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**YEAR BOOK
OF PUBLIC HEALTH IN
THE PEOPLE'S REPUBLIC
OF CHINA**

中 国 卫 生 年 鉴

editor in chief
**CHEN MINZHANG
MINISTER OF
HEALTH**

**THE PEOPLE'S MEDICAL
PUBLISHING HOUSE**

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MINISTER OF HEALTH

陈 敏 章 主编



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Preface

Health care service in China has undergone great changeover recent years, Since the government carries out the opening door and reform policy. However, health care reform must go along the socialist road, and benefit the most population. In this volume, we try to present different aspects of the changes.

The contents are as follows:

The New Documents, prevention and Treatment of Infectious Diseases, Endemic Diseases control, Maternity and Child Health Care, The Patriotic Health Campaign, Medical Education, Research on Medical Sciences, Medical Administration, Drug Administration, Frontier Health and Quarantine, Health Inspection, Health Economy, International Cooperation and Foreign Loans, Public Figures in Health and Medical Field, Chronology of Public Health in 1994, and Health Statistics.

We gratefully acknowledge the support of a young translation team consisting mainly of Drs. Yü Chaohong, Wei Chenghong, and Qū Wei from Tongji Medical university, who were responsible for the translation of the major parts of this volume with excellent English language.

Editorial Office
Autumn 1995

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Chapter I The Collection of Important Documents

Policies, Regulations and Laws

Law of Mother and Infant Health Care of the People's Republic of China

(Passed on the Tenth Session of Standing Committee of the Eighth National People's Congress on October 27, 1994)

Chapter I General Rules

Article 1 The law is made in line with the Constitution, in order to protect the health of mothers and babies and to enhance quality of the population.

Article 2 The State develops the cause of the mother and infant health care, provides necessary conditions and material assistance in order to make health care accessible to all mothers and babies.

The State offers support to the cause of health care of remote and poor regions.

Article 3 The governments at all levels lead the work of mother and infant health care.

The mother and infant health care work shall be incorporated into the plans of national economic and social development.

Article 4 The administration department of public health under the State Council is in charge of the national mother and infant health care work, giving various guiding principles based on the different conditions of various regions and supervising the national mother and infant health care work.

The related departments of the State Council cooperate, within their ranges of responsibilities, with the administration department of public health in the mother and infant health care work.

Article 5 The State encourages and supports the education and scientific researches in the mother and infant health care, publicizes the advanced and practical techniques of mother and infant health care and popularizes the scientific knowledge of mother and infant health care.

Article 6 Awards will be granted to the organizations and individuals which make prominent achievements in the mother and infant health care work and in the researches of mother and infant health care science.

Chapter II Premarital Health Care

Article 7 Medical and health agencies shall offer the people premarital health care service.

The premarital health care services include the following items:

1. Premarital health guidance: education in the knowledge about sex hygiene, child-birth and hereditary diseases;
2. Premarital health counseling: offering people medical advice about the questions in marriage, child birth etc. ;
3. Premarital check-up: conducting medical examination for possible diseases which might affect the marriage and child birth for the male and female who are going to marry each other.

Article 8 The premarital check-up examine the following diseases:

1. Serious hereditary diseases;
2. Specified infectious diseases;
3. Some psychiatric conditions.

Medical agencies shall issue the certificate of premarital check-up upon completing the check-up.

Article 9 After premarital check-up, the doctor shall give medical advice to those males and females who are in the infective stage or who are in active phase of psychiatric diseases, the males and females who are going to marry each other shall postpone their marriage.

Article 10 Upon premarital check-up, the doctor shall offer explanation and medical advice to those males and females who have been diagnosed as having serious hereditary diseases and are not suitable for having children; with the consent on the part of the male and female, they can be allowed to marry on the condition of taking long-term birth control measures or receiving sterilization operation. This article does not apply to the hereditary diseases specified in the Marriage Law of the People's Republic of China.

Article 11 If the persons challenge the results of premarital medical check-up, they have right to ask for medical technological testimonial and obtain the certificate of the medical testimonial.

Article 12 The male and female shall have the certificate of premarital check-up or certificate of medical testimonial when applying for marriage license.

Article 13 The people's governments of province, autonomous regions and municipalities directly under central government are responsible for the establishment and implementation of premarital medical check-up system.

The people's governments of province, autonomous regions and municipalities directly under central government shall set a proper charging standard for premarital medical check-up. The people from remote and poor regions or those who suffer from financial difficulties can enjoy rebate or remission of check-up fees.

Chapter III Health Care during Pregnancy and Term

Article 14 Medical and health care agencies shall provide health care services during pregnancy and term to the women of child-bearing age, gravida and puerpera.

The health care services during pregnancy and term include following items:

1. Guidance for the health care of the mother and infant; offering medical advice on the pregnancy and care of healthy offsprings, the pathogenesis of serious hereditary diseases and iodine-deficient diseases and the treatment and prevention of these diseases;

2. Health care for gravida and puerpera: providing the gravida and puerpera with counseling and guidance on hygiene, nutrition, psychology etc., and with the medical care such as antenatal examination.

3. Health care for fetus; monitoring the growth and development of fetus, offering medical counseling and guidance.

4. Health care for neonates: providing neonates with health care service in the growth and development, milk-feeding and nursing of neonates.

Article 15 Medical and health agencies shall give medical advice to the couple with serious diseases or exposure to teratogenic substances, in whom the pregnancy may jeopardize the gravida, or seriously affect the health of the gravida and normal development of fetus.

Article 16 If serious hereditary diseases are found or suspected in a couple of child-bearing age, the doctor shall give medical advice to the couple and the couple shall take measures accordingly according to the medical advice offered by the doctor.

Article 17 If antenatal examinations reveal fetus abnormality or fetus abnormality is suspected, the antenatal diagnosis shall be conducted for the gravida.

Article 18 If the antenatal examinations reveal one of the following conditions, the doctor shall explain the situation and advise the couple to terminate the pregnancy:

1. Fetus suffering from serious hereditary diseases

2. Fetus having serious defects

3. Woman with serious diseases in which continuance of the pregnancy would put the woman's life at risk or seriously jeopardize her health.

Article 19 The termination or sterilization operation, to be done according to this law, shall be carried out only with agreement and the written consent of the pregnant woman, or with agreement and written consent from the guardian of the pregnant woman if the pregnant woman is incapable of making her own decision.

Article 20 If a woman who has given birth to a baby with serious defects, the woman and her husband shall be subject to medical check-up in a medical institution above the county level.

The medical services of termination of pregnancy or sterilization operation received according to this law are free.

Article 21 The doctor and maternity assistant shall strictly follow the operating rules,

improve their skills and quality of medical service, and prevent and reduce the trauma due to delivery.

Article 22 The pregnant woman who can not be delivered in a hospital shall be delivered by qualified maternity assistants under antiseptic condition.

Article 23 The people who are engaged in delivery in medical institutions or at the home, according to the regulations formulated by the administration department of the State Council, are responsible for issuing unified medical certificate of child birth and reporting the neonate death and birth defects to the administration departments of public health.

Article 24 Medical and health care institutions shall provide the gravidas with the advice and guidance on scientific child-care, proper nutrition and breast-feeding.

Medical and health care institutions are responsible for offering physical check-up and preventive inoculation for babies, conducting screening of neonate diseases step by step, providing medical cares such as the prevention and treatment of common and frequently encountered neonate diseases.

Chapter IV Technological Testimonial

Article 25 The people's governments above the county level can set up organizations for medical technological testimonial, which are responsible for medical appraisal of the debatable results of premarital examination, genetic and antenatal diagnosis.

Article 26 The persons engaged in the medical appraisal must have clinical experience and knowledge on medicine and genetics and they must possess professional titles above the rank of doctor in charge.

The staff in a medical arbitration organization are nominated by the administration department of public health at different levels and are appointed by the people's governments at the same level.

Article 27 A challenge system is adopted in the medical technological appraisal practice. Anyone in the medical appraisal organization who have interest concern with the litigants shall withdraw from the arbitration procedure.

Chapter V Administration

Article 28 The people's governments at all levels shall take measures to enhance the mother and infant health care work, upgrade the quality of health care service, actively prevent and treat the common and frequently-occurring endemic diseases caused by environmental factors, which could seriously jeopardize the health of mother and children and to bolster the development of the mother and child health care work.

Article 29 The administration departments of people's governments above the county level are in charge of the mother and child health care work within their administrative regions.

Article 30 The medical and health care institutions designated by the administration departments of governments of provinces, autonomous regions and municipalities directly under the central government are in charge of providing supervision and technological guidance on the mother and child health care undertaking for the corresponding regions.

Article 31 Medical and health care institutions are in charge of the mother and child health care work within the range of their responsibilities, establishment of working rules and regulations. They shall improve their skills and knowledge, take all measures to improve the availability of medical services to the people and do the mother and child health work well.

Article 32 Medical and health care institutions which carry out such practices as premarital examination, genetic diagnosis, vasoligation or oviduct ligation and termination of pregnancy according to this law shall meet the requirements of conditions and the technological standards stipulated by the administration departments of the State Council and shall be approved by the administration departments of local governments above the county level.

The sex identification of fetus followed by selective abortion is forbidden, except when called for medically.

Article 33 The persons engaging in the medical service of genetic and premarital diagnosis shall be subject to the check-up by the administration departments of governments of provinces, autonomous regions and cities directly under the central government and shall obtain the corresponding certificate for the practice.

The persons who are engaged in the practice of premarital examination, ligation for sterilization purpose, termination of pregnancy and persons who carry out delivery at home shall be subject to the check-up by the administration departments of governments above the county level and shall obtain the corresponding certificate for the practice.

Article 34 The persons who are engaged in the mother and child health work shall strictly observe their professional ethics and shall protect the confidentiality for their patrons.

Chapter VI Legal Liability

Article 35 Without procurement of the certificate issued by the State the following actions will be stopped by the administration departments of governments above the county level, and warning or fines may be incurred, depending on the severity of the situation:

1. conducting premarital medical check-up, genetic diagnosis antenatal diagnosis or medical technological appraisal;
2. terminating pregnancy;
3. issuing related medical certificates specified in this law;

The medical certificates issued in item 3 are invalid.

Article 36 Anyone who carries out termination of pregnancy by operation or other method without procurement of the certificate issued by the State and causes death,

disability, loss or virtual loss of labor will be subject to criminal penalty according to the Article 134 and Article 135 of criminal law.

Article 37 The persons engaging in the mother and child health care work who violate the regulations of this law, issuing fake medical certificates or conducting fetus sex identification will be subject to administrative disciplinary measures on the basis of severity of the violation. The certificate for practice of serious violators will be rescinded.

Chapter VII Supplementary Rules

Article 38 Connotations of following terms in the law:

The term "specified infectious diseases" refers to AIDS, gonorrhea, syphilis, leprosy and other infectious diseases which are believed to affect the marriage and child bearing, as specified in the "Law of Control and Treatment of Infectious Diseases of the People's Republic of China".

The term "serious hereditary diseases" refers to those hereditary diseases caused by hereditary factors before the birth, which lead to complete or partial loss of ability to act on one's own, render a high risk of reoccurrence in offspring. The patients with such diseases are believed not suitable to have children from the medical point of view.

The term "related psychiatric diseases" refers to schizophrenia, manic-depressive psychoses and other severe psychoses.

Article 39 This law shall come into effect from June 1, 1995.

Appendix The related articles of the Criminal Law of People's Republic of China:

Article 134 Those who cause deliberate corporeal injury to other people shall be sentenced to less than 3 year imprisonment.

Those who commit crime thereinbefore and cause serious injury to the victim shall be sentenced to over 3 to less than 7 year imprisonment; those who commit crime thereinbefore and cause death of victim shall be sentenced to more than 7 year imprisonment or life imprisonment. Other articles about this offense, if available, shall be applied.

Article 135 Those who cause serious corporeal injury to other people by mistake shall be sentenced to less than 2 year imprisonment and those with the offense of serious nature will be sentenced to over 2 and less than 7 year imprisonment. Other articles about this offense, if available, shall be applied.

Regulation on Administration of Medical Institutions

(Promulgated by the Decree 149 of State Council on February 26, 1994)

Chapter I General Rules

Article 1 This regulation is enacted in order to reinforce the administration on the