

# Law of the People's Republic of China on the Promotion of Basic Medical and Health Care

## 中华人民共和国基本医疗卫生与健康促进法

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The Law of the People's Republic of China on the Promotion of Basic Medical and Health Care, as adopted at the 15th session of the Standing Committee of the Thirteenth National People's Congress of the People's Republic of China on December 28, 2019, is hereby issued and shall come into force on June 1, 2020.

《中华人民共和国基本医疗卫生与健康促进法》已由中华人民共和国第十三届全国人民代表大会常务委员会第十五次会议于2019年12月28日通过，现予公布，自2020年6月1日起施行。

President of the People's Republic of China: Xi Jinping

中华人民共和国主席 习近平

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Law of the People's Republic of China on the Promotion of Basic Medical and Health Care

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(Adopted at the 15th session of the Standing Committee of the Thirteenth National People's Congress of the People's Republic of China on December 28, 2019)

(2019年12月28日第十三届全国人民代表大会常务委员会第十五次会议通过)

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Chapter I General Provisions

第一章 总则

**Article 1** This Law is developed for the purposes of developing the medical and health care cause, ensuring that citizens enjoy basic medical services, improving the health care level of citizens, and promoting the construction of healthy China according to the Constitution.

**第一条** 为了发展医疗卫生与健康事业,保障公民享有基本医疗卫生服务,提高公民健康水平,推进健康中国建设,根据宪法,制定本法。

**Article 2** The activities of promoting, supervising and managing medical and health care shall be governed by this Law.

**第二条** 从事医疗卫生、健康促进及其监督管理活动,适用本法。

**Article 3** The medical and health care cause shall be people-oriented and serve the people's health.

**第三条** 医疗卫生与健康事业应当坚持以人民为中心,为人民健康服务。

The medical cause shall insist on the principle of public welfare.

医疗卫生事业应当坚持公益性原则。

**Article 4** The state and society shall respect and protect citizens' right to health.

**第四条** 国家和社会尊重、保护公民的健康权。

The state shall implement the strategy of healthy China, popularize healthy life, optimize health care services, improve health guarantee, create a sound environment, develop the health care industry, and enhance citizens' health level in the full life cycle.

国家实施健康中国战略,普及健康生活,优化健康服务,完善健康保障,建设健康环境,发展健康产业,提升公民全生命周期健康水平。

The state shall establish a health education system to protect citizens' right to health education and improve citizens' level of health literacy.

国家建立健康教育制度,保障公民获得健康教育的权利,提高公民的健康素养。

**Article 5** Citizens shall, in accordance with the law, enjoy the right to obtain basic medical services from the state and society.

**第五条** 公民依法享有从国家和社会获得基本医疗卫生服务的权利。

The state shall establish a basic medical system, establish and improve the medical service system, and protect and realize citizens' right to obtain basic medical services.

国家建立基本医疗卫生制度,建立健全医疗卫生服务体系,保护和实现公民获得基本医疗卫生服务的权利。

**Article 6** The people's governments at all levels shall put people's health at a strategic position of prior development, integrate the health concept into various policies, insist on focusing on prevention, improve the health care promotion work system, organize and implement the general plans and actions of health care promotion, promote national fitness, establish a health impact assessment system, and incorporate the improvement of the major health indicators of citizens into the government's target responsibility assessment.

**第六条** 各级人民政府应当把人民健康放在优先发展的战略地位,将健康理念融入各项政策,坚持预防为主,完善健康促进工作体系,组织实施健康促进的规划和行动,推进全民健身,建立健康影响评估制度,将公民主要健康指标改善情况纳入政府目标责任考核。

The public shall jointly care for and support the development of the medical and health care cause.

全社会应当共同关心和支持医疗卫生与健康事业的发展。

**Article 7** The State Council and the local people's governments at all levels shall lead the medical and health care promotion work.

**第七条** 国务院和地方各级人民政府领导医疗卫生与健康促进工作。

The appropriate medical and health department under the State Council shall be responsible for the overall planning and coordination of the medical and health care promotion work across the country. Other relevant departments of the State Council shall, within the scope of their respective functions, be responsible for the the relevant medical and health care promotion work.

国务院卫生健康主管部门负责统筹协调全国医疗卫生与健康促进工作。国务院其他有关部门在各自职责范围内负责有关的医疗卫生与健康促进工作。

The appropriate medical and health departments of the local people's governments at or above the county level shall be responsible for the overall planning and coordination of the medical and health care promotion work within their respective administrative regions. Other relevant departments of the local people's governments at or above the county level shall, within the scope of their respective functions, be responsible for the relevant medical and health care promotion work.

**Article 8** The state shall strengthen basic medical scientific research, encourage innovation on medical science and technology, support clinical medical development, promote the transformation of application of the medical scientific and technological achievements, advance the integrated development of medicine and information technology, promote the appropriate medical technologies, and improve the quality of medical services.

The state shall develop medical education, improve the medical education system that meets the needs of the development of the medical cause, and vigorously cultivate medical talents.

**Article 9** The state shall vigorously develop the cause of traditional Chinese medicine, insist on attaching equal importance to traditional Chinese and western medicine and combining inheritance and innovation, and maximize the unique role of traditional Chinese medicine in the medical and health care cause.

**Article 10** The state shall rationally plan and allocate medical resources, focus on the grass roots, adopt various measures to give priority to supporting the development of medical institutions below the county level, and improve their capacity of providing medical services.

**Article 11** The state shall increase financial input in the medical and health care cause, and give priority to supporting the development of the medical and health care cause in the old revolutionary base areas, ethnic areas, border areas and economic less-developed areas by increasing transfer payments and other methods.

**Article 12** The state shall encourage and support citizens, legal persons and other organizations to participate in the medical and health care cause, and meet citizens' diversified, differentiated and personalized health needs by forming institutions, donations, granting subsidies and other means according to the law.

Citizens, legal persons and other organizations that donate property for the medical and health care cause shall enjoy tax preference according to the law.

**Article 13** The state shall commend and reward the organizations and individuals that have made outstanding contributions to the medical and health care cause according to the provisions of the state.

**Article 14** The state shall encourage and support the foreign exchange and cooperation in the field of medical and health care promotion.

The foreign exchange and cooperation activities in medical and health care promotion shall be carried out in compliance with the laws and regulations, and by methods of protecting the national sovereignty, security and public interests.

## Chapter II Basic Medical Services

**Article 15** "Basic medical services" means disease prevention, diagnosis, treatment, nursing, rehabilitation and other services provided by adopting suitable drugs, appropriate technologies and suitable equipment that are necessary for the maintenance of human health, that are compatible with the economic and social development level, and that are equitably available to citizens.

县级以上地方人民政府卫生健康主管部门负责统筹协调本行政区域医疗卫生与健康促进工作。县级以上地方人民政府其他有关部门在各自职责范围内负责有关的医疗卫生与健康促进工作。

**第八条** 国家加强医学基础科学研究，鼓励医学科学技术创新，支持临床医学发展，促进医学科技成果的转化和应用，推进医疗卫生与信息技术融合发展，推广医疗卫生适宜技术，提高医疗卫生服务质量。

国家发展医学教育，完善适应医疗卫生事业发展需要的医学教育体系，大力培养医疗卫生人才。

**第九条** 国家大力发展中医药事业，坚持中西医并重、传承与创新相结合，发挥中医药在医疗卫生与健康事业中的独特作用。

**第十条** 国家合理规划和配置医疗卫生资源，以基层为重点，采取多种措施优先支持县级以上医疗卫生机构发展，提高其医疗卫生服务能力。

**第十一条** 国家加大对医疗卫生与健康事业的财政投入，通过增加转移支付等方式重点扶持革命老区、民族地区、边疆地区和经济欠发达地区发展医疗卫生与健康事业。

**第十二条** 国家鼓励和支持公民、法人和其他组织通过依法举办机构和捐赠、资助等方式，参与医疗卫生与健康事业，满足公民多样化、差异化、个性化健康需求。

公民、法人和其他组织捐赠财产用于医疗卫生与健康事业的，依法享受税收优惠。

**第十三条** 对在医疗卫生与健康事业中做出突出贡献的组织和个人，按照国家规定给予表彰、奖励。

**第十四条** 国家鼓励和支持医疗卫生与健康促进领域的对外交流合作。

开展医疗卫生与健康促进对外交流合作活动，应当遵守法律、法规，维护国家主权、安全和社会公共利益。

## 第二章 基本医疗卫生服务

**第十五条** 基本医疗卫生服务，是指维护人体健康所必需、与经济社会发展水平相适应、公民可公平获得的，采用适宜药物、适宜技术、适宜设备提供的疾病预防、诊断、治疗、护理和康复等服务。

Basic medical services include basic public health services and basic medical services. Basic public health services shall be provided by the state free of charge.

基本医疗卫生服务包括基本公共卫生服务和基本医疗服务。基本公共卫生服务由国家免费提供。

**Article 16** The state shall adopt measures to ensure that citizens enjoy safe and effective basic public health services, control the risk factors affecting health, and improve the disease prevention and control level.

**第十六条** 国家采取措施，保障公民享有安全有效的公共卫生服务，控制影响健康的危险因素，提高疾病的预防控制水平。

The national basic public health service items shall be jointly determined by the appropriate medical and health department under the State Council in conjunction with the appropriate departments of finance and traditional Chinese medicine under the State Council.

国家基本公共卫生服务项目由国务院卫生健康主管部门会同国务院财政部门、中医药主管部门等共同确定。

The people's governments of the provinces, autonomous regions and municipalities directly under the Central Government may, on the basis of the basic public health service items, determine the basic public health service items of the respective administrative regions in a supplementary manner and report to the appropriate medical and health department under the State Council for recordation.

省、自治区、直辖市人民政府可以在国家基本公共卫生服务项目基础上，补充确定本行政区域的基本公共卫生服务项目，并报国务院卫生健康主管部门备案。

**Article 17** The State Council and the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government may include the contents of services for key areas, key diseases and specific groups of people in the basic public health service items and organize the implementation thereof.

**第十七条** 国务院和省、自治区、直辖市人民政府可以将针对重点地区、重点疾病和特定人群的服务内容纳入基本公共卫生服务项目并组织实施。

The local people's governments at or above the county level shall carry out special prevention and control work according to the major diseases and major health risk factors in their respective administrative regions.

县级以上地方人民政府针对本行政区域重大疾病和主要健康危险因素，开展专项防控工作。

**Article 18** The people's governments at or above the county level shall, by forming professional public health institutions, grassroots medical institutions and hospitals or purchasing services from other medical institutions, provide basic public health services.

**第十八条** 县级以上人民政府通过举办专业公共卫生机构、基层医疗卫生机构和医院，或者从其他医疗卫生机构购买服务的方式提供基本公共卫生服务。

**Article 19** The state shall establish and improve a health emergency response system for emergencies, develop and improve the contingency plans, and organize and carry out medical rescue and treatment, health investigation and disposition, psychological assistance and other health emergency response work in response to emergencies, to effectively control and eliminate harms.

**第十九条** 国家建立健全突发事件卫生应急体系，制定和完善应急预案，组织开展突发事件的医疗救治、卫生学调查处置和心理援助等卫生应急工作，有效控制和消除危害。

**Article 20** The state shall establish a system for the prevention and control of infectious diseases, develop general plans for the prevention and control of infectious diseases and organize the implementation thereof, strengthen the monitoring and early warning of infectious diseases, insist on focusing on prevention and combining prevention and control, conduct joint prevention and control, mass prevention and control, prevention and control at the source and comprehensive governance, to block transmission routes, protect vulnerable populations, and reduce harms of infectious diseases.

**第二十条** 国家建立传染病防控制度，制定传染病防治规划并组织实施，加强传染病监测预警，坚持预防为主、防治结合，联防联控、群防群控、源头防控、综合治理，阻断传播途径，保护易感人群，降低传染病的危害。

Every entity and individual shall accept and cooperate with the investigation, inspection, specimen collection, treatment in isolation, medical observation and other measures taken by medical institutions according to the law to prevent, control and eliminate the harm of infectious diseases.

任何组织和个人应当接受、配合医疗卫生机构为预防、控制、消除传染病危害依法采取的调查、检验、采集样本、隔离治疗、医学观察等措施。

**Article 21** The state shall implement the vaccination system and strengthen the immunization planning work. Residents shall have the right and obligation to be inoculated under the immunization program according to the law. The government shall provide vaccines in the immunization program for residents free of charge.

**第二十一条** 国家实行预防接种制度，加强免疫规划工作。居民有依法接种免疫规划疫苗的权利和义务。政府向居民免费提供免疫规划疫苗。

**Article 22** The state shall establish a system for the prevention, control and management of chronic non-infectious diseases, conduct investigation into, monitoring, comprehensive prevention and control of and intervention in the chronic non-infectious diseases and pathogenic risk factors thereof, identify high-risk groups in a timely manner, and provide patients and high-risk groups with services such as diagnosis and treatment, early intervention, follow-up visit management and health education.

**第二十二条** 国家建立慢性非传染性疾病防控与管理制度，对慢性非传染性疾病及其致病危险因素开展监测、调查和综合防控干预，及时发现高危人群，为患者和高危人群提供诊疗、早期干预、随访管理和健康教育等服务。

**Article 23** The state shall strengthen occupational health protection. The people's governments at or above the county level shall develop occupational disease prevention and control plans, establish and improve the occupational health work mechanisms, strengthen occupational health supervision and management, and improve the comprehensive capacity and occupational diseases prevention and control level.

Employers shall control the harmful factors of occupational diseases, take comprehensive treatment measures such as engineering technology, individual protection and health management, and improve the work environment and working conditions.

**Article 24** The state shall develop the maternal and child health care cause, establish and improve maternal and child health care service system, provide health care and common disease prevention and control services for women and children, to guarantee the health of women and children.

The state shall adopt measures to provide citizens with services such as pre-marital health care and maternal health care, promote reproductive health, and prevent birth defects.

**Article 25** The state shall develop the cause of health care for senior citizens. The State Council and the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall incorporate health management of senior citizens and prevention of common diseases into the basic public health service items.

**Article 26** The State shall develop the cause of disability prevention and recovery of the disabled, improve the system for the disability prevention and recovery of the disabled and the guarantee, and take measures to provide basic rehabilitation services for the disabled.

The people's governments at or above the county level shall give priority to carrying out the work of recovery of disabled children and combine recovery and education.

**Article 27** The state shall establish and improve the pre-hospital emergency rescue system to provide timely, standardized and effective first aid services for patients suffering from emergencies, critical diseases, and severe diseases.

The appropriate medical and health departments, the Red Cross Society and other relevant departments shall actively carry out first-aid training, popularize first-aid knowledge, and encourage medical personnel and personnel that have received first-aid training to actively participate in first aid services in public places. Public places shall be equipped with necessary first aid equipment and facilities according to the provisions.

First aid centers (stations) shall not refuse to provide or delay in providing first aid services for patients suffering from emergencies, critical diseases, and severe diseases on the grounds of non-payment.

**Article 28** The state shall develop the mental health cause, establish and improve a mental health service system, safeguard and enhance citizens' mental health, and prevent and treat mental disorders.

The state shall take measures to strengthen the construction of a mental health service system and talent teams, promote the effective connection of mental health education, psychological assessment, psychological counseling and psychological treatment services, set up a psychological assistance hotline for providing public welfare services, and improve the mental health services for minors, disabled persons, senior citizens and other key groups of people.

**Article 29** Basic medical services shall mainly be provided by medical institutions founded by the government. Medical institutions founded by social forces shall be encouraged to provide basic medical services.

**第二十三条** 国家加强职业健康保护。县级以上人民政府应当制定职业病防治规划, 建立健全职业健康工作机制, 加强职业健康监督管理, 提高职业病综合防治能力和水平。

用人单位应当控制职业病危害因素, 采取工程技术、个体防护和健康管理等综合治理措施, 改善工作环境和劳动条件。

**第二十四条** 国家发展妇幼保健事业, 建立健全妇幼健康服务体系, 为妇女、儿童提供保健及常见病防治服务, 保障妇女、儿童健康。

国家采取措施, 为公民提供婚前保健、孕产期保健等服务, 促进生殖健康, 预防出生缺陷。

**第二十五条** 国家发展老年人保健事业。国务院和省、自治区、直辖市人民政府应当将老年人健康管理和常见病预防等纳入基本公共卫生服务项目。

**第二十六条** 国家发展残疾预防和残疾人康复事业, 完善残疾预防和残疾人康复及其保障体系, 采取措施为残疾人提供基本康复服务。

县级以上人民政府应当优先开展残疾儿童康复工作, 实行康复与教育相结合。

**第二十七条** 国家建立健全院前急救体系, 为急危重症患者提供及时、规范、有效的急救服务。

卫生健康主管部门、红十字会等有关部门、组织应当积极开展急救培训, 普及急救知识, 鼓励医疗卫生人员、经过急救培训的人员积极参与公共场所急救服务。公共场所应当按照规定配备必要的急救设备、设施。

急救中心(站)不得以未付费为由拒绝或者拖延为急危重症患者提供急救服务。

**第二十八条** 国家发展精神卫生事业, 建设完善精神卫生服务体系, 维护和增进公民心理健康, 预防、治疗精神障碍。

国家采取措施, 加强心理健康服务体系和人才队伍建设, 促进心理健康教育、心理评估、心理咨询与心理治疗服务的有效衔接, 设立为公众提供公益服务的心理援助热线, 加强未成年人、残疾人和老年人等重点人群心理健康服务。

**第二十九条** 基本医疗服务主要由政府举办的医疗卫生机构提供。鼓励社会力量举办的医疗卫生机构提供基本医疗服务。



**Article 30** The state shall promote the implementation of the hierarchical diagnosis and treatment system for basic medical services, direct non-emergency patients to firstly see doctors at grassroots medical institutions, implement the initial diagnosis accountability system and transferring diagnosis examination and accountability system, gradually establish a mechanism characterized by initial diagnosis by grassroots medical institutions, two-way transfer, separate treatment of acute and chronic diseases, and linkage between upper and lower levels, and be connected with the basic medical insurance system.

The local people's governments at or above the county level shall, on the basis of the medical needs within their respective administrative regions, integrate the government-run medical resources within the regions, and establish a medical service cooperative mechanism characterized by coordination and cooperation of medical consortiums in light of local circumstances. Medical institutions founded by social forces shall be encouraged to participate in the medical services cooperative mechanism.

**Article 31** The state shall promote the provision of family doctor contracting services by grassroots medical institutions, form family doctor service teams, enter into agreements with residents, and provide basic medical services according to residents' health conditions and medical needs.

**Article 32** When receiving medical services, citizens shall have the right to informed consent for the illness, diagnosis and treatment plans, medical risks, medical expenses and other matters according to the law.

Where surgery, special check and special treatment need to be conducted, medical personnel shall explain the medical risks, alternative medical plans and other situations to patients in a timely manner, and obtain their consent; and where it is unable or inappropriate to make explanation to a patient, explanation shall be made to the close relatives of the patient, and consent thereof shall be obtained, except as otherwise prescribed in the laws and regulations.

Clinical experiments and other medical research of drugs and medical devices shall comply with the medical ethics and specifications, pass ethical review according to the law, and obtain informed consent.

**Article 33** Citizens receiving medical services shall be respected. Medical institutions and medical personnel shall care for and treat patients equally, respect patients' personal dignity and protect patients' privacy.

Citizens shall, when receiving medical services, comply with the rules on diagnosis and treatment, maintain the order of medical services, and respect medical personnel.

### Chapter III Medical Institutions

**Article 34** The state shall establish and improve the medical service system that is composed of grassroots medical institutions, hospitals and professional public health institutions, among others, and that completely covers urban and rural areas, and under which components complement with each other in functions and continuously cooperate with each other.

The state shall strengthen the construction of county-level hospitals, township health centers, village health rooms, community health service centers (stations), and professional public health institutions, among others, and establish and improve the rural medical service networks and urban community health service networks.

**Article 35** Grassroots medical institutions shall mainly provide prevention, health care, health education, and disease management, create health files for residents, diagnosis and treatment of common diseases and frequently-occurring diseases, and rehabilitation and nursing of some diseases, receive patients transferred from hospitals, transfer patients beyond their service capacity to hospitals, and provide other basic medical services.

**第三十条** 国家推进基本医疗服务实行分级诊疗制度，引导非急诊患者首先到基层医疗卫生机构就诊，实行首诊负责制和转诊审核责任制，逐步建立基层首诊、双向转诊、急慢分治、上下联动的机制，并与基本医疗保险制度相衔接。

县级以上地方人民政府根据本行政区域医疗卫生需求，整合区域内政府举办的医疗卫生资源，因地制宜建立医疗联合体等协同联动的医疗服务合作机制。鼓励社会力量举办的医疗卫生机构参与医疗服务合作机制。

**第三十一条** 国家推进基层医疗卫生机构实行家庭医生签约服务，建立家庭医生服务团队，与居民签订协议，根据居民健康状况和医疗需求提供基本医疗卫生服务。

**第三十二条** 公民接受医疗卫生服务，对病情、诊疗方案、医疗风险、医疗费用等事项依法享有知情同意的权利。

需要实施手术、特殊检查、特殊治疗的，医疗卫生人员应当及时向患者说明医疗风险、替代医疗方案等情况，并取得其同意；不能或者不宜向患者说明的，应当向患者的近亲属说明，并取得其同意。法律另有规定的，依照其规定。

开展药物、医疗器械临床试验和其他医学研究应当遵守医学伦理规范，依法通过伦理审查，取得知情同意。

**第三十三条** 公民接受医疗卫生服务，应当受到尊重。医疗卫生机构、医疗卫生人员应当关心爱护、平等对待患者，尊重患者人格尊严，保护患者隐私。

公民接受医疗卫生服务，应当遵守诊疗制度和医疗卫生服务秩序，尊重医疗卫生人员。

### 第三章 医疗卫生机构

**第三十四条** 国家建立健全由基层医疗卫生机构、医院、专业公共卫生机构等组成的城乡全覆盖、功能互补、连续协同的医疗卫生服务体系。

国家加强县级医院、乡镇卫生院、村卫生室、社区卫生服务中心（站）和专业公共卫生机构等的建设，建立健全农村医疗卫生服务网络和城市社区卫生服务网络。

**第三十五条** 基层医疗卫生机构主要提供预防、保健、健康教育、疾病管理，为居民建立健康档案，常见病、多发病的诊疗以及部分疾病的康复、护理，接收医院转诊患者，向医院转诊超出自身服务能力的患者等基本医疗卫生服务。

Hospitals shall mainly provide diagnosis and treatment of diseases, especially diagnosis and treatment of severe acute diseases and difficult and complicated diseases, medical treatment and rescue of emergencies, health education, and other medical services, and carry out medical education, training of medical personnel, medical scientific research, business guidance for grassroots medical institutions, and other work.

Professional public health care institutions shall mainly provide prevention and control, health education, maternal and child health care, mental health care, pre-hospital first aid, blood collection and supply, food safety risk monitoring and assessment, birth defect prevention and treatment, and other public health services for infectious diseases, chronic non-infectious diseases, occupational diseases, endemic diseases and other diseases.

**Article 36** Various medical institutions at all levels shall divide responsibilities and cooperate with each other, and provide citizens with prevention, health care, treatment, nursing, rehabilitation, hospice care, and other comprehensive lifelong medical services.

The people's governments at all levels shall take measures to support medical institutions, pension agencies, child welfare institutions and community organizations in establishing the cooperation mechanisms, to provide safe and convenient medical and health care services for senior citizens, and orphans and children with disabilities.

**Article 37** The people's governments at or above the county level shall develop and implement the plans for the medical service system, scientifically allocate medical resources, form medical institutions, and provide guarantee for citizens' access to the basic medical services.

To form medical institutions, governments shall consider the populations, economic and social development status, medical resources, health risk factors, morbidity, prevalence rate and emergency treatment needs, among others, within their respective administrative regions.

**Article 38** For the formation of a medical institution, the following conditions shall be met, and the examination and approval or recordation formalities shall be undergone in accordance with the relevant provisions of the state:

- (1) It has a name, governing body and premise in compliance with the provisions.
- (2) It has funds, facilities, equipment and medical personnel compatible with the business carried out.
- (3) It has corresponding rules and regulations.
- (4) It is able to independently assume civil responsibilities.
- (5) Other conditions as proscribed by the laws or administrative regulations.

Medical institutions have obtained a practicing license according to the law. It is prohibited to forge, alter, sell or buy, lease or lend any Practicing License for a Medical Institution.

The specific conditions and configurations of various medical institutions at all levels shall comply with the standards for medical institutions developed by the appropriate medical and health department under the State Council.

**Article 39** The state shall conduct classified administration of medical institutions.

The medical service system shall insist on non-for-profit medical institutions as the principal parts and for-profit medical institutions as the supplements. The non-for-profit medical institutions founded by governments shall play a leading role in the basic medical cause and guarantee that the basic medical services are fair and available.

医院主要提供疾病诊治，特别是急危重症和疑难病症的诊疗，突发事件医疗处置和救援以及健康教育等医疗卫生服务，并开展医学教育、医疗卫生人员培训、医学科学研究和对基层医疗卫生机构的业务指导等工作。

专业公共卫生机构主要提供传染病、慢性非传染性疾病、职业病、地方病等疾病预防控制和健康教育、妇幼保健、精神卫生、院前急救、采供血、食品安全风险监测评估、出生缺陷防治等公共卫生服务。

**第三十六条** 各级各类医疗卫生机构应当分工合作，为公民提供预防、保健、治疗、护理、康复、安宁疗护等全方位全周期的医疗卫生服务。

各级人民政府采取措施支持医疗卫生机构与养老机构、儿童福利机构、社区组织建立协作机制，为老年人、孤残儿童提供安全、便捷的医疗和健康服务。

**第三十七条** 县级以上人民政府应当制定并落实医疗卫生服务体系规划，科学配置医疗卫生资源，举办医疗卫生机构，为公民获得基本医疗卫生服务提供保障。

政府举办医疗卫生机构，应当考虑本行政区域人口、经济社会发展状况、医疗卫生资源、健康危险因素、发病率、患病率以及紧急救治需求等情况。

**第三十八条** 举办医疗机构，应当具备下列条件，按照国家有关规定办理审批或者备案手续：

- (一) 有符合规定的名称、组织机构和场所；
- (二) 有与其开展的业务相适应的经费、设施、设备和医疗卫生人员；
- (三) 有相应的规章制度；
- (四) 能够独立承担民事责任；
- (五) 法律、行政法规规定的其他条件。

医疗机构依法取得执业许可证。禁止伪造、变造、买卖、出租、出借医疗机构执业许可证。

各级各类医疗卫生机构的具体条件和配置应当符合国务院卫生健康主管部门制定的医疗卫生机构标准。

**第三十九条** 国家对医疗卫生机构实行分类管理。

医疗卫生服务体系坚持以非营利性医疗卫生机构为主体、营利性医疗卫生机构为补充。政府举办非营利性医疗卫生机构，在基本医疗卫生事业中发挥主导作用，保障基本医疗卫生服务公平可及。

A medical institution formed with government funds or donated assets, in whole or in part, shall not be formed as a for-profit medical institution.

以政府资金、捐赠资产举办或者参与举办的医疗卫生机构不得设立为营利性医疗卫生机构。

A medical institution shall not conduct external leasing or contracting of any medical department. A non-for-profit medical institution shall not allocate revenues or allocate revenues in a disguised manner to any contributor or founder.

医疗卫生机构不得对外出租、承包医疗科室。非营利性医疗卫生机构不得向出资人、举办者分配或者变相分配收益。

**Article 40** Medical institutions founded by the government shall insist on the nature of public welfare, incorporate all revenues and expenditures into the budget management, and rationally set and control the scale according to the plan for the medical service system.

**第四十条** 政府举办的医疗卫生机构应当坚持公益性质，所有收支均纳入预算管理，按照医疗卫生服务体系规划合理设置并控制规模。

The state shall encourage the medical institutions founded by the government to cooperate with social forces to form non-for-profit medical institutions.

国家鼓励政府举办的医疗卫生机构与社会力量合作举办非营利性医疗卫生机构。

A medical institution founded by the government shall neither invest in or form any medical institution with non-independent legal person qualification with any other organization, nor cooperate with any private investor to form any for-profit medical institution.

政府举办的医疗卫生机构不得与其他组织投资设立非独立法人资格的医疗卫生机构，不得与社会资本合作举办营利性医疗卫生机构。

**Article 41** The state shall take various measures to encourage and direct social forces to found medical institutions according to the law, and support and regulate various types of cooperation in medical business, discipline development, and talent training, among others, carried out by medical institutions founded by social forces and medical institutions founded by the government.

**第四十一条** 国家采取多种措施，鼓励和引导社会力量依法举办医疗卫生机构，支持和规范社会力量举办的医疗卫生机构与政府举办的医疗卫生机构开展多种类型的医疗业务、学科建设、人才培养等合作。

Medical institutions founded by social forces shall enjoy the same right as the medical institutions founded by the government in terms of designated medical institutions covered by basic medical insurance, construction of key specialties, scientific research and teaching, grade review, specific medical technology access, and assessment of professional titles of medical personnel, and other respects.

社会力量举办的医疗卫生机构在基本医疗保险定点、重点专科建设、科研教学、等级评审、特定医疗技术准入、医疗卫生人员职称评定等方面享有与政府举办的医疗卫生机构同等的权利。

Social forces may choose to found non-for-profit or for-profit medical institutions. Non-for-profit medical institutions founded by social forces shall enjoy the policies for tax, fiscal subsidies, use of land, use of water, use of power, use of gas, and use of heat, among others, equal to those for medical institutions founded by the government according to the provisions.

社会力量可以选择设立非营利性或者营利性医疗卫生机构。社会力量举办的非营利性医疗卫生机构按照规定享受与政府举办的医疗卫生机构同等的税收、财政补助、用地、用水、用电、用气、用热等政策，并依法接受监督管理。

**Article 42** The state shall, on the basis of the medical institutions founded, rationally plan and set up national medical centers and national and provincial regional medical centers to diagnose and treat difficult and complicated diseases, conduct research to overcome major medical problems, and cultivate high-level medical talents.

**第四十二条** 国家以建成的医疗卫生机构为基础，合理规划与设置国家医学中心和国家、省级区域性医疗中心，诊治疑难重症，研究攻克重大医学难题，培养高层次医疗卫生人才。

**Article 43** Medical and health institutions shall comply with the laws, regulations and rules, establish and improve internal quality management and control systems, and be responsible for the quality of medical services.

**第四十三条** 医疗卫生机构应当遵守法律、法规、规章，建立健全内部质量管理和控制制度，对医疗卫生服务质量负责。

Medical institutions shall, according to the guidelines for clinical diagnosis and treatment, the rules for the operation of clinical technologies, industrial standards, medical ethical norm and other relevant requirements, rationally conduct examination, use drugs, and conduct diagnosis and treatment, strengthen the prevention of medical safety risks, optimize the service process, and continuously improve the quality of medical services.

医疗卫生机构应当按照临床诊疗指南、临床技术操作规范和行业标准以及医学伦理规范等有关要求，合理进行检查、用药、诊疗，加强医疗卫生安全风险防范，优化服务流程，持续改进医疗卫生服务质量。

**Article 44** The state shall conduct classified administration of the clinical application of medical technologies, and strictly manage the medical technologies that have great technical difficulties and high medical risks, and that are demanding for the service capacity and professional technical competence of personnel.

**第四十四条** 国家对医疗卫生技术的临床应用进行分类管理，对技术难度大、医疗风险高，服务能力、人员专业技术水平要求较高的医疗卫生技术实行严格管理。

Medical institutions shall conduct clinical application of medical technologies adaptable to their functions and tasks, under the principles of scientificity, safety, standardization, effectiveness and economy, and be ethical.

医疗卫生机构开展医疗卫生技术临床应用，应当与其功能任务相适应，遵循科学、安全、规范、有效、经济的原则，并符合伦理。



**Article 45** The state shall establish a modern hospital management system characterized by clear rights and responsibilities, scientific management, perfect governance, efficient operation and effective supervision.

Hospitals shall develop bylaws, establish and improve the corporate governance structure, and improve the capacity and operation efficiency of medical services.

**Article 46** The practice premises of medical institutions are public places where medical institutions provide medical services and whose order shall not be disturbed by any organization or individual.

**Article 47** The state shall improve the medical risk sharing mechanism, encourage medical institutions to participate in medical liability insurance or establish medical risk funds, and encourage patients to participate in medical accident insurance.

**Article 48** The state shall encourage medical institutions to continuously improve the prevention, health care, diagnosis, treatment, nursing and rehabilitation technologies, equipment and services, and support the development of medical technologies suitable for the grassroots and remote areas.

**Article 49** The state shall promote the application and development of health informatization of the whole people, big data on health and medical treatment, and artificial intelligence, among others, accelerate the construction of medical information infrastructure, develop the technical standards for the analysis on, collection, storage, and application of data on health and medical treatment, and promote the publicity and sharing of high-quality medical resources by utilizing information technology.

The people's governments at or above the county level and their relevant relevant departments shall take measures, promote the application of information technology in the medical field and medical education, and support the exploration and development of the new modes and new business forms of medical services.

The state shall take measures to urge medical institutions to establish and improve the medical information exchange and information security system, provide remote medical services by virtue of information technology, and establish an integrated online and offline medical service model.

**Article 50** In the event of natural disasters, accident disasters, public health incidents, social security incidents and other emergencies seriously threatening the life and health of the people, medical institutions and medical personnel shall obey the dispatch of the government departments and participate in the health care emergency response and medical treatment. Participants that are sick, disabled and dead shall be given relevant treatment of employment injury, consolation money, or praise to martyrs in accordance with the relevant provisions.

#### Chapter IV Medical Personnel

**Article 51** Medical personnel shall carry forward the lofty professional spirit of respecting life, healing the wounded and rescuing the dying, being willing to dedicate themselves, maintaining boundless love, observing the industrial standards, observing medical ethics, and striving to improve the professional level and service quality.

Medical industry associations, medical institutions and medical colleges shall strengthen the education of medical personnel on medical ethics and practices.

**Article 52** The state shall develop a training plan for medical personnel, establish a training mechanism and a supply and demand balance mechanism for medical personnel adapting to the industrial characteristics and social needs, improve the system of education in colleges and universities, post-graduation education and continuing education, establish and improve a regulated training system for resident doctors and diplomates, and form medical teams with appropriate scale, rational structure, and balanced distribution.

**第四十五条** 国家建立权责清晰、管理科学、治理完善、运行高效、监督有力的现代医院管理制度。

医院应当制定章程，建立和完善法人治理结构，提高医疗卫生服务能力和运行效率。

**第四十六条** 医疗卫生机构执业场所是提供医疗卫生服务的公共场所，任何组织或者个人不得扰乱其秩序。

**第四十七条** 国家完善医疗风险分担机制，鼓励医疗机构参加医疗责任保险或者建立医疗风险基金，鼓励患者参加医疗意外保险。

**第四十八条** 国家鼓励医疗卫生机构不断改进预防、保健、诊断、治疗、护理和康复的技术、设备与服务，支持开发适合基层和边远地区应用的医疗卫生技术。

**第四十九条** 国家推进全民健康信息化，推动健康医疗大数据、人工智能等的应用发展，加快医疗卫生信息基础设施建设，制定健康医疗数据采集、存储、分析和应用的技术标准，运用信息技术促进优质医疗卫生资源的普及与共享。

县级以上人民政府及其有关部门应当采取措施，推进信息技术在医疗卫生领域和医学教育中的应用，支持探索发展医疗卫生服务新模式、新业态。

国家采取措施，推进医疗卫生机构建立健全医疗卫生信息交流和信息安全制度，应用信息技术开展远程医疗服务，构建线上线下一体化医疗服务模式。

**第五十条** 发生自然灾害、事故灾难、公共卫生事件和社会安全事件等严重威胁人民群众生命健康的突发事件时，医疗卫生机构、医疗卫生人员应当服从政府部门的调遣，参与卫生应急处置和医疗救治。对致病、致残、死亡的参与人员，按照规定给予工伤或者抚恤、烈士褒扬等相关待遇。

#### 第四章 医疗卫生人员

**第五十一条** 医疗卫生人员应当弘扬敬佑生命、救死扶伤、甘于奉献、大爱无疆的崇高职业精神，遵守行业规范，恪守医德，努力提高专业水平和服务质量。

医疗卫生行业组织、医疗卫生机构、医学院校应当加强对医疗卫生人员的医德医风教育。

**第五十二条** 国家制定医疗卫生人员培养规划，建立适应行业特点和社会需求的医疗卫生人员培养机制和供需平衡机制，完善医学院校教育、毕业后教育和继续教育体系，建立健全住院医师、专科医师规范化培训制度，建立规模适宜、结构合理、分布均衡的医疗卫生队伍。

The state shall strengthen the training and use of general practitioners. General practitioners shall mainly provide diagnosis, treatment, transfer, prevention, health care and rehabilitation of common diseases and frequently-occurring diseases, management of chronic diseases, health management and other services.

**Article 53** The state shall implement the practice registration system for physicians, nurses and other medical personnel according to the law. Medical personnel shall obtain corresponding professional qualifications according to the law.

**Article 54** Medical personnel shall follow the law of medical science, comply with the relevant technical specifications on clinical diagnosis and treatment, various operating rules, and medical ethical norms, use appropriate technologies and drugs, offer rational diagnosis and treatment, and conduct curing on the basis of the sickness, and shall not implement overtreatment for patients.

Medical personnel shall not ask for or illegally accept money or property or seek other illicit interests by taking advantage of their positions.

**Article 55** The state shall establish and improve a personnel, remuneration and award system in line with the characteristics of the medical industry to reflect the occupational characteristics and technical labor value of medical personnel.

Medical personnel engaging in prevention and control of infectious diseases, radioactive medicine, mental health work and other work of special positions shall be given appropriate allowances in accordance with the provisions of the state. The allowance standard shall be adjusted on a regular basis.

**Article 56** The state shall establish a system for medical personnel to engage in medical work at the grassroots and in rough and remote areas on a regular basis.

The state shall adopt measures such as targeted free training, corresponding assistance, and re-employment after retirement, to strengthen the construction of medical teams at the grassroots and in rough and remote areas.

A practicing physician to be promoted to a deputy senior technical title shall have more than one year of experience in providing medical services at medical institutions at or below the county level or corresponding assistance accumulatively.

Medical personnel working at the grassroots and in rough and remote areas shall enjoy preferential treatments in remunerations and allowances, evaluation of professional titles, career development, education and training, recognition and awards, and other respects.

The state shall strengthen the construction of rural medical teams, establish a career development mechanism characterized by connection at the levels of village, township and county, and improve the multi-channel subsidy mechanism for service revenues of rural medical personnel and the elderly-care policies.

**Article 57** The whole society shall care for and respect medical personnel, maintain a sound and safe order of medical services, and jointly form a harmonious doctor-patient relationship.

The personal safety and personal dignity of medical personnel shall not be violated, and their lawful rights and interests shall be protected by law. Every organization or individual shall be prohibited from threatening and endangering the personal safety of medical personnel, and infringing upon the personal dignity of medical personnel.

The state shall take measures to ensure the practicing environment of medical personnel.

Chapter V Guarantee for Supply of Drugs

国家加强全科医生的培养和使用。全科医生主要提供常见病、多发病的诊疗和转诊、预防、保健、康复，以及慢性病管理、健康管理等服务。

**第五十三条** 国家对医师、护士等医疗卫生人员依法实行执业注册制度。医疗卫生人员应当依法取得相应的职业资格。

**第五十四条** 医疗卫生人员应当遵循医学科学规律，遵守有关临床诊疗技术规范和各项操作规范以及医学伦理规范，使用适宜技术和药物，合理诊疗，因病施治，不得对患者实施过度医疗。

医疗卫生人员不得利用职务之便索要、非法收受财物或者牟取其他不正当利益。

**第五十五条** 国家建立健全符合医疗卫生行业特点的人事、薪酬、奖励制度，体现医疗卫生人员职业特点和技术劳动价值。

对从事传染病防治、放射医学和精神卫生工作以及其他在特殊岗位工作的医疗卫生人员，应当按照国家规定给予适当的津贴。津贴标准应当定期调整。

**第五十六条** 国家建立医疗卫生人员定期到基层和艰苦边远地区从事医疗卫生工作制度。

国家采取定向免费培养、对口支援、退休返聘等措施，加强基层和艰苦边远地区医疗卫生队伍建设。

执业医师晋升为副高级技术职称的，应当有累计一年以上在县级以下或者对口支援的医疗卫生机构提供医疗卫生服务的经历。

对在基层和艰苦边远地区工作的医疗卫生人员，在薪酬津贴、职称评定、职业发展、教育培训和表彰奖励等方面实行优惠待遇。

国家加强乡村医疗卫生队伍建设，建立县乡村上下贯通的职业发展机制，完善对乡村医疗卫生人员的服务收入多渠道补助机制和养老政策。

**第五十七条** 全社会应当关心、尊重医疗卫生人员，维护良好安全的医疗卫生服务秩序，共同构建和谐医患关系。

医疗卫生人员的人身安全、人格尊严不受侵犯，其合法权益受法律保护。禁止任何组织或者个人威胁、危害医疗卫生人员人身安全，侵犯医疗卫生人员人格尊严。

国家采取措施，保障医疗卫生人员执业环境。

第五章 药品供应保障

**Article 58** The state shall improve the drug supply guarantee system, establish a coordination mechanism, and guarantee the safety, effectiveness and availability of drugs.

**Article 59** The state shall implement the essential drug system and select appropriate number of essential drugs to meet the basic drug needs for prevention and control of diseases.

The state shall issue a list of essential drugs, and dynamically adjust the list of essential drugs according to the clinical application practice of drugs, changes in drug standards, and new launching of drugs, among others.

Essential drugs shall be preferentially included in the list of essential medical insurance drugs according to the provisions.

The state shall improve the supply of essential drugs, strengthen the quality supervision and administration of essential drugs, and ensure that essential drugs are fairly available and rationally used.

**Article 60** The state shall establish and improve a clinical needs-oriented drug review and approval system, and support the research, development and production of drugs in urgent clinical need, drugs for children, and drugs for prevention and control of rare diseases and serious diseases, to meet the needs of disease prevention and control.

**Article 61** The state shall establish and improve a thorough traceability system for research and development, production, circulation and use of drug, strengthen drug management, and guarantee the quality of drugs.

**Article 62** The state shall establish and improve a drug price monitoring system, conduct investigation into the cost price, strengthen drug price supervision and inspection, investigate and handle price monopoly, price fraud, unfair competition and other illegal acts, and maintain the drug price order.

The state shall strengthen classified drug procurement management and guidance. A bidder participating in drug procurement bidding shall not bid at a price lower than the cost or bid by fraud, collusion, abuse of market dominance, and other means.

**Article 63** The state shall establish the medical reserve systems of the central government and local governments, mainly for guaranteeing emergency response to major disasters, epidemic situation and other emergencies.

**Article 64** The state shall establish and improve the drug supply monitoring system, collect, summarize and analyze the information on drug supply and demand in a timely manner, and announce the production, circulation and use of drugs on a regular basis.

**Article 65** The state shall strengthen the management of medical devices, improve the standards and specifications on medical devices, and improve the safety and effective level of medical devices.

The appropriate medical and health department under the State Council and the appropriate medical and health departments of the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government shall, on the basis of the advancement, appropriateness and availability of technologies, develop a general plan for the allocation of large-scale medical equipment, and promote the rational allocation and sufficient sharing of medical resources in the regions.

**第五十八条** 国家完善药品供应保障制度, 建立工作协调机制, 保障药品的安全、有效、可及。

**第五十九条** 国家实施基本药物制度, 遴选适当数量的基本药物品种, 满足疾病防治基本用药需求。

国家公布基本药物目录, 根据药品临床应用实践、药品标准变化、药品新上市情况等, 对基本药物目录进行动态调整。

基本药物按照规定优先纳入基本医疗保险药品目录。

国家提高基本药物的供给能力, 强化基本药物质量监管, 确保基本药物公平可及、合理使用。

**第六十条** 国家建立健全以临床需求为导向的药品审评审批制度, 支持临床急需药品、儿童用药品和防治罕见病、重大疾病等药品的研制、生产, 满足疾病防治需求。

**第六十一条** 国家建立健全药品研制、生产、流通、使用全过程追溯制度, 加强药品管理, 保证药品质量。

**第六十二条** 国家建立健全药品价格监测体系, 开展成本价格调查, 加强药品价格监督检查, 依法查处价格垄断、价格欺诈、不正当竞争等违法行为, 维护药品价格秩序。

国家加强药品分类采购管理和指导。参加药品采购投标的投标人不得以低于成本的报价竞标, 不得以欺诈、串通投标、滥用市场支配地位等方式竞标。

**第六十三条** 国家建立中央与地方两级医药储备, 用于保障重大灾情、疫情及其他突发事件等应急需要。

**第六十四条** 国家建立健全药品供求监测体系, 及时收集和汇总分析药品供求信息, 定期公布药品生产、流通、使用等情况。

**第六十五条** 国家加强对医疗器械的管理, 完善医疗器械的标准和规范, 提高医疗器械的安全有效水平。

国务院卫生健康主管部门和省、自治区、直辖市人民政府卫生健康主管部门应当根据技术的先进性、适宜性和可及性, 编制大型医用设备配置规划, 促进区域内医用设备合理配置、充分共享。

**Article 66** The state shall strengthen the protection and development of traditional Chinese medicine, fully reflect the characteristics and advantages of traditional Chinese medicine, and maximize its role in prevention, health care, medical treatment and rehabilitation.

#### Chapter VI Health Care Promotion

**Article 67** The people's governments at all levels shall strengthen health education and training of professional talents, establish a core information issuance system for health knowledge and skills, popularize health science knowledge, and provide scientific and accurate health information for the public.

The medical, education, sports, publicity and other institutions, grassroots self-governing mass organizations and social organizations shall carry out publicity and popularization of health knowledge. Medical personnel shall, when providing medical services, carry out health education for patients. The news media shall carry out public welfare publicity on health knowledge. The publicity of health knowledge shall be scientific and accurate.

**Article 68** The state shall include health education in the national educational system. Schools shall conduct health education in various forms, popularize health knowledge, scientific fitness knowledge, and first aid knowledge and skills, improve students' awareness of active disease prevention, cultivate students' sound health habits and behavioral habits, and reduce and improve students' adverse health conditions such as myopia and obesity.

Schools shall, according to the provisions, provide sports and health courses and organize students to carry out activities such as radio gymnastic exercises, eye exercises, and physical exercises.

Schools shall, according to the provisions, appoint school doctors and establish and improve health rooms and health care rooms, among others.

The education administrative departments of the people's governments at or above the county level shall incorporate students' physical fitness level into the school assessment system.

**Article 69** Citizens, as the first responsible persons for their own health, shall establish and practice the health management concept responsible for their own health, actively learn health knowledge, improve their health literacy, and strengthen health management. Family members shall be urged to care for each other and form a healthy lifestyle that suits their own and family characteristics.

Citizens shall respect others' right to health and benefits and shall not damage others' health or public interests.

**Article 70** The state shall organize investigation and statistics of residents' health status, carry out physical monitoring, evaluate health performance, and develop and improve the laws, regulations, policies and general plans relevant to health according to the evaluation results.

**Article 71** The state shall establish a system for monitoring, investigation and risk assessment of the risk factors of diseases and health. The people's governments at or above the county level and their relevant departments shall organize and carry out research on health risk factors for the main problems affecting health, and develop the comprehensive prevention and control measures.

The state shall strengthen the prevention and governance of environmental problems affecting health, organize research on the impact of environmental quality on health, and take measures to prevent and control diseases related to environmental problems.

**第六十六条** 国家加强中药的保护与发展, 充分体现中药的特色和优势, 发挥其在预防、保健、医疗、康复中的作用。

#### 第六章 健康促进

**第六十七条** 各级人民政府应当加强健康教育及其专业人才培养, 建立健康知识和技能核心信息发布制度, 普及健康科学知识, 向公众提供科学、准确的健康信息。

医疗卫生、教育、体育、宣传等机构、基层群众性自治组织和社会组织应当开展健康知识的宣传和普及。医疗卫生人员在提供医疗卫生服务时, 应当对患者开展健康教育。新闻媒体应当开展健康知识的公益宣传。健康知识的宣传应当科学、准确。

**第六十八条** 国家将健康教育纳入国民教育体系。学校应当利用多种形式实施健康教育, 普及健康知识、科学健身知识、急救知识和技能, 提高学生主动防病的意识, 培养学生良好的卫生习惯和健康的行为习惯, 减少、改善学生近视、肥胖等不良健康状况。

学校应当按照规定开设体育与健康课程, 组织学生开展广播体操、眼保健操、体能锻炼等活动。

学校按照规定配备校医, 建立和完善卫生室、保健室等。

县级以上人民政府教育主管部门应当按照规定将学生体质健康水平纳入学校考核体系。

**第六十九条** 公民是自己健康的第一责任人, 树立和践行对自己健康负责的健康管理理念, 主动学习健康知识, 提高健康素养, 加强健康管理。倡导家庭成员相互关爱, 形成符合自身和家庭特点的健康生活方式。

公民应当尊重他人的健康权利和利益, 不得损害他人健康和社会公共利益。

**第七十条** 国家组织居民健康状况调查和统计, 开展体质监测, 对健康绩效进行评估, 并根据评估结果制定、完善与健康相关的法律、法规、政策和规划。

**第七十一条** 国家建立疾病和健康危险因素监测、调查和风险评估制度。县级以上人民政府及其有关部门针对影响健康的主要问题, 组织开展健康危险因素研究, 制定综合防治措施。

国家加强影响健康的环境问题预防和治理, 组织开展环境质量对健康影响的研究, 采取措施预防和控制与环境问题有关的疾病。



**Article 72** The state shall vigorously carry out patriotic health campaign, encourage and support the development of patriotic health months and other mass medical and health care activities, rely on and mobilize the masses to control and eliminate health risk factors, improve the environmental sanitation conditions, and build healthy cities, villages and towns and communities.

**Article 73** The state shall establish a scientific and strict food and drinking water safety supervision and administration system to improve the safety level.

**Article 74** The state shall establish a monitoring system for the nutritional status, implement nutrition intervention plans for underdeveloped areas and key groups of people, carry out nutrition improvement activities for minors and senior citizens, advocate healthy dietary habit, and reduce the risk of diseases caused by unhealthy diet.

**Article 75** The state shall develop the national fitness cause, improve the national public fitness service system covering both urban and rural areas, strengthen the construction of public sports facilities, organize, implement and support national fitness activities, improve the national fitness guidance services, and popularize scientific fitness knowledge and methods.

The state shall encourage availability of sports venues of entities to the public.

**Article 76** The state shall develop and implement the work plans for the health of minors, women, senior citizens, disabled persons and other people, and strengthen the health care services for key groups of people.

The state shall promote long-term nursing guarantee work and encourage the development of long-term nursing insurance.

**Article 77** The state shall improve the sanitary control system of public places. The appropriate medical and health departments of the people's governments at or above the county level shall strengthen sanitary inspection of public places. The sanitary inspection information on public places shall be disclosed to the public according to the law.

Business entities at public places shall establish, improve and strictly implement the sanitary control system, and ensure that their business operation activities continuously satisfy the sanitary requirements of the state for public places.

**Article 78** The state shall adopt measures to reduce the harm of smoking to the health of citizens.

Control of smoking in public places shall be implemented and supervision and law enforcement shall be strengthened.

Warnings indicating harms of smoking shall be printed on the packages of tobacco products.

Sale of cigarettes or alcohol to minors shall be prohibited.

**Article 79** Employers shall create environment and conditions favorable for the health of employees, strictly implement the relevant provisions on labor safety and health, actively organize employees to carry out fitness activities, and protect the health of employees.

The state shall encourage employers to carry out guidance work for employees' health.

The state shall encourage employers to carry out health checkups for employees on a regular basis, except as otherwise prescribed on health examination in the laws and regulations.

Chapter VII Funds Guarantee

**第七十二条** 国家大力开展爱国卫生运动, 鼓励和支持开展爱国卫生月等群众性卫生与健康活动, 依靠和动员群众控制和消除健康危险因素, 改善环境卫生状况, 建设健康城市、健康村镇、健康社区。

**第七十三条** 国家建立科学、严格的食品、饮用水安全监督管理制度, 提高安全水平。

**第七十四条** 国家建立营养状况监测制度, 实施经济欠发达地区、重点人群营养干预计划, 开展未成年人和老年人营养改善行动, 倡导健康饮食习惯, 减少不健康饮食引起的疾病风险。

**第七十五条** 国家发展全民健身事业, 完善覆盖城乡的全民健身公共服务体系, 加强公共体育设施建设, 组织开展和支持全民健身活动, 加强全民健身指导服务, 普及科学健身知识和方法。

国家鼓励单位的体育场地设施向公众开放。

**第七十六条** 国家制定并实施未成年人、妇女、老年人、残疾人等的健康工作计划, 加强重点人群健康服务。

国家推动长期护理保障工作, 鼓励发展长期护理保险。

**第七十七条** 国家完善公共场所卫生管理制度。县级以上人民政府卫生健康等主管部门应当加强对公共场所的卫生监督。公共场所卫生监督信息应当依法向社会公开。

公共场所经营单位应当建立健全并严格实施卫生管理制度, 保证其经营活动持续符合国家对公共场所的卫生要求。

**第七十八条** 国家采取措施, 减少吸烟对公民健康的危害。

公共场所控制吸烟, 强化监督执法。

烟草制品包装应当印制带有说明吸烟危害的警示。

禁止向未成年人出售烟酒。

**第七十九条** 用人单位应当为职工创造有益于健康的环境和条件, 严格执行劳动安全卫生等相关规定, 积极组织职工开展健身活动, 保护职工健康。

国家鼓励用人单位开展职工健康指导工作。

国家提倡用人单位为职工定期开展健康检查。法律、法规对健康检查有规定的, 依照其规定。

第七章 资金保障

**Article 80** The people's governments at all levels shall effectively perform the duties of developing the medical and health care cause, establish medical cause investment mechanisms commensurate with the economic and social development, financial status and health indicators, and incorporate the medical and health care promotion expenditures into the government budget of the corresponding levels, mainly for guaranteeing the basic medical services, public health services, basic medical guarantee, and construction, operation and development of medical institutions founded by governments according to the provisions.

**Article 81** The people's governments at or above the county level shall strengthen the supervision and administration of funds by such means as budgets, audit, supervision and law enforcement, and social supervision.

**Article 82** The basic medical service fees shall be mainly paid by the basic medical insurance funds and individuals. The state shall raise basic medical insurance funds from multiple channels according to the law and gradually improve the sustainable financing and guarantee level adjustment mechanism for the basic medical insurance.

Citizens shall have the rights and obligations to participate in the basic medical insurance according to the law. Employers and staff members shall pay basic medical insurance premiums for employees in accordance with the provisions issued by the state. Urban and rural residents shall pay basic medical insurance premiums for urban and rural residents in accordance with the provisions.

**Article 83** The state shall establish a multi-level medical security system dominated by basic medical insurance and supplemented with commercial health insurance, medical aid, mutual medical insurance for employees, and medical charity services, among others.

The state shall encourage the development of commercial health insurance to satisfy the diversified health guarantee needs of the public.

The state shall improve the medical assistance system and ensure that eligible underprivileged persons obtain basic medical services.

**Article 84** The state shall establish and improve a consultation and negotiation mechanism between basic medical insurance handling institutions and designated medical institutions under agreement, scientifically and rationally determine the payment standards and payment methods for basic medical insurance funds, direct medical institutions to rationally conduct diagnosis and treatment, promote the orderly flow of patients, and improve the utilization efficiency of basic medical insurance funds.

**Article 85** The scope of payment of the basic medical insurance funds shall be determined by the appropriate medical security department under the State Council and the opinions of the appropriate medical and health department, the appropriate department of traditional Chinese medicine, and the public finance department under the State Council, among others, shall be requested.

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government may, in accordance with the relevant provisions issued by the state, supplement and determine the specific items and standards for payment of basic medical insurance funds in their respective administrative regions, and report to the appropriate medical security department under the State Council for recordation.

The appropriate medical security department under the State Council shall conduct evidence-based medical and economic evaluation of the list of essential medical insurance drugs, diagnosis and treatment items and standards for medical service facilities, among others, included in the payment scope, and request the opinions of the appropriate medical and health department, the appropriate department of traditional Chinese medicine, and the public finance department under the State Council, among others, on relevant respects. The evaluation results shall be regarded as the basis for adjusting the payment scope of the basic medical insurance funds.

Chapter VIII Supervision and Administration

**第八十条** 各级人民政府应当切实履行发展医疗卫生与健康事业的职责，建立与经济社会发展、财政状况和健康指标相适应的医疗卫生与健康事业投入机制，将医疗卫生与健康促进经费纳入本级政府预算，按照规定主要用于保障基本医疗服务、公共卫生服务、基本医疗保障和政府举办的医疗卫生机构建设和运行发展。

**第八十一条** 县级以上人民政府通过预算、审计、监督执法、社会监督等方式，加强资金的监督管理。

**第八十二条** 基本医疗服务费用主要由基本医疗保险基金和个人支付。国家依法多渠道筹集基本医疗保险基金，逐步完善基本医疗保险可持续筹资和保障水平调整机制。

公民有依法参加基本医疗保险的权利和义务。用人单位和职工按照国家规定缴纳职工基本医疗保险费。城乡居民按照规定缴纳城乡居民基本医疗保险费。

**第八十三条** 国家建立以基本医疗保险为主体，商业健康保险、医疗救助、职工互助医疗和医疗慈善服务等为补充的、多层次的医疗保障体系。

国家鼓励发展商业健康保险，满足人民群众多样化健康保障需求。

国家完善医疗救助制度，保障符合条件的困难群众获得基本医疗服务。

**第八十四条** 国家建立健全基本医疗保险经办机构与协议定点医疗卫生机构之间的协商谈判机制，科学合理确定基本医疗保险基金支付标准和支付方式，引导医疗卫生机构合理诊疗，促进患者有序流动，提高基本医疗保险基金使用效益。

**第八十五条** 基本医疗保险基金支付范围由国务院医疗保障主管部门组织制定，并应当听取国务院卫生健康主管部门、中医药主管部门、药品监督管理部门、财政部门等的意见。

省、自治区、直辖市人民政府可以按照国家有关规定，补充确定本行政区域基本医疗保险基金支付的具体项目和标准，并报国务院医疗保障主管部门备案。

国务院医疗保障主管部门应当对纳入支付范围的基本医疗保险药品目录、诊疗项目、医疗服务设施标准等组织开展循证医学和经济性评价，并应当听取国务院卫生健康主管部门、中医药主管部门、药品监督管理部门、财政部门等有关方面的意见。评价结果应当作为调整基本医疗保险基金支付范围的依据。

第八章 监督管理

**Article 86** The state shall establish and improve a comprehensive medical supervision and management system that combines institutional autonomy, industrial self-regulation, government supervision and administration, and social supervision.

The appropriate medical and health departments of the people's governments at or above the county level shall conduct territorial supervision and administration of the whole medical industry.

**Article 87** The appropriate medical security departments of the people's governments at or above the county level shall improve the medical security supervision and administration ability and level, strengthen the supervision and administration of the medical service behaviors and medical expenses included in the payment scope of basic medical insurance funds, and ensure the rational use, safety and controllability of the basic medical insurance funds.

**Article 88** The people's governments at or above the county level shall organize health care, medical security, drug supervision and administration, development and reform, public finance and other departments to establish the communication and consultation mechanisms, strengthen the system transition and work cooperation, and improve the efficiency and security level of medical resources.

**Article 89** The people's governments at or above the county level shall report the basic medical and health care promotion work to the people's congresses at the corresponding levels or their standing committees on a regular basis, and accept supervision thereof according to the law.

**Article 90** Where the relevant departments of the people's governments at or above the county level fail to perform the duties relating to the medical and health care promotion work, the people's governments at the corresponding levels or the relevant departments of the people's government at higher levels shall hold interviews with their primary persons in charge.

Where the local people's governments fail to perform the duties relating to the medical and health care promotion work, the people's governments at higher levels shall hold interviews with their primary persons in charge.

The interviewed departments and local people's governments shall immediately take measures to make rectification.

The interviews and rectification shall be included in the work assessment and evaluation records of the relevant departments and the local people's governments.

**Article 91** The appropriate medical and health departments of the local people's governments at or above the county level shall establish a performance evaluation system for medical institutions, and organize the assessment of the service quality, medical technologies, use of drugs and medical equipment, etc. of medical institutions. The assessment shall be participated in by industrial organizations and the public. The assessment results shall be disclosed to the public in an appropriate manner as an important basis for assessing medical institutions and health supervision and administration.

**Article 92** The state shall protect the citizens' personal health information and ensure the security of citizens' personal health information. No organization or individual shall illegally collect, use, process, or transmit personal health information on any citizen or illegally purchase, sell, provide or disclose personal health information of any citizen.

**Article 93** The appropriate medical and health departments and the appropriate medical security departments of the people's governments at or above the county level shall establish credit recording systems for medical institutions and personnel, among others, incorporate them into the national credit information sharing platform, and take joint disciplinary actions according to the provisions of the state.

**第八十六条** 国家建立健全机构自治、行业自律、政府监管、社会监督相结合的医疗卫生综合监督管理体系。

县级以上人民政府卫生健康主管部门对医疗卫生行业实行属地化、全行业监督管理。

**第八十七条** 县级以上人民政府医疗保障主管部门应当提高医疗保障监管能力和水平,对纳入基本医疗保险基金支付范围的医疗服务行为和医疗费用加强监督管理,确保基本医疗保险基金合理使用、安全可控。

**第八十八条** 县级以上人民政府应当组织卫生健康、医疗保障、药品监督管理、发展改革、财政等部门建立沟通协商机制,加强制度衔接和工作配合,提高医疗卫生资源使用效率和保障水平。

**第八十九条** 县级以上人民政府应当定期向本级人民代表大会或者其常务委员会报告基本医疗卫生与健康促进工作,依法接受监督。

**第九十条** 县级以上人民政府有关部门未履行医疗卫生与健康促进工作相关职责的,本级人民政府或者上级人民政府有关部门应当对其主要负责人进行约谈。

地方人民政府未履行医疗卫生与健康促进工作相关职责的,上级人民政府应当对其主要负责人进行约谈。

被约谈的部门和地方人民政府应当立即采取措施,进行整改。

约谈情况和整改情况应当纳入有关部门和地方人民政府工作评议、考核记录。

**第九十一条** 县级以上地方人民政府卫生健康主管部门应当建立医疗卫生机构绩效评估制度,组织对医疗卫生机构的服务质量、医疗技术、药品和医用设备使用等情况进行评估。评估应当吸收行业组织和公众参与。评估结果应当以适当方式向社会公开,作为评价医疗卫生机构和卫生监管的重要依据。

**第九十二条** 国家保护公民个人健康信息,确保公民个人健康信息安全。任何组织或者个人不得非法收集、使用、加工、传输公民个人健康信息,不得非法买卖、提供或者公开公民个人健康信息。

**第九十三条** 县级以上人民政府卫生健康主管部门、医疗保障主管部门应当建立医疗卫生机构、人员等信用记录制度,纳入全国信用信息共享平台,按照国家规定实施联合惩戒。

**Article 94** The appropriate medical and health departments of the local people's governments at or above the county level and their entrusted health supervision institutions shall carry out the medical administrative law enforcement work within their respective administrative regions according to the law.

**Article 95** The appropriate medical and health department of the people's governments at or above the county level shall actively cultivate medical industry associations, maximize their role in the medical and health care promotion, and support their participation in the development of the industry management standards and technical standards, and the medical evaluation, assessment, and review, among others.

**Article 96** The state shall establish a medical dispute prevention and treatment mechanism to appropriately handle medical disputes and maintain the medical order.

**Article 97** The state shall encourage citizens, legal persons and other organizations to conduct social supervision over the medical and health care promotion work.

Every organization and individual shall have the right to file complaints and tip-offs with the appropriate medical and health departments of the people's governments at or above the county level and other appropriate departments against the acts in violation of this Law.

## Chapter IX Legal Liabilities

**Article 98** Where the local people's governments at all levels, the appropriate medical and health departments of the people's governments at or above the county level and other relevant departments abuse powers, neglect duties, practice favoritism or make falsification in violation of this Law, the directly liable persons in charge and other directly liable persons shall be given disciplinary actions according to the law.

**Article 99** A medical institution that provides medical services without permission before obtaining the Practicing License for a Medical Institution in violation of the provisions of this Law shall be ordered by the appropriate medical and health department of the people's government at or above the county level to cease its practicing activities, be subject to confiscation of illegal gains, drugs and medical devices, and be fined not less than 5 times nor more than 20 times of illegal gains; and an entity with illegal gains of not more than 10,000 yuan shall be subject to punishment on the basis of illegal gains of 10,000 yuan.

An entity that forges, alters, buys, sells, leases, or lends a Practicing License for a Medical Institution in violation of the provisions of this Law shall be ordered by the appropriate medical and health department of the people's government at or above the county level to make corrections, be subject to confiscation of illegal gains, and be fined not less than 5 times nor more than 20 times of illegal gains; an entity with illegal gains of not more than 10,000 yuan shall be subject to punishment on the basis of illegal gains of 10,000 yuan; and an entity falling under serious circumstances shall be subject to revocation of a Practicing License for a Medical Institution.

**Article 100** An entity conducting one of the following acts in violation of the provisions of this Law shall be ordered by the appropriate medical and health department of the people's government at or above the county level to take corrective action, and be subject to confiscation of illegal gains and a fine of not less than two times nor more than ten times of the illegal gains; an entity with illegal gains of not more than 10,000 yuan shall be subject to punishment on the basis of illegal gains of 10,000 yuan; and the directly liable person in charge and other directly liable persons shall be given disciplinary actions according to the law:

- (1) A medical institution founded by the government invests in and forms a medical institution with non-independent legal person qualification with another organization.
- (2) A medical institution conducts external leasing or contracting of a medical department.
- (3) A non-for-profit medical institution allocates revenues or allocates revenues in a disguised manner to a contributor or founder.

**第九十四条** 县级以上地方人民政府卫生健康主管部门及其委托的卫生健康监督机构，依法开展本行政区域医疗卫生等行政执法工作。

**第九十五条** 县级以上人民政府卫生健康主管部门应当积极培育医疗卫生行业组织，发挥其在医疗卫生与健康促进工作中的作用，支持其参与行业管理规范、技术标准制定和医疗卫生评价、评估、评审等工作。

**第九十六条** 国家建立医疗纠纷预防和处理机制，妥善处理医疗纠纷，维护医疗秩序。

**第九十七条** 国家鼓励公民、法人和其他组织对医疗卫生与健康促进工作进行社会监督。

任何组织和个人对违反本法规定的行为，有权向县级以上人民政府卫生健康主管部门和其他有关部门投诉、举报。

## 第九章 法律责任

**第九十八条** 违反本法规定，地方各级人民政府、县级以上人民政府卫生健康主管部门和其他有关部门，滥用职权、玩忽职守、徇私舞弊的，对直接负责的主管人员和其他直接责任人员依法给予处分。

**第九十九条** 违反本法规定，未取得医疗机构执业许可证擅自执业的，由县级以上人民政府卫生健康主管部门责令停止执业活动，没收违法所得和药品、医疗器械，并处违法所得五倍以上二十倍以下的罚款，违法所得不足一万元的，按一万元计算。

违反本法规定，伪造、变造、买卖、出租、出借医疗机构执业许可证的，由县级以上人民政府卫生健康主管部门责令改正，没收违法所得，并处违法所得五倍以上十倍以下的罚款，违法所得不足一万元的，按一万元计算；情节严重的，吊销医疗机构执业许可证。

**第一百条** 违反本法规定，有下列行为之一的，由县级以上人民政府卫生健康主管部门责令改正，没收违法所得，并处违法所得二倍以上十倍以下的罚款，违法所得不足一万元的，按一万元计算；对直接负责的主管人员和其他直接责任人员依法给予处分：

- (一) 政府举办的医疗卫生机构与其他组织投资设立非独立法人资格的医疗卫生机构；
- (二) 医疗卫生机构对外出租、承包医疗科室；
- (三) 非营利性医疗卫生机构向出资人、举办者分配或者变相分配收益。



**Article 101** A medical institution having imperfect medical information security system and guarantee measures, leading to disclosure of medical information, or having unsound medical quality management, medical technology management system and safety measures in violation of this Law shall be ordered by the appropriate medical and health department of the people's government at or above the county level to take corrective action, be given a warning and be subject to a fine of not less than 10,000 yuan nor more than 50,000 yuan; and may be ordered to cease practicing activities under serious circumstances, and the directly liable person in charge and other directly liable persons shall be subject to legal liability according to the law.

**Article 102** Medical personnel conducting one of the following acts in violation of this Law shall be given administrative penalties by the appropriate medical and health department of the people's government at or above the county level according to the laws and administrative regulations on the administration of practicing physicians and nurses, and the prevention and handling of medical disputes, among others:

- (1) Asking for or illegally accepting money or property or seeking other illicit interests by taking advantage of his or her position.
- (2) Leaking personal health information of a citizen.
- (3) Failing to fulfill the obligation of notification according to the provisions during the process of conducting medical research or providing medical services, or violating the medical ethics and specifications.

Personnel prescribed in the preceding paragraph that are personnel of a medical institution founded by the government shall be given disciplinary actions according to the law.

**Article 103** A bidder participating in a bid for drug procurement and bidding by offering a price lower than the cost, or by fraud, collusion, abuse of market dominance, and other means in violation of this Law shall be ordered by the appropriate medical security department of the people's government at or above the county level to take corrective action and be subject to confiscation of illegal gains; where a bid is won, the bid winning shall be invalid, a fine of not less than 0.5% nor more than 1% of the value of the bidding project shall be imposed upon the bidder, and the legal representative, the primary person in charge, the directly liable persons in charge and other liable persons shall be subject to a fine of not more than 5% nor more than 10% of the fine imposed upon the entity; and under serious circumstances, the bidder shall be disqualified for participating in any bid for drug procurement within two to five years, and an announcement shall be made.

**Article 104** Where basic medical insurance benefits are defrauded by fraud, forging evidentiary materials or other means or basic medical insurance agencies and medical institutions, drug business entities, and other entities defraud expenditures of the basic medical insurance funds by fraud, forging evidentiary materials or other means in violation of this Law, the appropriate medical security departments of the people's governments at or above the county level shall, according to the laws and administrative regulations on social insurance, impose administrative penalties upon the violators.

**Article 105** Where the order of the practicing premise of a medical institution is disturbed, the personal safety of medical personnel is threatened and damaged, the personal dignity of medical personnel is infringed upon, citizens' personal health information is illegally collected, used, processed, transmitted, traded, provided or disclosed in violation of this Law, and violation of public security administration is constituted, public security administration punishment shall be imposed upon according to the law.

**Article 106** Where a violation of this law constitutes a crime, the responsible party shall be held criminally liable in accordance with the law; and where personal and property losses are caused, the responsible party shall assume the civil liability according to the law.

Chapter X Supplemental Provisions

**第一百零一条** 违反本法规定，医疗卫生机构等的医疗信息安全制度、保障措施不健全，导致医疗信息泄露，或者医疗质量管理和医疗技术管理制度、安全措施不健全的，由县级以上人民政府卫生健康等主管部门责令改正，给予警告，并处一万元以上五万元以下的罚款；情节严重的，可以责令停止相应执业活动，对直接负责的主管人员和其他直接责任人员依法追究法律责任。

**第一百零二条** 违反本法规定，医疗卫生人员有下列行为之一的，由县级以上人民政府卫生健康主管部门依照有关执业医师、护士管理和医疗纠纷预防处理等法律、行政法规的规定给予行政处罚：

- (一) 利用职务之便索要、非法收受财物或者牟取其他不正当利益；
- (二) 泄露公民个人健康信息；
- (三) 在开展医学研究或提供医疗卫生服务过程中未按照规定履行告知义务或者违反医学伦理规范。

前款规定的人员属于政府举办的医疗卫生机构中的人员的，依法给予处分。

**第一百零三条** 违反本法规定，参加药品采购投标的投标人以低于成本的报价竞标，或者以欺诈、串通投标、滥用市场支配地位等方式竞标的，由县级以上人民政府医疗保障主管部门责令改正，没收违法所得；中标的，中标无效，处中标项目金额千分之五以上千分之十以下的罚款，对法定代表人、主要负责人、直接负责的主管人员和其他责任人员处对单位罚款数额百分之五以上百分之十以下的罚款；情节严重的，取消其二年至五年内参加药品采购投标的资格并予以公告。

**第一百零四条** 违反本法规定，以欺诈、伪造证明材料或者其他手段骗取基本医疗保险待遇，或者基本医疗保险经办机构以及医疗机构、药品经营单位等以欺诈、伪造证明材料或者其他手段骗取基本医疗保险基金支出的，由县级以上人民政府医疗保障主管部门依照有关社会保险的法律、行政法规规定给予行政处罚。

**第一百零五条** 违反本法规定，扰乱医疗卫生机构执业场所秩序，威胁、危害医疗卫生人员人身安全，侵犯医疗卫生人员人格尊严，非法收集、使用、加工、传输公民个人健康信息，非法买卖、提供或者公开公民个人健康信息等，构成违反治安管理行为的，依法给予治安管理处罚。

**第一百零六条** 违反本法规定，构成犯罪的，依法追究刑事责任；造成人身、财产损害的，依法承担民事责任。

第十章 附则

**Article 107** The meanings of the following terms in this Law are:

- (1) Major health indicators: average life expectancy, maternal mortality, infant mortality, and mortality of children under 5 years old, among others.
- (2) Medical institutions: grassroots medical institutions, hospitals, and professional public medical institutions, among others.
- (3) Grassroots medical institutions: health centers in villages and towns, community health service centers (stations), village health rooms, dispensaries, outpatient departments, and clinics, among others.
- (4) Professional public health institutions: disease prevention and control centers, specialist disease prevention and treatment institutions, health educational institutions, first aid centers (stations), and blood stations, among others.
- (5) Medical personnel: practicing physicians, assistant medical practitioners, registered nurses, pharmacists, medical laboratory technicians, image technicians, village doctors and other medical professionals.
- (6) Essential drugs: drugs that meet the basic needs of disease prevention and control, that adapt to the basic national conditions and guarantee capacity at the current stage, that have appropriate dosage forms, that are reasonably priced, whose supply may be guaranteed, and that are fairly available.

**Article 108** The provinces, autonomous regions, municipalities directly under the Central Government, districted cities and autonomous prefectures may, in light of the reality, develop the specific measures for local development of the medical and health care cause.

**Article 109** The measures for the administration of the medical and health care promotion work in the Chinese People's Liberation Army and the Chinese People's Armed Police Force shall be developed by the State Council and the Central Military Commission according to this Law.

**Article 110** This Law shall come into force on June 1, 2020.

**第一百零七条** 本法中下列用语的含义:

- (一) 主要健康指标, 是指人均预期寿命、孕产妇死亡率、婴儿死亡率、五岁以下儿童死亡率等。
- (二) 医疗卫生机构, 是指基层医疗卫生机构、医院和专业公共卫生机构等。
- (三) 基层医疗卫生机构, 是指乡镇卫生院、社区卫生服务中心(站)、村卫生室、医务室、门诊部和诊所等。
- (四) 专业公共卫生机构, 是指疾病预防控制中心、专科疾病防治机构、健康教育机构、急救中心(站)和血站等。
- (五) 医疗卫生人员, 是指执业医师、执业助理医师、注册护士、药师(士)、检验技师(士)、影像技师(士)和乡村医生等卫生专业人员。
- (六) 基本药物, 是指满足疾病防治基本用药需求, 适应现阶段基本国情和保障能力, 剂型适宜, 价格合理, 能够保障供应, 可公平获得的药品。

**第一百零八条** 省、自治区、直辖市和设区的市、自治州可以结合实际, 制定本地方发展医疗卫生与健康事业的具体办法。

**第一百零九条** 中国人民解放军和中国人民武装警察部队的医疗卫生与健康促进工作, 由国务院和中央军事委员会依照本法制定管理办法。

**第一百一十条** 本法自2020年6月1日起施行。

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