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VIETNAM'S HEALTHCARE SECTOR: UPDATE TO REGULATIONS ON MEDICAL EXAMINATION AND TREATMENT AFTER 14 YEARS

On 9 January 2023, the Government issued Law No. 15/2023/QH15 on Medical Examination and Treatment (the “**2023 Law**”), replacing Law No. 40/2009/QH12 on Medical Examination and Treatment dated 23 November 2009 (the “**2009 Law**”). The 2023 Law will take effect from 1 January 2024.

The 2023 Law brings a revitalized landscape to the realm of medical examination and treatment, ushering in a host of significant changes that extends to both licensing and operational dimensions.

Cluster of new licensing regulations

In respect of Medical Examination and Treatment Practitioners

Similar to the 2009 Law, individuals are permitted to engage in medical examination and treatment practices in Vietnam after obtaining from the competent Vietnamese authority the medical examination and treatment licenses (the “**Practice Licenses**”). Following the enactment of the 2023 Law, the issuance of Practice Licenses in relation to certain medical titles may involve an examination and assessment of the applicants’ capacity.

Furthermore, the Practice Licenses will have the

term of five years and may be renewed upon satisfaction of relevant conditions at the time of renewal.

In respect of Medical Examination and Treatment Establishments

In general, medical examination and treatment establishments must still obtain the medical examination and treatment licenses for the purpose of operation (the “**Operation Licenses**”).

During their course of operation, the medical examination and treatment establishments may need to apply for amending the Operation Licenses under the following circumstances:

- changing the scope of professional activities;
- changing the scale of operation;
- changing working hours^(*);
- changing name and address (without relocation)^(*);
- not having fully remedied relevant non-compliance upon expiry of the period of suspension of their partial operation^(*).

() New circumstances introduced by the 2023 Law*

Legal Updates

The medical examination and treatment establishments may be re-issued with the Operation Licenses in case the Operation Licenses got lost/ damaged or contents therein were not inaccurate.

Central healthcare management information system

The 2023 Law introduces a brand-new information system called the Healthcare Management Information System which is unified and centrally managed by the Ministry of Health. The Healthcare Management Information System will collect and store data on patients, practitioners, medical examination and treatment establishments, technical expertise, and prices and expenses for medical services. Medical examination and treatment establishments shall establish and maintain the connection with this Healthcare Management Information System, which must be done by 1 January 2027 and, in the future, will concurrently be one of the prerequisites for issuing an Operating License.

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