nearest hospital or health center with a summary report on initial examination results for the patient, treatment or first aids the patients has received.

Article (25)

If a doctor is forced to stop treating a patient for any reasonable reason, he shall have to give the patient a report on the information he thinks necessary for the continuation of his treatment by another doctor.

Article (26)

Any doctor may not divulge any confidential secrets that may have come to his knowledge through his profession without obtaining court permission or upon the consent of the patient, or if divulgence of the secret to one of the patient’s immediate family members (husband, wife, father, adult children) is necessary, either because of the seriousness of patient’s condition or for other reasons, the treating doctor may consider sufficient for justifying this divulgence. The doctor shall also have the right to divulge this secret with an intention to stop a crime from being committed, divulgence in this case shall be limited to the relevant official authorities.
If the doctor is requested by one of the life insurance companies to examine the clients of the company, he may divulge the secret for the insurance company only.

**Article (27)**

A doctor shall not be responsible for the condition that the patient has reached, if it has been proved that he has exerted the required care and used all means by which any body in his circumstances, can diagnose the disease and treat the patient. A doctor shall be responsible for the following cases:

(a) If he has committed a mistake that led to harming the patient as a result of ignorance of technical and practical matters that any doctor is supposed to be aware of.
(b) If he harmed the patient as a result of the doctor’s negligence or his failure to take care of the patient.
(c) If he performs scientific experiments or researches on his patients which are not certified by the Ministry of Health and have harmed the patients.

The Committee referred to in article (5) of this law shall decide on the occurrence of the above-mentioned mistakes.

**Article (28)**

The Ministry of Health shall have the right to inspect private medical clinics at any time it deems necessary and without prior notification.

The Ministry’s employees of doctors and consultants delegated by the Minister of Health for this purpose shall have the right to document any violations of this law.

The doctors delegated by the Minister shall also have the right to view the patients’ register at private clinics.

**Article (29)**

Without prejudice to any more strict punishment stipulated in the criminal law, The following violators shall be guilty of an offense punishable by a term of imprisonment not exceeding three years and a fine not more than 2000 BD or by one of these penalties, as well as closing down of the
clinic where those violators practice their work and confiscate the tools, equipment and signboards, etc:

(a) Any person who practices Medicine or opens a clinic, without obtaining a license.
(b) Any person who has submitted false information or used fraudulent methods through which he obtained a license to practice Medicine, or to be listed in the registers illegally.
(c) Any person who adopts a title of a doctor or adopts a title that is usually used by doctors without being entitled for this.
(d) Any person who is not authorized to practice the profession to use publications, signboards or any other means of publicity that would make the public believe that he is entitled for practicing the profession.

In all cases the clinic shall be closed down administratively until the criminal case is resolved.

**Article (30)**

Without prejudice to the civil or criminal responsibility, the Committee referred to in article (5) of this law shall have the authority to take a disciplinary action against licensees authorized to practice the profession, if they commit any violations to the provisions of this law or to the rules, requirements and morals of the profession.

The disciplinary case shall be filed by a decision from the Undersecretary. The violator shall be notified to be present before the Committee by a registered letter at least one week prior to the time fixed for holding of the session. This letter shall include a summary of the charges attributable to him, as well as the date and place where the Committee shall convene.

For some special cases, the violator may be summoned immediately to be present before the committee for investigation of the violations attributable to him.

The Committee shall investigate the charges attributable to the violator or delegate one of its members therefore, and the Committee or the person delegated by it to conduct investigation may on its own will, or upon the request of the violator to summon witnesses to appear to give their testimonies and the violator give his defence orally or in writing.
If case a violator fails to be present before the Committee despite being notified, the judgment shall be issued by default.

**Article (31)**

Disciplinary actions which may be imposed on the violator are as follows:

1- Warning.
2- Suspension, for a period not exceeding one year.
3- Revocation of the license and crossing off the name of violator from the register of the Ministry of Health.
   The last two punishments shall result in the closing down of the licensed premises for the violator, if any.

**Article (32)**

The decisions of the Committee shall not be carried out unless they become final by certifying them from the Minister of Health or after 30 days from the date on which the violator has been notified without pleading against them.

**Article (33)**

A person whom a decision has been passed against him according to article (32) of this law, to plead against the decision within two weeks from the date on which he has been notified thereof before another committee formed by the Minister of Health to look into his pleading. This committee shall have the right to support or amend the decision which shall be final after being approved by the Minister.

**Article (34)**

A person whom an order has been issued against him on revocation of his license, may not apply for a new license for practicing the profession or to open the premises unless until two years have been passed from the issuance of the said order.
Article (35)

The Minister shall issue the orders and regulations required for the implementation of this law.

Article (36)

Legislative decree No (6) for 1971, on the practice of Human Medicine and Dentistry is hereby repealed.

Article (37)

Ministers, within their respective areas of jurisdictions, shall implement this law, which shall be effective after one month from the date of its publication in the Official Gazette.

Amir of the State of Bahrain

Isa bin Salman Al Khalifa

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