

**LAW OF  
THE REPUBLIC OF ARMENIA**

Adopted by the National Assembly  
on 4 March 1996

**ON MEDICAL ASSISTANCE AND SERVICE TO THE POPULATION**

This Law establishes the legal, economic and financial grounds for organising medical assistance and service that ensure the exercise of the constitutional right of a person to health care.

**CHAPTER 1**

***GENERAL PROVISIONS***

**Article 1. Main concepts**

1. Medical assistance and service — provision of preventive medical, medicinal assistance to the population; conduct of diagnostic examinations, rehabilitation treatment, medical expert examination; provision of paramedical and other nontherapeutic services.
2. Medical assistance and service provider — any natural and legal person, individual entrepreneur or an enterprise not having a status of a legal person, irrespective of legal and organisational structure and form of ownership, licensed in the manner prescribed by the legislation of the Republic of Armenia to provide certain types of medical assistance and service to the population.

3. State tailor-made healthcare programmes — annual programmes which are aimed at maintaining the health of the population and the funding of which is expressed in the State Budget of the Republic of Armenia.

The Government of the Republic of Armenia shall submit the annual state tailor-made healthcare programme to the National Assembly as a part of the draft State Budget. The State shall ensure the maintenance and development of the healthcare industry through targeted budgetary financing, the amount of which shall be determined in accordance with the state tailor-made healthcare programmes.

4. Medical assistance and service under privileged conditions — partial compensation, on the account of the State Budget funds, for medical services, medicines and/or medical accessories received by citizens within the scope of the state tailor-made healthcare programmes.

***(Article 1 edited by HO-43 of 21 March 2000, amended by HO-435-N of 23 October 2002, supplemented by HO-155-N of 25 October 2010)***

## **Article 2. Main types of medical assistance and service**

Main types of medical assistance and service shall be:

- (a) primary medical assistance as a state guaranteed type of medical assistance and service based on more affordable methods and technologies which is free of charge for any person;
- (b) specialised medical assistance as a type of medical assistance and service based on diagnosis and special medical methods and sophisticated medical technologies. The list and structure of types of medical assistance and service shall be established by the Government of the Republic of Armenia.

### **Article 3. Forms of organising medical assistance and service**

Medical assistance and service shall be organised:

in an inpatient manner when complex application of the following medical interventions is required: diagnosis, treatment, follow-up and special care;

in an outpatient manner when no hospital conditions are required for its implementation.

## **CHAPTER 2**

### ***HUMAN RIGHTS IN THE FIELD OF PROVIDING MEDICAL ASSISTANCE AND SERVICE***

### **Article 4. Right of a person to medical assistance and service**

Every person, irrespective of national origin, race, gender, language, religion, age, health condition, political or other views, social origin, property or other status, shall have the right to medical assistance and service in the Republic of Armenia. Every person shall have the right to medical assistance and service free of charge or under privileged conditions within the scope of the state tailor-made healthcare programmes guaranteed by the State.

Every person shall have the right to medical assistance and service, beyond the scope of those programmes, at the expense of medical insurance compensations, personal payments and other sources envisaged by the legislation of the Republic of Armenia.

Medical assistance and service to the citizens of the Republic of Armenia shall be provided in accordance with the legislation of the state concerned, as well as with the international treaties of the Republic of Armenia.

***(Article 4 supplemented by HO-155-N of 25 October 2010)***

#### **Article 5. Rights of a person when receiving medical assistance and service**

When seeking medical assistance, as well as receiving medical assistance and service, every person shall have the right to:

- (a) select the provider of the medical assistance and service;
- (b) receive medical assistance and service under the conditions complying with hygiene requirements;
- (c) demand that the confidentiality of the fact of visiting a doctor, of his or her health condition, as well as of the information revealed during examination, diagnosis and treatment, except for the cases prescribed by the legislation of the Republic of Armenia;
- (d) be aware of his or her disease and give consent for medical intervention;
- (e) refuse medical intervention, except for the cases envisaged by this Law;
- (f) enjoy respectful treatment from those providing medical assistance and service.

#### **Article 6. Right of a person to compensation for damage caused during the provision of medical assistance and service**

Every person shall have the right to compensation for damage caused to his or her health during the organisation and provision of medical assistance and service in the manner prescribed by the legislation of the Republic of Armenia.

#### **Article 7. Right of a person to information on health condition**

Every person shall have the right to receive information in comprehensible manner on his or her health condition, examination results, and methods of diagnosis and treatment of a

disease, related risk, as well as possible options of medical intervention, consequences and treatment results.

Information about a person's health condition may not be communicated to him or her or other persons against his or her will, except for the cases prescribed by the legislation of the Republic of Armenia.

Information about the health condition of patients under the age of 18 or declared as having no active legal capacity in the manner prescribed by law shall be provided to the legal representatives thereof.

#### **Article 8. Consent for medical intervention**

A person's consent for medical intervention shall be a necessary condition, except for the cases envisaged by this Law.

Upon an attending doctor's or patient's request, consent may also be in a written form.

In case a patient is under the age of 18 or has been declared as having no active legal capacity in the manner prescribed by law, as well as in cases when the patient's condition does not allow him or her to express his or her will, consent for medical intervention shall be given by his or her legal representative.

In case of absence of a legal representative, where the medical intervention is not subject to postponement, the decision on medical intervention shall, taking into account the patient's interests, be made by medical consultation (board of doctors) and where it is impossible — by the doctor.

#### **Article 9. Reproductive right of a person**

Every couple or every person shall have the right to:

- (a) determine the number of his or her children and dates of their birth;
- (b) for the purpose of avoiding an unwanted pregnancy and induced abortion, use effective and safe means and methods of family planning, receive necessary information thereon;
- (c) receive medical assistance and service related to pregnancy and child delivery during pregnancy within the scope of the state guaranteed tailor-made healthcare programmes.

Induced abortion and medical sterilization shall be carried out in the manner prescribed by the legislation of the Republic of Armenia.

Everyone, including the adolescent, shall have the right to information on issues of maintenance of his or her sexual health, sexually transmitted diseases, complications and consequences thereof.

***(Article 9 supplemented by HO-110 of 6 November 2000)***

#### **Article 10. Right of a child to medical assistance and service**

Every child shall have the right to medical assistance and service free of charge or under privileged conditions within the scope of the state tailor-made healthcare programmes.

***(Article 10 supplemented by HO-155-N of 25 October 2010)***

#### **Article 11. Right of a person suffering from a disease which poses a danger for the wider public**

A person suffering from a disease which poses a danger for the wider public shall have the right to medical assistance and service free of charge in the manner guaranteed by the State and shall be treated in special establishments providing specialised medical assistance and service designed for that purpose.

The list of diseases which pose a danger for the wider public shall be established by the Government of the Republic of Armenia.

**Article 12. Rights of arrested, detained persons and those serving their punishment in places of imprisonment to medical assistance and service**

The arrested, detained persons and those serving their punishment in places of imprisonment shall have the right to medical assistance and service in the manner prescribed by the legislation of the Republic of Armenia.

**Article 13. Right of military servants and conscripts to medical assistance and service**

Military servants and conscripts shall have the right to medical assistance and service in the manner prescribed by the legislation of the Republic of Armenia.

**Article 14. Rights of persons who suffered in emergency situations to medical assistance and service**

Persons, who suffered in emergency situations, shall receive medical assistance and service free of charge, in the manner guaranteed by the State.

**Article 15. Rights of foreign nationals, stateless persons to medical assistance and service**

Foreign nationals, stateless persons being in the territory of the Republic of Armenia shall have the right to medical assistance and service in accordance with the legislation of the Republic of Armenia, as well as with the international treaties of the Republic of Armenia.

**Article 16. Providing medical assistance and service without a person's consent**

It shall be allowed to provide medical assistance and service without a person's or his or her legal representative's consent in case of a threat to the person's life, as well as in case of the diseases which pose a danger for the wider public, in the manner prescribed by the legislation of the Republic of Armenia.

**Article 17. Refusal of medical intervention**

Everyone or his or her legal representative shall have the right to refuse medical intervention or to demand to withdraw it, except for the cases envisaged by Article 16 of this Law.

The fact of refusing medical intervention, with remarks about the possible consequences, shall be recorded in medical documents and be verified by the patient or his or her legal representative.

**CHAPTER 3**

***MEDICAL ASSISTANCE AND SERVICE PROVIDERS AND THEIR RIGHTS AND RESPONSIBILITIES***

**Article 18. Medical assistance and service providers and their rights**

Medical assistance and service providers shall have the right to provide relevant medical assistance and service within the selected types in case of obtaining a licence in the manner prescribed by the legislation of the Republic of Armenia.

Persons having received relevant education, specialisation in the Republic of Armenia and having obtained a licence for carrying out certain types of medical activity in the manner



prescribed by the legislation of the Republic of Armenia shall have the right to carry out medical activity.

Persons having received medical education in other states shall be allowed to carry out medical activity in the Republic of Armenia in the manner prescribed by the Government of the Republic of Armenia in accordance with the international treaties of the Republic of Armenia.

Medical assistance and service providers shall, in the manner prescribed by the legislation of the Republic of Armenia, have the right to:

- (a) join professional associations and participate through them in developing state tailor-made healthcare and insurance programmes, licensing of medical activity, protection of their rights and implementation of other objectives envisaged by the statute of the association;
- (b) protect their professional honour and dignity;
- (c) insure their professional activity.

#### **Article 19. Responsibilities and liability of medical assistance and service providers**

Medical assistance and service providers shall be obliged to:

- (a) provide immediate first aid to any person, irrespective of existence of grounds and other circumstances guaranteeing payment for that aid;
- (b) ensure the compliance of quantitative and qualitative classifiers of the provided medical assistance and service with the established standards;
- (c) keep everyone informed of the specific type, methods, volumes, manner and conditions of the medical assistance and service to be provided to him or her;

(d) provide necessary data on the quantitative and qualitative classifiers of medical assistance and service provided to the patient and on the expenses made to that end upon the request of every person or others who pay for medical assistance;

(e) ensure the confidentiality of the fact that a person visits a doctor, the information on his or her health condition revealed during the examination, diagnosis and treatment, except for the cases prescribed by the legislation of the Republic of Armenia;

(f) submit statistical and other information in the manner prescribed by the legislation of the Republic of Armenia;

(g) demonstrate caring and respectful attitude towards patients.

Medical assistance and service providers, as well as persons engaged in illegal medical activity shall, in the manner prescribed by the legislation of the Republic of Armenia, be held liable for damage caused to a person's health due to their fault as well as for communicating information about a person's health condition.

## CHAPTER 4

### ***SPECIFIC TYPES OF MEDICAL ASSISTANCE AND SERVICE AND FORMS OF ORGANISING THEM***

#### **Article 20. Compulsory medical examination of persons carrying out specific types of activity**

Employees of separate professions, as well as of individual enterprises, institutions and organisations shall, for the purpose of maintaining human health, preventing the infectious and occupational diseases, prior to their recruitment and when employed, be obliged to undergo regularly medical examination in the manner prescribed by the legislation of the Republic of Armenia.

Employers shall be obliged to reimburse the expenses for conducting compulsory medical examination of their employees.

**Article 21. Application of new medicines, methods, forms, means and conduct of biomedical examinations while providing medical assistance and service**

When providing medical assistance and service in the Republic of Armenia application of new medicines, methods, forms, means and conduct of biomedical examinations shall be authorised in the manner prescribed by the Government of the Republic of Armenia.

For the purpose of treating people, new medicines, methods, forms, means may be applied, and any biomedical examination may be conducted only upon written consent and notice.

A person shall have the right to refuse to participate in an examination at any stage thereof.

**Article 22. Medical expert examination**

For the purpose of determining the health condition of people a medical expert examination shall be carried out in cases of illness, injury, loss of legal active capacity and other cases.

The forms of medical expert examination are as follows:

- temporary loss of active legal capacity;
- medical-social;
- military-medical;
- forensic;
- diagnostic-anatomical.

The expert examination on temporary loss of active legal capacity shall identify the necessity and terms for temporary removal of a person from work conditioned by the health condition

of an employee, his or her temporary or permanent transfer to another job, as well as the issue of referring a person to medical-social expert examination.

Medical-social expert examination shall identify the degree of loss of person's active legal capacity, group of disability and the reason thereof, establish types, volume and terms for carrying out medical, social, work rehabilitation and give guarantee for recruitment.

Military-medical expert examination shall identify fitness for military service conditioned by the health condition of citizens subject to passing to military service, military servants, reserve military servants, confirm cause-and-effect relations of illnesses, injuries of the military servants and those demobilized with military service, establish types, volume and terms for carrying out medical, social, work rehabilitation activities.

Forensic expert examination shall be carried out by competent authorities in cases envisaged by the legislation of the Republic of Armenia.

The procedure for carrying out medical expert examination, conducting, in disputable cases, double, additional, as well as independent medical expert examination, appealing against a conclusion of medical expert examination through judicial procedure shall be established by the legislation of the Republic of Armenia.

Diagnostic-anatomical expert examination shall be carried out with the participation of a specialist with relevant qualification and other medical specialists for the purpose of comparing diagnostic examination results and clinical data and approval of final diagnosis in accordance with the procedure established by the Government of the Republic of Armenia.

***(Article 22 amended by HO-90 of 11 October 2000, supplemented by HO-258-N of 3 October 2011)***

### **Article 23. Prohibition of euthanasia**

Euthanasia, i.e. acceleration of a patient's death upon his or her request, through any action and means, shall be prohibited in the Republic of Armenia.

Persons, who consciously induce a patient to euthanasia or carry it out, shall be held liable in the manner prescribed by the legislation of the Republic of Armenia.

### **Article 24. Diagnostic-anatomical activity**

*(Title edited by HO-258-N of 3 October 2011)*

1. Diagnostic-anatomical activity is a type of medical assistance and service, which shall be carried out through diagnostic-anatomical examinations, diagnostic-anatomical dissections and diagnostic-anatomical expert examination.

2. Diagnostic-anatomical examinations shall, for the purpose of diagnosis of diseases, be carried out by qualified specialist-physicians at medical establishments having a relevant licence. The list of diagnostic-anatomical examinations and the procedure for carrying them out shall be established by the Government of the Republic of Armenia.

3. Diagnostic-anatomical dissections shall be performed by qualified specialist-physicians at a medical establishment having a relevant licence, for the purpose of identifying the reason for the death of a person, and clarifying the diagnosis of his or her illness. Diagnostic-anatomical dissection may be performed, where the case of the death is not a subject of forensic expert examination defined by legislation. The procedure for performing diagnostic-anatomical dissections shall be approved by the Government of the Republic of Armenia.

4. Diagnostic-anatomical dissections need not be performed based on the will of the deceased person expressed during his or her lifetime or a written request by his or her relatives or a legal representative, except for the cases prescribed by law.

5. Diagnostic-anatomical dissections shall definitely be performed:

(1) in case of death of a person as a result of any disease covered by the list of diseases which pose a danger for the wider public as approved by the Government of the Republic of Armenia;

(2) in case of infectious diseases or substantiated doubt as to their existence;

(3) in cases of death from neoplasms when the histological verification of diagnosis is missing;

(4) in case of perinatal mortality;

(5) in case of the death of a woman in pregnancy, childbirth and the puerperium (maternal mortality);

(6) in case when a patient died within first 24 hours upon admission to a medical establishment.

The procedure for performing mandatory diagnostic-anatomical dissections shall be established by the Government of the Republic of Armenia.

6. The conclusion of the diagnostic-anatomical examination on death or disease diagnosis shall be attached to the medical documents of the deceased person and, upon the request therefore, it shall also be given to the relatives, the legal representative, the police, the prosecutor's office, the National Security Service or the court in the manner prescribed by the Government of the Republic of Armenia.

***(Article 24 edited by HO-258-N of 3 October 2011)***

## CHAPTER 5

### *FINANCING THE PROVISION OF MEDICAL ASSISTANCE AND SERVICE*

#### **Article 25. Financing resources for providing medical assistance and service**

Financing resources for providing medical assistance and service in the Republic of Armenia shall be the following:

- (a) allocations from the State Budget of the Republic of Armenia;
- (b) insurance compensations;
- (c) direct payments made by people;
- (d) other resources not prohibited by the legislation of the Republic of Armenia.

The Government of the Republic of Armenia shall, through allocations envisaged by the State Budget, within the scope of the state tailor-made healthcare programmes, carry out guaranteed financing of medical assistance and service for medical assistance and service providers, irrespective of their legal and organisational structure- and form of ownership.

Financing of medical assistance and service through insurance compensations shall be carried out in accordance with the concluded insurance contracts.

Direct payments shall be made by people, where the financing of the types and volumes of medical assistance and service is not fully or partially carried out through the resources mentioned in points “a”, “b” and “d” of the first part of this Article.

The procedure for compensation for medical services, medicines and/or medical accessories free of charge and under privileged conditions from the State Budget, within the scope of the state tailor-made healthcare programmes, shall be approved by the Government.

***(Article 25 supplemented by HO-155-N of 25 October 2010)***

## **CHAPTER 6**

### ***ENTRY INTO FORCE OF THE LAW***

#### **Article 26. Entry into force of the Law**

This Law shall enter into force upon official promulgation.

**President of the Republic  
of Armenia**

**L. Ter-Petrosyan**

4 April 1996

Yerevan

HO-42