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**

Amended by:

- Law No. (1) of 2019

**LEGISLATIVE DECREE NO. (21) OF 2015
WITH RESPECT TO PRIVATE HEALTH INSTITUTIONS**

**We, Salman Bin Hamad Al Khalifa,
of Bahrain,**

Acting King of the Kingdom

Having reviewed the Constitution, and in particular Article (87) thereof,
And Law No. (3) of 1975 with respect to Public Health, as amended,
And the Law for the Organization of Building, promulgated by virtue of
Legislative Decree No. (13) of 1977, as amended,
And Legislative Decree No. (23) of 1986 with respect to Private Hospitals,
And Legislative Decree No. (2) of 1987, with respect to the Practice by Non-
Physicians and Non-Pharmacists of Paramedical Professions,
And Legislative Decree No. (7) of 1989 with respect to the Practice of the
Human Medicine and Dentistry Profession,
And Legislative Decree No. (18) of 1997 with respect to the Regulation of the
Pharmacy Profession and Pharmacy Centers,
And Law No. (38) of 2009 with respect to Establishing the National Authority
for Regulation of Health Professions and Services,
And upon the submission of the Chairman of the Council of Ministers,

* This copy is translated by Bahrain Economic Development Board (EDB) as per the provisions in force up to January 2019.

**This is an unofficial translation and in the event of any conflict or discrepancy between the English text and the Arabic text, the Arabic text shall prevail.

And after the approval of the Council of Ministers,

Hereby enact the following law:

Chapter 1

Introductory Provisions

Article (1)

Definitions

In the course of implementing the provisions of this Law, and unless the context requires otherwise, the following words and expressions shall have the meaning assigned opposite each:

Kingdom: The Kingdom of Bahrain

Minister: The Minister designated by virtue of a decree.

Authority: The National Authority for Regulation of Health Professions and Services.

Board of Directors: The Authority's Board of Directors.

Private Health Institution or Institution: Every non-government installation at which health services are undertaken and provided, and is subject to the Authority's supervision and control and is licensed in pursuance of the provisions of this Law.

Health Services: The services provided by private health institutions, and they include, without limitation, the services related to health professions and connected with examination, diagnosis or treatment of the patient, nursing or health care or food diet or hospitalization by patients or accommodation or convalescence, or providing the necessary care to patients, including first aid, medicine, laboratory research and radiology tests or undertaking any work related to medical professions, therapy, rehabilitation or any other related or similar professions which are specified in a resolution issued by the Board of Directors.

Responsible Manager: The person undertaking management of the private health institution and is responsible for all technical and administrative works at it.

Accountability Committee: The Accountability Committee established in pursuance of the provision of Article (22) of this Law.

Article (2)

Scope of Application of this Law

The provisions of this Law shall apply in respect of private health institutions which include, but not limited to, hospitals, specialist hospitals, medical treatment centers, medical complexes, private clinics, alternative medicine centers and the centers and premises where any of the paramedical professions are practiced.

Article (3)

Classification of Private Health Institutions

The Board of Directors shall issue the necessary resolutions classifying private health institutions into types and categories and specifying the requirements necessary for each of them.

Chapter 2

Procedures and Conditions of Licensing Private Health Institutions

Article (4)

Licensing the Establishment of Private Health Institutions

- a. Licensing the establishment of a private health institution shall be in accordance with the provisions, requirements and procedures set forth in this Law and in the regulations and orders issued to implement it.

- b. The licensee to establish a private health institution may be a natural person or a company, body, organization or a branch of a foreign health institution or a society established in the Kingdom and using it as its domicile and the purpose of establishing it is to practice and provide health services.
- c. Companies, bodies or institutions, regardless of the objectives of establishing them, may set up a private health institution, including a health clinic for the purpose of caring for, treating or rehabilitating its staff and employees.
- d. The heirs of a licensee to establish a private health institution may, if he is a natural person, continue to operate the institution of their legator, provided that it shall be managed by a responsible manager, who shall be responsible for all the technical and administrative affairs at the institution. The heirs may retain the institution's name, if it carries the deceased's name, and continue to use it.
- e. Each private health institution shall have a responsible manager, who shall fulfill all the requirements set forth in the provisions of Article (11) of this Law, until it harmonizes its circumstances.
- f. The private health institution shall comply with the limits of the license issued therefore in conducting its activities, and it may not amend its health services without obtaining a prior license therefore from the Authority.

Article (5)

Licensing the Establishment of Private Health Clinics

- a. The license to establish a private health institution shall be restricted to the licensee to practice the human medicine profession in the Kingdom, without prejudice to the provisions of Paragraph (c) of Article (4) of this Law. A resolution shall be issued by the Board of Directors specifying the conditions to be fulfilled by the license applicant, according to his discipline, including the requirements related to the license applicant's academic qualifications and practical experience.

- b. The licensee to establish a private health clinic shall be the manager responsible for all the technical and administrative affairs thereat. A resolution shall be issued by the Board of Directors organizing the situations, procedures and requirements which must be observed when appointing a designee to act for the licensee in his absence or when it is impossible for him to carry out his functions.
- c. The heirs of the licensee to establish a private health clinic may continue to operate their legator's clinic, provided that it shall be managed by a licensee physician, who shall be responsible for all the technical and administrative affairs at the clinic. The heirs may retain the clinic's name, if it carries the deceased's name, and continue to use it until it harmonizes its circumstances.

Article (6)

Licensing Procedures

- a. No person may set up, manage or operate any private health institution before obtaining a prior license from the Authority pursuant to the provisions of this Law. A resolution shall be issued by the Board of Directors specifying the conditions, requirements and procedures of granting, renewing and amending the licensees and their periods of validity.
- b. The application to obtain the licensee referred to in Paragraph (a) of this Article shall be submitted to the Authority. If the Authority deems it necessary to be provided with certain particulars or documents included in the license application or to introduce changes to them, it shall notify the license applicant thereof within a period not exceeding fifteen days from the date of filing the application. The Authority shall decide on the license application within sixty days from the date of it being filed.
- c. The decision rejecting the license shall be evidenced in writing and shall be adequately justified and substantiated with all the details, information and facts which led to the rejection of the license application. The person whose

application has been rejected may file a grievance against the decision to the Authority within thirty days from the date of his notification thereof, or within thirty days from the lapse of the sixty days period specified under Paragraph (b) of this Article without a decision issued on the license application.

- d. The Authority shall decide on the grievance within thirty days from the date of filing the grievance, and the Authority shall notify the appellant of the decision issued in respect of his grievance in a registered letter with a delivery note. The lapse of such period without deciding on the grievance shall be deemed a rejection of it. Whoever his grievance has been expressly or implicitly rejected may appeal to the competent Court within sixty days from the date of his notification of the rejection of his grievance, or within sixty days from the lapse of the thirty days period specified under Paragraph (c) of this Article without deciding on the grievance.
- e. The Authority may not submit to the Court competent to hear the appeal referred to under Paragraph (d) of this Article any reasons, defense, facts or documents not previously stated in the rejection decision or when the grievance was decided on.

Article (7)

Initial Approval and Restricted License

- a. The Board of Directors shall issue a resolution specifying the cases in which the initial approval may be granted to set up a private health institution and organizing the conditions, requirements and procedures and the period of such approval.
- b. The Board of Directors shall issue a resolution specifying the cases in which a license may be granted containing restrictions or conditions imposed on the private health institution or on its performance in the course of practicing and providing health services.

Article (8)

Establishing Branches or Medical Centers

A private health institution may establish branches or medical centers affiliated to it to contribute to the realization of any of its objectives in accordance with the conditions, requirements and procedures for which a resolution is issued by the Board of Directors.

Article (9)

Assignment of License

The licenses to establish and manage private health institution are personal, which may not be assigned to third parties without the Authority's approval and in accordance with the conditions, requirements and procedures specified in a resolution by the Board of Directors.

Whoever the ownership of the institution has developed upon shall file an application with the Authority to approve the license in his name. For the license in his name to be approved, it shall fulfill all the legally prescribed conditions.

Article (10)

Termination and Revocation of the License

- a. The license issued to the private health institution shall terminate on the expiry of its term, unless renewed within three months before the date of its expiry, in accordance with the provisions of this Law and the regulations and orders issued in implementation thereof.
- b. The Authority shall revoke the license to establish a private health institution in any of the following cases:
 - 1- If it is established that the licensee has obtained the license by using false documents or information;

- 2- If the licensee forfeits one or more than one of the conditions for granting the license;
 - 3- Forfeiture of the requirements and conditions required in the licensee's buildings or installations;
 - 4- In case a final criminal judgment is passed against the licensee in a felony or crime affecting honour of integrity, or if a final judgment is issued closing the institution;
 - 5- If the licensee does not commence conducting and providing health services within six months from the date he is issued the license;
 - 6- If the private health institution ceases to conduct and provide its health services for a period of more than six months.
 - 7- In case of the demise of the licensee to establish a private health institution, if he is a natural person, unless his heirs request continuing to operate the institution within three months from the date of their legator's demise;
 - 8- Expiry of the licensee's corporate personality if he has this personality;
 - 9- If a final judgment is passed cancelling the license.
- c. The Authority may not revoke the license in the cases provided for under Paragraph (b) of this Article, unless it has sent a notice therefore to the licensee, and the revocation shall not be valid except after two weeks from sending the notice.
- d. The Authority may not revoke the license before it conducts an investigation into the cases set forth under (1), (2), (3), (5) and (6) of Paragraph (b) of this Article.

Chapter 3

Private Health Institution's Obligations and Duties

Article (11)

Administration of the Private Health Institution

- a. Each private health institution shall have a manager responsible for all technical and administrative affairs thereat, in accordance with the conditions, requirements and procedures specified in a resolution issued by the Board of Directors. Such resolution shall specify the conditions, qualifications and experience to be fulfilled by the manager and the procedures to be observed in appointing the responsible manager or in appointing whoever will act on his behalf in his absence or if it is impossible for him to carry out his functions or in case of the forfeiture of any of the conditions to be satisfied by him, as well as the cases, conditions and requirements in which others may be delegated to carry out some of his duties and powers.
- b. The responsible manager shall undertake the private health institution's affairs and shall be responsible for the conduct of its affairs, both technically and administratively, in accordance with the provisions of this Law and the regulations and orders issued in implementation thereof. The responsible manager shall, in particular, undertake the following duties:
 - 1- Managing the private health institution and running its affairs and supervising the work thereat in a way that would ensure the realization of the objectives of establishing it in a highly efficient way and to ensure good quality health services;
 - 2- Taking the measures necessary to ensure compliance with the provisions of this law and the regulations and orders issued in implementation thereof;
 - 3- Representing the private health institution towards the Authority and providing the Authority, on demand, with the files, records, books, documents and health details and information within the appropriate period specified by the Authority;
 - 4- Ascertaining the fulfillment of the qualifications and requirements by all medical, technical and nursing staff working at the private health institution, and following up the drawing up of, and supporting, training plans and programmes for it;.

- 5- Enabling the Authority's specialized personnel or those authorized to act on its behalf to carry out the duties of examination, assessment and inspection to verify compliance with the provisions of this Law;
- 6- Notifying the Authority of the cessation to conduct and provide health services by the private health institution, or of any change occurring to any of the details provided to the Authority for the purpose of obtaining the license or renewing it, within thirty days from the date of occurrence of such cessation or change;
- 7- Carrying out the other functions and powers set forth in this Law and in the regulations and orders issued to implement its provisions.

Article (12)

Requirements of the Buildings and Installations of the Installations of the Private Health Institution

- a. The location of the private health institution's buildings and installations must be convenient and accessible.
- b. The private health institution's buildings and installations must fulfill the constructional, health and technical requirements and other security and safety conditions and all operational matters, including support services which are specified in a resolution by the Board of Directors.
- c. No construction or building works may be undertaken, nor any part may be added to the private health institution's buildings and installations, nor any part of such buildings or installations may be demolished or any alteration made thereto, by way of expansion, height or internal arrangements or in the external shape without obtaining the Authority's approval.
- d. The private health institution may not carry out any works or activities inside its buildings or installations which conflict with the objectives of their construction.

Article (13)

Fulfillment of Health Arrangements, Technical Equipment and Medical Devices

The private health institution shall fulfill all health arrangements, technical equipment and medical devices necessary to realize the objectives of its setting up in a highly efficient way and to ensure good quality health services and safeguard the safety of protection of patients, the public and the institution's personnel, in a way commensurate with its capacity to treat patients.

A resolution shall be issued by the Board of Directors specifying the health arrangements, technical equipment and medical devices required to be fulfilled by the private health institutions, according to their types and categories in pursuance of the best internationally recognized standards and specifications.

Article (14)

Medical, Technical and Nursing Teams

“As amended by Law No. (1) of 2019”

- a. The private health institution must have an adequate number of medical, technical and nursing teams according to their classifications and the health services provided by the institution and commensurate with its capacity to treat patients. Except for jobs that require specialized expertise, that is scarce and not available, priority to employing those who work in private health institutions shall be to Bahraini doctors, technicians and nurses who have the necessary qualifications and experience *.
- b. The private health institution shall maintain a record of its medical, technical and nursing teams, in which all details and information specified in a resolution by the Board of Directors shall be entered.
- c. The private health institution may not treat patients or allow their hospitalization or accommodation at the same time to exceed its capacity, in other than extremely emergency cases.

d. Notwithstanding the provisions of Legislative Decree No. (2) of 1987 with respect to the practice by non-physicians and non-pharmacists of paramedical professions, and Legislative Decree No. (7) of 1989, with respect to the practice of the human medicine and dentistry profession, the Board of Directors shall specify the requirements to be fulfilled by those who practice any of the health professions.

Article (15)

Maintaining Patients' Records

The private health institution shall maintain a record in which it shall enter all details and information about its patients or visitors. The medical reports of such patients and visitors shall be attached to such register.

A resolution shall be issued by the Board of Directors designating the particulars and information to be fulfilled by the paper or electronic register, and the safeguards which must be fulfilled by it to ensure protection of the particulars and information entered therein and their secrecy, as well as any changes occurring to such particulars or information and the party which has made such changes and the persons authorized to have access to the register from among the institution's staff or from those who provide services to it.

All the particulars recorded in the register shall be confidential, and no third party may have access to them or disclose them except in pursuance of the laws in force, or upon an order by the competent court.

Article (16)

Insurance of Liability Insurance

The Board of Directors shall specify the types and categories of the private health institution which must have an insurance policy for the profession errors or the errors of any of the medical, technical or nursing teams working for the institution, in

accordance with the conditions and requirements specified in a resolution issued by the Board of Directors.

Article (17)

Opening a Pharmacy

The license to open a pharmacy at the private health institution and to operate it shall be subject to the Law Regulating the Pharmacy Profession and Pharmacy Centers. A resolution shall be issued by the Board of Directors specifying the private health institutions which must have a private pharmacy.

Article (18)

Publicity and Advertising

The private health institution may not mount publicity for itself through the news media or publicity in contravention of the laws and regulations, or in a way that denigrates health professions and health services or their traditions.

Chapter 3

Control and Supervision

Article (19)

Review and Assessment

- a. The Authority shall have the power to carry out the functions of review and assessment to ensure good quality health services by private health institutions and achieve the highest standards of performance, and shall ascertain their compliance with the conditions and requirements of the license and ensure continued fulfillment of the health conditions, standards and arrangements, technical equipment and safety requirements. It shall also ascertain that the

medical devices and equipment used by such institutions are in accordance with the international standards and specifications in use.

- b. The Board of Directors shall issue a resolution containing the standards of assessing the quality of the health services and forms for the indicators used in measuring the performance of private health institutions, in accordance with the best internationally recognized practices. Such resolution shall specify the process, mechanism and requirements of reviewing and assessing the quality of the health services and the standards of performance of private health institutions.
- c. The review and assessment undertaken by the Authority shall be thorough or selective, in accordance with the rules approved in the work plan drawn up by the Board of Directors. The Authority shall provide the private health institution subject to such review and assessment with a report about the outcome of such review and assessment of the quality of its health services and the standard of performance, accompanied with the Authority's observations and recommendations. The institution shall provide the Authority with its reply to the observations and recommendations and the measures it has taken in respect thereof.

The private health institution shall pay an annual fee for the review and assessment to ensure quality health services and achieve the highest standards of performance. The proceeds of such fees shall devolve upon the Authority, and shall be allocated for the realization of the objectives of review, assessment and inspection. Such fees shall be deposited in a special account in the Authority's name, together with the financial allocations made by the State and earmarked for review, assessment and inspection. The surplus fees shall not be transferred to the State Budget, nor may they be retained, used or disposed of for other than the objectives designated therefore.

- d. The Authority may assign its functions, or some of them, in conducting review and assessment, to experts or parties which fulfill the technical capabilities necessary to carry out such functions.
- e. The Council of Ministers shall approve the reports related to the standard of the quality and performance of private health institution, and it may approve their publication using suitable methods which make it possible for the public to access them.
- f. Private health institutions shall enable the Authority's specialized employees or authorized on its behalf to conduct the duties of inspection and assessment, particularly entry upon the private health institution and their branches and the medical centers affiliated to them and such other related premises to inspect them, access the files, records, books, documents, details and information available at the private health institutions and obtain copies thereof, as well as inspecting and testing the medical equipment and the technical devices and safety requirements.

Article (20)

Inspection and Judicial Police

- a. The Authority shall be competent to conduct control and inspection over private health institutions to ascertain compliance with the provisions of this Law and regulations and orders issued to implement it.
- b. Inspectors delegated by the Chief Executive from among the Authority's employees or from among others to conduct inspection to ascertain compliance with the provisions of this Law shall have the following powers:
 - 1- Entry upon private health institutions and their branches and the medical centers affiliated to them and such other related premises to inspect them;
 - 2- Seek access to the files, records, books, documents, details and information available at the private health institutions and obtain copies thereof;

- 3- Hear the statements of everyone who is suspected to be related to the subject of the (administrative) investigation from among the staff of health institution.
- c. The licensee to administer the private health institution or the responsible manager, or his representative or officers at the institution or those working for it must not obstruct the Authority's inspectors in carrying out their duties, and must provide them with the correct files, records, books, documents, details and information necessary for performing their functions, during a suitable time specified by them.
- d. Inspectors from among the Authority's staff, who are designated in an order issued by the Minister of Justice in conjunction with the Minister, shall have the capacity of judiciary police concerning the crimes provided for in this Law, which fall under their jurisdictions and are related to their duties.

Chapter 5

Investigation and Accountability

Article (21)

Initiating Investigation

- a. The Authority may conduct an administrative investigation, of its own instance or upon a request from the Minister or Accountability Committee or upon well-founded reports or complaints, to verify whether the private health institution has committed a violation of the provisions of this Law, or otherwise. It may conduct an investigation if it has strong evidence making it believe that the violation is imminent.
- b. The Authority may seek from the private health institution all the particulars, clarifications and documents, including the confidential particulars, if it decides that they are necessary to complete the investigation. The Authority may also, in

the course of performing its work, delegate any of the judiciary policemen referred to under Paragraph (d) of Article (20) of this Law, to carry out any of the tasks they are delegated to perform.

- c. A resolution shall be issued by the Board of Directors organizing the procedures of investigation and the time limits to be adhered to and the rules of notifying the private health institution of the violations attributed to it, accompanied with all the evidence, presumptions, information and the rules of affording a fair chance to all parties concerned with investigation to defend their interests, including convening hearings, cross examining the concerned parties and their witnesses and enabling them to project their views and submit their pleas, whether written or oral. The concerned parties shall have the right to seek assistance of their counsels in all investigation hearings and procedures.

Article (22)

Accountability Committee

A committee called “Accountability Committee” shall be formed, consisting of three members, which shall take all the disciplinary measures against private health institutions, in pursuance of the provisions of this Law. An order shall be issued by the Minister forming this committee, every three years, and the committee shall consist of a judge at the High Civil Court of Appeal, designated by the Supreme Judiciary Council, who shall chair the committee, and a representative of the Authority and another representative of the Bahrain Medical Society. The two members of the committee shall tender the oath of office, in the presence of the Chairman, that they will discharge their duties faithfully and honestly.

The Accountability Committee shall have a clerk designated by the Authority President from among the Authority’s employees, who shall attend the hearings and prepare the minutes and sign them with the Chairman. The minutes shall be maintained, with all the documents, with the clerk’s knowledge.

The order forming the Accountability Committee shall specify the measures which ensure independence and non-bias, as well as the regulations and procedures of its work and the time limits to be observed and the cases of unfitness of the member to examine the violation and the cases in which disclosure must be made about any circumstances or complications giving rise to suspicion, and the remuneration of its members and such other issues.

Article (23)

Measures Which May be Taken When the Violation is Established

- a. Without any prejudice to civil or criminal liability, when a violation is established, the Accountability Committee shall order the violator to stop the violation and remove the reasons therefore and the effects thereof immediately or during a time limit specified by the Committee. In case of non-compliance with this order within the specified time limit, the Committee may issue an adequately justified order as follows:
 - 1- suspending the private health institution's license;
 - 2- withdrawing the license issued by the Authority in accordance with the provisions of Articles (4) and (5) of this Law, in case the violation is related to this license;
 - 3- imposing a threatening fine calculated on a daily basis to make the violator stop the violation and remove the reasons therefore or effects thereof, which shall not exceed BD 1,000 daily when the violator commits the violation for the first time, and BD 2,000 in case the violator commits any other violation within three years from the date of issuing an order against him for the previous violation;
 - 4- imposing an aggregate fine of not more than BD 20,000.
- b. In the two cases provided for under Clauses (3) and (4) of Paragraph (a) of this Article, when assessing the fine, the gravity of the violation and the obstinacy

shown by the violator, the benefits he has obtained and the damages which have been suffered by third parties as a result thereof shall be taken into consideration. Collection of the fine shall be made by using the methods prescribed for collecting amounts due to the State.

- c. The Authority may, upon the Accountability Committee's decision, publish a statement of the violation which is proved to have been committed by the private health institution, using the method and manner specified in the order and in a way commensurate with the gravity of the violation, provided that publication shall not be made except after the expiry of the time limit for the appeal against the Authority's order establishing the violation or after a final court judgment is passed establishing the violation, as the case be.
- d. If the Accountability Committee decides that the investigation has resulted in the existence of a criminal offense, it shall refer the papers to the Public Prosecution.

Article (24)

Emergency Cases

- a. The Authority may, in emergency cases, upon an order by the Authority's Chief Executive, if it has signals making it believe that the institution's continued provision of health services in a certain way may lead to an unavoidable risk to the health and safety of the patients, public or the institution's staff, issue a justified order as follows:
 - 1- Placing restrictions on, or requirements for, the services rendered by private health institutions to safeguard patients' safety and privacy;
 - 2- Temporarily suspend certain activities of the private health institution for a period not exceeding three (3) months;
- b. The Accountability Committee shall issue the order in any of the cases provided for in Paragraph (a) of this Article, after accessing the papers and hearing the statements of every related party and the private health institution and affording

them an opportunity to present their views and submit their pleas and any documents, papers, evidence or presumptions supporting their points of view, all this within the time limits and in accordance with the procedures specified by a resolution of the Board of Directors.

Article (25)

Penalties

- a. A prison term of not more than one year, and a fine of not less than BD 1,000 and not more than BD 20,000, or either, shall be imposed on:
 - 1- Every person who sets up or manages an establishment at which health services are practiced and provided without obtaining a license therefore or after the issuance of an order suspending the license or withdrawing it;
 - 2- Provides health services without obtaining a license therefore;
 - 3- Obtains a license from the Authority using fraudulent means;
 - 4- Submits to the Authority false or misleading information contrary to what is established in the registers, statements or documents under his disposal;
 - 5- Conceals from the Authority any information, particulars, registers or documents from those which he must provide the Authority with or enable it to access them to carry out its functions prescribed under this Law;
 - 6- Causes obstruction or delay to the work of the Authority's inspectors or any investigation which the Authority is in the process of conducting;
 - 7- Deliberately accesses the particulars or information contained in the patients' registers for the purpose of disclosing them or revealing them without any right.
- b. A prison term of not more than six months, and a fine of not less than BD 500 and not more than BD 10,000, shall be imposed on every person who has disclosed any particulars or information from those which he is privy to by virtue

of his work or has used it for his benefit or for the benefit of third parties without any right and in contravention of the provisions of this Law.

- c. A prison term of not less than BD 1,000 and not more than BD 20,000 shall be imposed on every person who has violated the provisions of Clause (6) of Paragraph (b) of Article (11) and Paragraph (c) of Paragraph (14) and Article (18) of this Law.

Article (26)

Corporate Entity's Liability

Without prejudice to the criminal liability of a natural person, a penalty of not less than two times the fine prescribed for the crime shall be imposed on a corporate entity if in its name or for its account or benefit a crime of those provided for in Article (25) of the Law has been committed, as a result of an act or omission, consent, collusion or gross negligence by any of the members of the Board of Directors or any authorized officer of the corporate entity or by whoever acts in this capacity.

Article (27)

Settlement

A settlement may be reached in cases of non-recurrence, in the crimes or violations set forth under Clause (6) of Paragraph (a) and Paragraph (b) of Article 25 of this Law, as well as the crimes which are punishable under Paragraph (c) of the same Article, by way of payment of the minimum prescribed fine.

The person who prepares the minutes shall, after confronting the violator with the violation, propose a settlement to him and evidence this in the minutes. The violator who wishes to reach a settlement may pay to the Authority, within seven working days from the date of the settlement being proposed to him, the minimum fine amount, all this in accordance with the requirement and procedures specified in a

resolution by the Board of Directors. The criminal case shall lapse for such facts and all their criminal consequences as soon as the settlement amount is paid in full.

Chapter 6

Miscellaneous Provisions

Article (28)

Fees

- a. An order shall be issued by the Minister, upon the submission of the Board of Directors, and after the approval of the Council of Ministers, fixing the categories of fees due for the following services and applications:
- 1- Submission of license applications;
 - 2- Granting and renewing licenses to set up and manage private health institutions;
 - 3- The initial approval to set up a private health institution;
 - 4- Assigning the license or transferring it to another person;
 - 5- Changing the licensed health services;
 - 6- Changing the classification of the private health institution.
 - 7- Issuing copies of the license;
 - 8- Reviewing and assessment to ensure quality health services and performance standards.

In the course of specifying the categories of the fees due on the services provided for in this Paragraph, due regard should be given to the classification of the private health institutions and the health services they provide and their capacity to treat patients.

- b. A delay fine shall be imposed, which is double the amount of the fee due for the renewal of the license or review and assessment in case of delay in payment of the prescribed fee within three months from the date it falls due.

Article (29)

Subrogation of the Technical Committees by the Authority

Notwithstanding the provisions of Article (22) of this Law, the Authority shall subrogate the technical committees provided for in the provisions of Article (5) of Legislative Decree No. (2) of 1987 with respect to the Practice by Non-Physicians and Non-Pharmacists of the paramedical professions, and Article (5) of Legislative Decree No. (7) of 1989 with respect to the Practice of the Human Medicine and Dentistry Profession, in accordance with the regulations, procedures and requirements specified in a resolution by the Board of Directors.

Article (30)

Appeal Against the Authority's Decisions

Without prejudice to the provisions of Paragraph (c) of Article (6) of this Law, every concerned person may appeal to the High Civil Court against any decision issued by the Authority in pursuance of the provisions of this Law within sixty days from the date of his knowledge of such decision or within sixty days from the lapse of the period during which the decision by the Authority should be issued.

Article (31)

Issuance of Decisions

- a. In case the Authority wishes to issue any regulations or decisions, or take any measures of tangible effect, it shall conduct consultations with the concerned parties to sound their views before issuing any such regulations or decisions or taking any such measures. The Board of Directors shall issue a resolution with

respect to organizing such consultations ensuring access by the public to the details of the ongoing consultations and the opinions which have been presented, through a one shop information point.

- b. The Authority shall give regard, in its decisions issued in implementation of the provisions of this Law, to integrity, transparency and equal opportunities.
- c. The Minister and the Board of Directors, each in his respective capacity, shall issue the orders and resolutions referred to in this Law, and shall be published in the Official Gazette.

Article (32)

List of the Paramedical Professions

The Council of Ministers shall issue an Edict, upon the submission of the Minister, in conjunction with the Authority, containing list of the paramedical professions. Legislative Decree No. (2) of 1987 with respect to the Practice by Non-Physicians and Non-Pharmacists of the paramedical professions shall apply to any of them and to the provisions organizing them in as much as it does not conflict with the provisions of this Law.

Article (33)

Transitional Provisions

- a. The orders issued in respect of organizing private health institutions, which are in force at the time when this Law is enacted, shall continue to be in force, without conflicting with its provisions, until the Authority issues the regulations and orders implementing it within one year from the date its provisions come into force.
- b. The licenses of private health institutions valid at the time when the provisions of this Law come into force shall be relied upon until the period of their validity

expires or until they are suspended or withdrawn in accordance with the provisions of the Law.

- c. Private health institutions shall harmonize their circumstances in pursuance of the provisions of this Law within six months from the date these provisions come into force.

Article (34)

Repealment

Legislative Decree No. (23) of 1986, with respect to private hospitals, shall be repealed, as well as every provision which is in conflict with the provisions of this Law.

Article (35)

Entry into Force

The Chairman of the Council of Ministers and Ministers, each in his respective capacity, shall implement this law, which shall come into force on the first day of the following month after the date of its publication in the Official Gazette.

Salman Bin Hamad Al Khalifa

Acting King of the Kingdom of Bahrain

Khalifa Bin Salman Al Khalifa

Chairman of the Council of Ministers

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Corresponding to 16 August 2015

*Article (2) of the Law No. (1) of 2019 provides that: “A private health institution shall align its affairs in accordance with the provisions of this law upon the end of contracts entered into with non-Bahraini doctors, technicians, and nurses.”