



PARLIAMENT OF ROMANIA

CHAMBER OF DEPUTIES

SENATE

LAW

Concerning the organization and functioning of the activities and practices of complementary/alternative medicine

Law No. 118/2007 concerning the Organization and functioning of the activities and practices of complementary/alternative medicine was published in Official Monitor nr. 305 of 8 May 2007 and comes into force on the 3 (three) months from publication, on 8 August 2007.

Parliament of Romania adopts the present law:

CHAPTER I

GENERAL PROVISIONS

Art. 1. - This Bill aims to regulate the activities and practices of complementary/alternative medicine to prevent disease, promote health, cure diseases and optimizing human being from biopsychosocial and spiritual point of view.

Art. 2. - For the purposes of this Act, complementary medicine and/or alternative includes those health care practices that are not integrated into the main system of health and medical services and are used as adjuvant therapies or can replace conventional therapies. The practices and activities of complementary/alternative medicine base on the theories, beliefs and experiences of the various national cultures used for prevention, diagnosis and treatment of somatic and mental diseases.

Art. 3. (1) Complementary/alternative medicine includes the practice of medicine, biological therapies, nutrition, manual, energy and bioelectromagnetic therapies.

(2) The main practice areas of complementary/alternative medicine recognized worldwide are listed in the annex which forms an integral part of this law. Other areas of practice in complementary medicine/alternative may be fixed by order of the Minister of Public Health. For each of these areas by associations in each domain will create occupational standards, where they do not already exist, that are reviewed periodically and shall be approved in accordance with the legal regulations in force.

CHAPTER II

RIGHT TO PRACTICE AND ORGANISING COMPLEMENTARY/ALTERNATIVE MEDICINE ACTIVITIES

Art. 4. (1) the activities and practices of complementary/alternative medicine may be exercised by the following professional categories, under the conditions stipulated by law:

- a) physicians, dentists and pharmacists;
- b) psychologists;
- c) graduates from other higher education/ academic institutions.

(2) to become practitioners of complementary/alternative medicine, the persons envisaged in paragraph (1) are required to possess practicing license issued in accordance with the law, the Ministry of Public Health with the reference of the National Centre for Training in the Field of Health.

Art. 5. Authorization to practice complementary/alternative medicine shall be based on the following documents:

- a) diploma awarded by the institution of higher education or an attestation or certificate of specific training in this field;
- b) certificate of criminal record;
- c) health certificate;
- d) reference of the Practitioners' Association of Complementary/Alternative Medicine.

Art. 6. (1) in order to practice complementary/alternative medicine practitioner of complementary/alternative medicine joins the Practitioners' Association of Complementary/Alternative Medicine

(2) Practitioners' Association of Complementary/Alternative Medicine is organized and works as a professional organization, non-governmental, non-political organization, with the purpose of control and supervision of the work to exercise the profession of complementary/alternative medicine practitioner.

(3) Practitioners' Association of Complementary/Alternative Medicine is organized and operates at national and territorial level.

(4) the regulations of organization and functioning of the Practitioners' Association of Complementary/Alternative Medicine is approved by order of the Minister of Public Health.

(5) authorization to practice alternative medicine renewal required every three years by the Ministry of Public Health with the reference of the National Centre for Training in the Field of Health.

Art. 7. The practice of acupuncture, homeopathy, Ayurveda, apitherapy, chiropractic and osteopathy, traditional Oriental medicine is only allowed to doctors, dentists or doctors, pharmacists and is regulated by the Ministry of Public Health, through rules.

Art. 8. The practitioner of complementary/alternative medicine that does not possess the degree of doctor, dentist or pharmacist, as appropriate, or who has not obtained the authorization of the practice in question is obliged to carry out a specific short-term training recognized by the Ministry of Public Health, relevant occupational standards approved by the legal regulations in force.

Art. 9. (1) Practitioner of complementary/alternative medicine that isn't a doctor, dentist or pharmacist, as appropriate, may not engage in certain businesses and medical practices established by the Ministry of Public Health and the College of Physicians in Romania and may not use the title of doctor, physician, dentist or pharmacist as appropriate.

(2) Physicians, dentists or doctors, pharmacists, practitioners of complementary /alternative medicine with practicing authorization issued by the College of Physicians in Romania, College of Dental practitioners from Romania or the College of Pharmacists of Romania for a given domain can treat certain disorders corresponding to the domain and may prescribe certain medications/treatments complementary and/or alternative according to the methodology established by the Ministry of Public Health According to the regulations of the World Health Organization.

(3) Authorized Practitioners in complementary/alternative medicine, who are not physicians, dentists or pharmacists, may intervene, as appropriate, in completing and/or continuing medical therapies, according to precise rules of procedure, only with the written consent of the patient, on the recommendation of a physician.

Art. 10. The practitioner of complementary/alternative medicine has the right to use only the knowledge, means and methods for which it is licensed and certified in accordance with the occupational standard approved in this field.

Art. 11. (1) The techniques and practices of complementary/alternative practices are carried out in complementary/alternative therapy organized according to law as private companies or self-employed activities carried out by individuals, with this activity.

(2) Physicians, dentists or doctors, pharmacists, practitioners of complementary/alternative medical practices can organize surgeries/consulting rooms in accordance with the law.

(3) "health care facility/center" naming may not be used if there isn't at least one doctor or nurse employee.

Art. 12. The practice of complementary/alternative medicine is allowed in some medical institutions with classical medicine, allopathic, based on rules drawn up by the Ministry of Public Health, the College of Physicians in Romania, and the College of Pharmacists of Romania.

Art. 13. The practitioner of complementary/alternative medicine is obliged to keep records of patients treated, the methods and means of treatment used for each case.

Art. 14. (1) The preparation, production and distribution of the remedies used by complementary/alternative medicine is strictly regulated by the Ministry of Public Health.

(2) The authorization for the production and distribution of remedies shall be issued by the Ministry of Public Health.

Art. 15. The sale of homeopathic products, complementary/alternative medication and other remedies are done in pharmaceutical units authorized by the Ministry of Public Health and in stores approved according to legal norms.

CHAPTER III

PATIENTS ' RIGHTS AND ACCESS TO THERAPIES AND COMPLEMENTARY/ALTERNATIVE MEDICINE PRACTICES

Art. 16. All persons have free access to treatments and complementary/alternative medicine practices, covered under the law.

Art. 17. Persons who apply for a practitioner of complementary/alternative medicine treatment benefits by complementary/alternative procedures only after express written agreement of will.

Art. 18. (1) Persons who apply for a practitioner of complementary medicine/alternative is confidentiality of data relating to health.

(2) The persons referred to in paragraph (1) should receive written information, accessible and easy to understand, to know the benefits and the risks to which they are liable.

Art. 19. The practices and procedures which benefit people treated by doctors or dentists, pharmacists, practitioners of complementary/alternative medicine, practitioners authorized in complementary/alternative medicine are set by the Ministry of Public Health and the National House of Health Insurance, are stipulated in the framework contract and are settled by the budget of the National Fund for Health Insurance.

CHAPTER IV

PROFESSIONAL ORGANIZATION OF PRACTITIONERS OF COMPLEMENTARY /ALTERNATIVE MEDICINE AND EXERCISE CONTROL OVER THE ACTIVITIES.

Art. 20. In the Practitioners' Association of Complementary/Alternative Medicine work committees for each area of practice of complementary/alternative medicine, which have the obligation to regulate the professional activities of practitioners in each specific area.

Art. 21. (1) The Practitioners' Association of Complementary/Alternative Medicine is required to draw up the code of professional ethics, with the support of specialized commissions.

(2) The code of ethics includes practical duties, disciplinary sanctions for professional incompetence, practice restrictions in case of incompatibility or impairment of the patient's health.

Art. 22. Complementary/alternative medical practitioners records in the register of practitioners of complementary medicine/alternative, which is kept at the headquarters of the

Practitioners' Association of Complementary/Alternative Medicine and shall be communicated to the National Centre for professional development in the field of health.

Art. 23. The Ministry of Public Health, the College of Physicians in Romania, College of Dental practitioners, the College of Pharmacists of Romania, in consultation with the Practitioners' Association of Complementary/Alternative Medicine, shall establish the curriculum of studies for the institutions that prepare practitioners of complementary /alternative medicine to guarantee skill level.

Art. 24. (1) The Ministry of Public Health sets up, under the National Centre in the field of health, the Department of complementary /alternative medicine that directs and controls the activities in the area, including the training of practitioners of complementary/alternative medicine.

(2) The Department of complementary /alternative medicine suppliers and accredits training for practitioners of complementary medicine/alternative.

CHAPTER V

TRANSITIONAL AND FINAL PROVISIONS

Art. 25. Violations of the provisions of this law, including professional disciplinary misconduct, entail heritage, civil, administrative responsibility or criminal liability, as appropriate.

Art. 26. In application of this law to the Ministry of Public Health issued detailed rules within one year of the publication of this law in the Official Monitor of Romania, part I.

Art. 27. Within six months of the entry into force of the detailed procedures provided for in article 26, all practitioners of complementary /alternative medicine that performs under all forms and practices of complementary/alternative will be undergoing the authorization procedures provided in this law.

Art. 28. This law shall enter into force three months after its publication in the Official Monitor of Romania, part I.

Art. 29. Following the entry into force of any provisions contrary to this law are hereby repealed.

This law was adopted in the Romanian Parliament, in compliance with the provisions of art. 75 and of art. 76 (1). Paragraph (2) of the Constitution of Romania, republished.

PRESIDENT of the CHAMBER of DEPUTIES

Bogdan Olteanu

PRESIDENT of the SENATE

Nicolae Văcăroiu

Bucharest, May 2, 2007.

No. 118.

ANNEX

AREAS OF PRACTICE IN COMPLEMENTARY /ALTERNATIVE MEDICINE

(according to the classification developed by the World Health Organization):

Pharmacological and biological practices	Herbalist practices	Diet, nutrition, lifestyle	Alternative systems of medical practice	Manual therapies	Bioelectromagnetic and energy applications
1.	2.	3.	4.	5.	6.
<ul style="list-style-type: none"> • Antioxidants Agents • Therapies for increasing immunity • Metabolic therapies • Oxidizing agents (ozone, hydrogen peroxide) • Argiloterapie 	<ul style="list-style-type: none"> • Herbal therapy • Algotherapy • Aromatherapy • Oligotherapy 	<ul style="list-style-type: none"> • Changing the style of life – life style • the Gerson Therapy • T BI GU • Megavitamine • Macrobiotics therapy • Vegetarianism • Feng Shui • Food supplements 	<ul style="list-style-type: none"> • Acupuncture • NATUROPATHY • homeopathy • medical Qigong • YOGA • Ayurveda • medical Astrology • Traditional Practices SU JOK • traditional Chinese medicine (TCM) 	<ul style="list-style-type: none"> • Acupressure • Technique Dian Xue • Osteopathy • FELDENKRAIS METHOD • chiropractices • massage therapy • Reflexology • tui na • Rofling 	<ul style="list-style-type: none"> • Treatments with natural and artificial light • electromagnetic fields • Electroacupuncture • electrical and neuromagnetic stimulation • therapy with magnetic field • REIKI • technique hologram therapy • Spectroscopy • Magnetoressonance • radiant biofield • Bioritmology • Crystaltherapy • cromotherapy