医療法

Medical Care Act

（昭和二十三年七月三十日法律第二百五号）

(Act No. 205 of July 30, 1948)

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第一章　総則

Chapter I General Provisions

第一条　この法律は、医療を受ける者による医療に関する適切な選択を支援するために必要な事項、医療の安全を確保するために必要な事項、病院、診療所及び助産所の開設及び管理に関し必要な事項並びにこれらの施設の整備並びに医療提供施設相互間の機能の分担及び業務の連携を推進するために必要な事項を定めること等により、医療を受ける者の利益の保護及び良質かつ適切な医療を効率的に提供する体制の確保を図り、もつて国民の健康の保持に寄与することを目的とする。

Article 1 The purpose of this Act is to contribute to the protection of the health of the nation by safeguarding the interests of medical care recipients and ensuring a system that efficiently delivers high quality and well-suited medical care, by means of providing for the necessary particulars to support well-suited choices about medical care by the recipients thereof, the necessary particulars to ensure the safety of medical care, the necessary particulars concerning the establishment and management of hospitals, clinics, and birthing centers, and the necessary particulars to develop such facilities and promote the sharing of functions and cooperation between medical institutions.

第一条の二　医療は、生命の尊重と個人の尊厳の保持を旨とし、医師、歯科医師、薬剤師、看護師その他の医療の担い手と医療を受ける者との信頼関係に基づき、及び医療を受ける者の心身の状況に応じて行われるとともに、その内容は、単に治療のみならず、疾病の予防のための措置及びリハビリテーションを含む良質かつ適切なものでなければならない。

Article 1-2 (1) Medical care is to be provided in accordance with the physical and mental state of the medical care recipient, based on a relationship of trust between the physician, dentist, pharmacist, nurse, or other medical care professional and the medical care recipient, in a way which respects life and ensures the dignity of the individual, and not only the medical treatment, but including measures to prevent illness and rehabilitation measures must also be of high quality and well-suited.

２　医療は、国民自らの健康の保持増進のための努力を基礎として、医療を受ける者の意向を十分に尊重し、病院、診療所、介護老人保健施設、介護医療院、調剤を実施する薬局その他の医療を提供する施設（以下「医療提供施設」という。）、医療を受ける者の居宅等（居宅その他厚生労働省令で定める場所をいう。以下同じ。）において、医療提供施設の機能に応じ効率的に、かつ、福祉サービスその他の関連するサービスとの有機的な連携を図りつつ提供されなければならない。

(2) Medical care must be provided as a basis for efforts to ensure and improve the health of the nation, fully respecting the wishes of the medical care recipients, and seeking efficiency and organic coordination among associated services such as welfare services, in accordance with the functions of the medical institutions (hereinafter referred to as "medical institutions"), in hospitals, clinics, long-term care health facilities, integrated facilities for medical and long-term care, dispensing pharmacies, and other facilities that provide medical care, and in the homes of medical care recipients (meaning a home and other place specified by an Order of the Ministry of Health, Labour and Welfare; the same applies hereinafter).

第一条の三　国及び地方公共団体は、前条に規定する理念に基づき、国民に対し良質かつ適切な医療を効率的に提供する体制が確保されるよう努めなければならない。

Article 1-3 The national and local governments must endeavor to ensure a system that will efficiently provide high quality and well-suited medical care to the people based on the concepts provided in the preceding Article.

第一条の四　医師、歯科医師、薬剤師、看護師その他の医療の担い手は、第一条の二に規定する理念に基づき、医療を受ける者に対し、良質かつ適切な医療を行うよう努めなければならない。

Article 1-4 (1) Physicians, dentists, pharmacists, nurses, and other medical care professionals must endeavor to deliver high quality and well-suited medical care to medical care recipients, based on the concepts provided for in Article 1-2.

２　医師、歯科医師、薬剤師、看護師その他の医療の担い手は、医療を提供するに当たり、適切な説明を行い、医療を受ける者の理解を得るよう努めなければならない。

(2) In providing medical care, a physician, dentist, pharmacist, nurse or other medical care professional must give proper explanations and endeavor to foster understanding in medical care recipients.

３　医療提供施設において診療に従事する医師及び歯科医師は、医療提供施設相互間の機能の分担及び業務の連携に資するため、必要に応じ、医療を受ける者を他の医療提供施設に紹介し、その診療に必要な限度において医療を受ける者の診療又は調剤に関する情報を他の医療提供施設において診療又は調剤に従事する医師若しくは歯科医師又は薬剤師に提供し、及びその他必要な措置を講ずるよう努めなければならない。

(3) Physicians and dentists practicing at a medical institution, when necessary, must refer medical care recipients to other medical institutions, provide information concerning diagnoses or prescriptions as required for the treatment of medical care recipients to physicians, dentists, or pharmacists engaged in diagnoses or prescriptions at other medical institutions, and must undertake other measures as required to contribute to a sharing of functions and cooperation among medical institutions.

４　病院又は診療所の管理者は、当該病院又は診療所を退院する患者が引き続き療養を必要とする場合には、保健医療サービス又は福祉サービスを提供する者との連携を図り、当該患者が適切な環境の下で療養を継続することができるよう配慮しなければならない。

(4) In the case that a patient leaving a hospital or clinic continues to require medical treatment, the administrator of the relevant hospital or clinic must seek cooperation with providers of health and medical services or welfare services, and have the consideration to enable the relevant patient to continue receiving medical treatment in an appropriate environment.

５　医療提供施設の開設者及び管理者は、医療技術の普及及び医療の効率的な提供に資するため、当該医療提供施設の建物又は設備を、当該医療提供施設に勤務しない医師、歯科医師、薬剤師、看護師その他の医療の担い手の診療、研究又は研修のために利用させるよう配慮しなければならない。

(5) The organizers and administrators of a medical institution must have consideration to allow physicians, dentists, pharmacists, nurses, and other medical care professionals who do not work at the relevant medical institution to use the buildings or equipment thereof in order to carry out their practices, research, or training, to foster the dissemination of medical care techniques, and to efficiently provide medical care.

第一条の五　この法律において、「病院」とは、医師又は歯科医師が、公衆又は特定多数人のため医業又は歯科医業を行う場所であつて、二十人以上の患者を入院させるための施設を有するものをいう。病院は、傷病者が、科学的でかつ適正な診療を受けることができる便宜を与えることを主たる目的として組織され、かつ、運営されるものでなければならない。

Article 1-5 (1) The term "hospital" as used in this Act means a facility for the hospitalization of not less than 20 patients, where physicians or dentists carry out medical practices or dental practices for the public or other specific groups of people. A hospital must be organized and operated primarily for offering facilities that enable the scientific and proper treatment of the sick and injured.

２　この法律において、「診療所」とは、医師又は歯科医師が、公衆又は特定多数人のため医業又は歯科医業を行う場所であつて、患者を入院させるための施設を有しないもの又は十九人以下の患者を入院させるための施設を有するものをいう。

(2) The term "clinic" as used in this Act means a facility with no in-patient capacity, or a facility for the hospitalization of no more than 19 patients, where physicians or dentists carry out medical practices or dental practices for the public or other specific groups of people.

第一条の六　この法律において、「介護老人保健施設」とは、介護保険法（平成九年法律第百二十三号）の規定による介護老人保健施設をいう。

Article 1-6 (1) The term "long-term care health facility" as used in this Act means a long-term care health facility pursuant to the provisions of the Long-Term Care Insurance Act (Act No. 123 of 1997).

２　この法律において、「介護医療院」とは、介護保険法の規定による介護医療院をいう。

(2) The term "integrated facility for medical and long-term care" as used in this Act means an integrated facility for medical and long-term care pursuant to the provisions of the Long-Term Care Insurance Act.

第二条　この法律において、「助産所」とは、助産師が公衆又は特定多数人のためその業務（病院又は診療所において行うものを除く。）を行う場所をいう。

Article 2 (1) The term "birthing center" as used in this Act means a place where midwives perform services (excluding those carried out in a hospital or clinic) for the public or other specific groups of people.

２　助産所は、妊婦、産婦又はじよく婦十人以上の入所施設を有してはならない。

(2) A birthing center is not to have in-patient facilities for more than 10 pregnant women, women in labor, or women resting after childbirth.

第三条　疾病の治療（助産を含む。）をなす場所であつて、病院又は診療所でないものは、これに病院、病院分院、産院、療養所、診療所、診察所、医院その他病院又は診療所に紛らわしい名称を附けてはならない。

Article 3 (1) No place that carries out the medical treatment of illnesses (including birthing assistance) and that is not a hospital or clinic is to bear a name that includes the term "hospital", "branch hospital", "maternity hospital", "sanatorium", "clinic", "dispensary", "doctor's office", or any other name that may cause it to be mistaken for a hospital or clinic.

２　診療所は、これに病院、病院分院、産院その他病院に紛らわしい名称を附けてはならない。

(2) No clinic is to bear a name that includes the term "hospital", "branch hospital", "maternity hospital", or any other name that may cause it to be mistaken for a hospital.

３　助産所でないものは、これに助産所その他助産師がその業務を行う場所に紛らわしい名称を付けてはならない。

(3) A facility which is not a birthing center is not bear a name that includes the term "birthing center" or any other name that may cause it to be mistaken for a place where midwifes perform services.

第四条　国、都道府県、市町村、第四十二条の二第一項に規定する社会医療法人その他厚生労働大臣の定める者の開設する病院であつて、地域における医療の確保のために必要な支援に関する次に掲げる要件に該当するものは、その所在地の都道府県知事の承認を得て地域医療支援病院と称することができる。

Article 4 (1) A hospital established by the national government, a prefecture, municipality, a social medical corporation as provided for in Article 42-2, paragraph (1), or any other party as prescribed by the Minister of Health, Labour and Welfare, and that meets the following conditions concerning the necessary support to ensure community medical care, may bear a name that includes the term "regional medical care support hospital" for its area, with the approval of the prefectural governor:

一　他の病院又は診療所から紹介された患者に対し医療を提供し、かつ、当該病院の建物の全部若しくは一部、設備、器械又は器具を、当該病院に勤務しない医師、歯科医師、薬剤師、看護師その他の医療従事者（以下単に「医療従事者」という。）の診療、研究又は研修のために利用させるための体制が整備されていること。

(i) medical care is provided to patients who have been referred from other hospitals or clinics, and a system is in place that allows physicians, dentists, pharmacists, nurses, and other medical care professionals (hereinafter simply referred to as "medical care professionals"), who do not work at the relevant hospital to use all or part of its buildings, equipment, instruments, or tools for their practices, research, or training;

二　救急医療を提供する能力を有すること。

(ii) having the ability of providing emergency medical care;

三　地域の医療従事者の資質の向上を図るための研修を行わせる能力を有すること。

(iii) having the capability of carrying out training to enhance the quality of community medical care professionals;

四　厚生労働省令で定める数以上の患者を入院させるための施設を有すること。

(iv) having facilities to hospitalize more patients than prescribed by an Order of the Ministry of Health, Labour and Welfare;

五　第二十一条第一項第二号から第八号まで及び第十号から第十二号まで並びに第二十二条第一号及び第四号から第九号までに規定する施設を有すること。

(v) having facilities provided for in Article 21, paragraph (1), items (ii) through (viii) and (x) through (xii), and Article 22, items (i), and (iv) through (ix); and

六　その施設の構造設備が第二十一条第一項及び第二十二条の規定に基づく厚生労働省令並びに同項の規定に基づく都道府県の条例で定める要件に適合するものであること。

(vi) the buildings and equipment of the facility meet the requirements prescribed by the Order of the Ministry of Health, Labour and Welfare set forth in Article 21, paragraph (1) and Article 22 and Prefectural Order set forth therein.

２　都道府県知事は、前項の承認をするに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(2) In granting approval as set forth in the preceding paragraph, the prefectural governor must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

３　地域医療支援病院でないものは、これに地域医療支援病院又はこれに紛らわしい名称を付けてはならない。

(3) A facility that is not a regional medical care support hospital is not to bear a name that includes the term "regional medical care support hospital" or a name that may cause it to be mistaken for such.

第四条の二　病院であつて、次に掲げる要件に該当するものは、厚生労働大臣の承認を得て特定機能病院と称することができる。

Article 4-2 (1) A hospital that meets the following requirements may bear the name "advanced treatment hospital", with the approval of the Minister of Health, Labour and Welfare:

一　高度の医療を提供する能力を有すること。

(i) having the ability of providing advanced medical care;

二　高度の医療技術の開発及び評価を行う能力を有すること。

(ii) having the capability of carrying out the development and evaluation of advanced medical care techniques;

三　高度の医療に関する研修を行わせる能力を有すること。

(iii) having the capability of carrying out training on advanced medical care;

四　医療の高度の安全を確保する能力を有すること。

(iv) having the capability of ensuring a high level of medical safety;

五　その診療科名中に、厚生労働省令の定めるところにより、厚生労働省令で定める診療科名を有すること。

(v) amongst its clinical departments, having the names of clinical departments as prescribed by an Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare;

六　厚生労働省令で定める数以上の患者を入院させるための施設を有すること。

(vi) having facilities to hospitalize more patients than prescribed by an Order of the Ministry of Health, Labour and Welfare;

七　その有する人員が第二十二条の二の規定に基づく厚生労働省令で定める要件に適合するものであること。

(vii) the personnel meet the requirements prescribed by the Order of the Ministry of Health, Labour and Welfare set forth in Article 22-2;

八　第二十一条第一項第二号から第八号まで及び第十号から第十二号まで並びに第二十二条の二第二号、第五号及び第六号に規定する施設を有すること。

(viii) having the facilities provided for in Article 21, paragraph (1) items (ii) through (viii) and (x) through (xii), and Article 22-2, items (ii), and (v) through (vi); and

九　その施設の構造設備が第二十一条第一項及び第二十二条の二の規定に基づく厚生労働省令並びに同項の規定に基づく都道府県の条例で定める要件に適合するものであること。

(ix) the buildings and equipment of the facility meet the requirements prescribed by the Order of the Ministry of Health, Labour and Welfare set forth in Article 21, paragraph (1) and Article 22-2 and Prefectural Ordinances set forth therein.

２　厚生労働大臣は、前項の承認をするに当たつては、あらかじめ、社会保障審議会の意見を聴かなければならない。

(2) In granting approval as set forth in the preceding paragraph, the Minister of Health, Labour and Welfare must hear the opinions of the Social Security Council in advance.

３　特定機能病院でないものは、これに特定機能病院又はこれに紛らわしい名称を付けてはならない。

(3) A facility that is not an advanced treatment hospital is not to bear the name "advanced treatment hospital" or a name that may cause it to be mistaken for such.

第四条の三　病院であつて、臨床研究の実施の中核的な役割を担うことに関する次に掲げる要件に該当するものは、厚生労働大臣の承認を得て臨床研究中核病院と称することができる。

Article 4-3 (1) A hospital that meets the following requirements for playing a central role in the implementation of clinical research may bear the name "core hospital for clinical research", with the approval of the Minister of Health, Labour and Welfare:

一　特定臨床研究（厚生労働省令で定める基準に従つて行う臨床研究をいう。以下同じ。）に関する計画を立案し、及び実施する能力を有すること。

(i) having the capability of planning and implementing a project on specified clinical research (meaning clinical research conducted in accordance with the standards specified by an Order of the Ministry of Health, Labour and Welfare; the same applies hereinafter);

二　他の病院又は診療所と共同して特定臨床研究を実施する場合にあつては、特定臨床研究の実施の主導的な役割を果たす能力を有すること。

(ii) having the capability of playing a leading role in the implementation of the specified clinical research, in the case where specified clinical research is to be implemented jointly with other hospitals or clinic;

三　他の病院又は診療所に対し、特定臨床研究の実施に関する相談に応じ、必要な情報の提供、助言その他の援助を行う能力を有すること。

(iii) having the capability of providing consultation, necessary information, advice and other assistance to other hospitals or clinics concerning the implementation of specified clinical research;

四　特定臨床研究に関する研修を行う能力を有すること。

(iv) having the capability of providing training on specified clinical research;

五　その診療科名中に厚生労働省令で定める診療科名を有すること。

(v) having the names of clinical departments amongst its clinical departments, as prescribed by an Order of the Ministry of Health, Labour and Welfare;

六　厚生労働省令で定める数以上の患者を入院させるための施設を有すること。

(vi) having facilities to hospitalize more patients than prescribed by an Order of the Ministry of Health, Labour and Welfare;

七　その有する人員が第二十二条の三の規定に基づく厚生労働省令で定める要件に適合するものであること。

(vii) the personnel meet the requirements prescribed by the Order of the Ministry of Health, Labour and Welfare set forth in Article 22-3;

八　第二十一条第一項第二号から第八号まで及び第十号から第十二号まで並びに第二十二条の三第二号、第五号及び第六号に規定する施設を有すること。

(viii) having facilities provided for in Article 21, paragraph (1), items (ii) through (viii) and (x) through (xii), and Article 22-3, items (ii), (v) and (vi);

九　その施設の構造設備が第二十一条第一項及び第二十二条の三の規定に基づく厚生労働省令並びに同項の規定に基づく都道府県の条例で定める要件に適合するものであること。

(ix) the buildings and equipment of the facility meet the requirements prescribed by the Order of the Ministry of Health, Labour and Welfare set forth in Article 21, paragraph (1) and Article 22-3 and Prefectural Ordinances set forth therein; and

十　前各号に掲げるもののほか、特定臨床研究の実施に関する厚生労働省令で定める要件に適合するものであること。

(x) beyond what is listed in each of the preceding items, the requirements specified by an Order of the Ministry of Health, Labour and Welfare concerning the implementation of specified clinical research are met.

２　厚生労働大臣は、前項の承認をするに当たつては、あらかじめ、社会保障審議会の意見を聴かなければならない。

(2) In granting approval as set forth in the preceding paragraph, the Minister of Health, Labour and Welfare must hear the opinions of the Social Security Council in advance.

３　臨床研究中核病院でないものは、これに臨床研究中核病院又はこれに紛らわしい名称を称してはならない。

(3) A facility that is not a core hospital for clinical research is not to bear the name "core hospital for clinical research" or a name that may cause it to be mistaken for such.

第五条　公衆又は特定多数人のため往診のみによつて診療に従事する医師若しくは歯科医師又は出張のみによつてその業務に従事する助産師については、第六条の四の二、第六条の五又は第六条の七、第八条及び第九条の規定の適用に関し、それぞれその住所をもつて診療所又は助産所とみなす。

Article 5 (1) For a physician or dentist who practices solely through house calls for the public or other specific groups of people, or a midwife who engages in services solely through house calls is to consider each such address as a clinic or birthing center with regards to the applicability of the provisions set forth in Article 6-4-2, Article 6-5, or Article 6-7, Article 8 and Article 9.

２　都道府県知事、地域保健法（昭和二十二年法律第百一号）第五条第一項の規定に基づく政令で定める市（以下「保健所を設置する市」という。）の市長又は特別区の区長は、必要があると認めるときは、前項に規定する医師、歯科医師又は助産師に対し、必要な報告を命じ、又は検査のため診療録、助産録、帳簿書類その他の物件の提出を命ずることができる。

(2) A prefectural governor, a mayor of a city as prescribed by the Cabinet Order as set forth in Article 5, paragraph (1) of the Community Health Act (Act No. 101 of 1947) (hereinafter referred to as a "city with a public health center"), or a mayor of a special ward of Tokyo may, when they find it necessary, order a physician, dentist, or midwife as provided for in the preceding paragraph to report as required, or may order the submission of medical records, birth records, accounting books and documents, and other articles for inspection.

第五条の二　厚生労働大臣は、第七条第一項に規定する臨床研修等修了医師の申請に基づき、当該者が、医師の確保を特に図るべき区域（第三十条の四第六項に規定する区域その他厚生労働省令で定める区域をいう。以下同じ。）における医療の提供に関する知見を有するために必要な経験その他の厚生労働省令で定める経験を有するものであることの認定をすることができる。

Article 5-2 (1) The Minister of Health, Labour and Welfare may, based on an application from a clinically trained physician prescribed in Article 7, paragraph (1), certify the relevant physician that has the experience necessary having knowledge concerning the provision of medical care in an acute physician shortage area (meaning an area prescribed in Article 30-4, paragraph (6) and other areas specified by an Order of the Ministry of Health, Labour and Welfare; the same applies hereinafter) and other experience specified by an Order of the Ministry of Health, Labour and Welfare.

２　厚生労働大臣は、前項の認定をしたときは、認定証明書を交付するものとする。

(2) The Minister of Health, Labour and Welfare who has granted certification under the preceding paragraph is to issue a certificate.

３　厚生労働大臣は、第一項の認定を受けた者が次の各号のいずれかに該当するときは、その認定を取り消すことができる。

(3) The Minister of Health, Labour and Welfare may rescind the certification when a physician who has obtained the certification under paragraph (1) falls under any of the following items:

一　医師がその免許を取り消され、又は医業の停止を命ぜられたとき。

(i) when the physician has had their license revoked or has been ordered to suspend their medical practice;

二　偽りその他不正の手段により第一項の認定を受けたことが判明したとき。

(ii) when it is found that the certification under paragraph (1) was obtained by deception or other wrongful means; or

三　罰金以上の刑に処せられたとき。

(iii) when the physician was sentenced to a fine or severer punishment.

４　第一項の認定及びその認定の取消しに関して必要な事項は、政令で定める。

(4) Necessary particulars concerning the certification set forth in paragraph (1) and the rescission of such certification is provided for by Cabinet Order.

第六条　国の開設する病院、診療所及び助産所に関しては、この法律の規定の適用について、政令で特別の定をすることができる。

Article 6 The applicability of the provisions of this Act to hospitals, clinics, and birthing centers established by the national government may be prescribed separately by Cabinet Order.

第二章　医療に関する選択の支援等

Chapter II Supporting Choices in Medical Care

第一節　医療に関する情報の提供等

Section 1 Providing Information on Medical Care

第六条の二　国及び地方公共団体は、医療を受ける者が病院、診療所又は助産所の選択に関して必要な情報を容易に得られるように、必要な措置を講ずるよう努めなければならない。

Article 6-2 (1) National government and local governments must endeavor to undertake the necessary measures to enable medical care recipients to easily acquire the necessary information for choosing a hospital, clinic, or birthing center.

２　医療提供施設の開設者及び管理者は、医療を受ける者が保健医療サービスの選択を適切に行うことができるように、当該医療提供施設の提供する医療について、正確かつ適切な情報を提供するとともに、患者又はその家族からの相談に適切に応ずるよう努めなければならない。

(2) Organizers and administrators of medical institutions must endeavor to provide accurate and well-suited information on the medical care provided thereby, and to appropriately respond to queries from patients or their families, to enable medical care recipients to choose appropriate health and medical services.

３　国民は、良質かつ適切な医療の効率的な提供に資するよう、医療提供施設相互間の機能の分担及び業務の連携の重要性についての理解を深め、医療提供施設の機能に応じ、医療に関する選択を適切に行い、医療を適切に受けるよう努めなければならない。

(3) In order to contribute to the efficient provision of high-quality and appropriate medical care, citizens must endeavor to deepen their understanding of the importance of the sharing of functions and the coordination of operations among medical institutions, and to choose and receive medical care appropriately according to the functions of medical institutions.

第六条の三　病院、診療所又は助産所（以下この条において「病院等」という。）の管理者は、厚生労働省令で定めるところにより、医療を受ける者が病院等の選択を適切に行うために必要な情報として厚生労働省令で定める事項を当該病院等の所在地の都道府県知事に報告するとともに、当該事項を記載した書面を当該病院等において閲覧に供しなければならない。

Article 6-3 (1) The administrator of a hospital, clinic, or birthing center (hereinafter referred to as "hospital, etc." in this Article) must report the particulars prescribed by an Order of the Ministry of Health, Labour and Welfare as necessary information for enabling medical care recipients to choose an appropriate hospital, etc. to the prefectural governor of the location of the relevant hospital, etc., pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, and must make documents describing such particulars available for inspection within the relevant hospital, etc.

２　病院等の管理者は、前項の規定により報告した事項について変更が生じたときは、厚生労働省令で定めるところにより、速やかに、当該病院等の所在地の都道府県知事に報告するとともに、同項に規定する書面の記載を変更しなければならない。

(2) If a change arises with regard to particulars reported pursuant to the provisions of the preceding paragraph, the administrator of a hospital, etc. must promptly promptly to the prefectural governor of the location of the relevant hospital, etc., and amend the details of the documents provided for in the preceding paragraph, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

３　病院等の管理者は、第一項の規定による書面の閲覧に代えて、厚生労働省令で定めるところにより、当該書面に記載すべき事項を電磁的方法（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法をいう。次条第二項及び第六条の四の二第二項において同じ。）であつて厚生労働省令で定めるものにより提供することができる。

(3) In lieu of making documents pursuant to the provisions of paragraph (1) available for inspection, the administrator of a hospital, etc., pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, may provide the particulars that should be stated in the relevant documents by electronic or magnetic means (which means a method using an electronic data processing system or other information communication technology; the same applies in paragraph (2) of the following Article and Article 6-4-2, paragraph (2)) specified by an Order of the Ministry of Health, Labour and Welfare.

４　都道府県知事は、第一項又は第二項の規定による報告の内容を確認するために必要があると認めるときは、市町村その他の官公署に対し、当該都道府県の区域内に所在する病院等に関し必要な情報の提供を求めることができる。

(4) If a prefectural governor finds it necessary in order to confirm the details of a report pursuant to the provisions of paragraph (1) or paragraph (2), the governor may request the necessary information concerning a hospital, etc. situated within the boundaries of the relevant prefecture from a municipality or other public agency.

５　都道府県知事は、厚生労働省令で定めるところにより、第一項及び第二項の規定により報告された事項を公表しなければならない。

(5) A prefectural governor is to make public the particulars reported thereto pursuant to the provisions of paragraph (1) and paragraph (2), pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

６　都道府県知事は、病院等の管理者が第一項若しくは第二項の規定による報告をせず、又は虚偽の報告をしたときは、期間を定めて、当該病院等の開設者に対し、当該管理者をしてその報告を行わせ、又はその報告の内容を是正させることを命ずることができる。

(6) If the administrator of a hospital, etc. fails to report pursuant to the provisions of paragraph (1) or paragraph (2) or has made a false report, the prefectural governor may order the organizer of the relevant hospital, etc. to have the relevant administrator give the relevant report or correct the details of the relevant report within a period that the governor prescribes.

第六条の四　病院又は診療所の管理者は、患者を入院させたときは、厚生労働省令で定めるところにより、当該患者の診療を担当する医師又は歯科医師により、次に掲げる事項を記載した書面の作成並びに当該患者又はその家族への交付及びその適切な説明が行われるようにしなければならない。ただし、患者が短期間で退院することが見込まれる場合その他の厚生労働省令で定める場合は、この限りでない。

Article 6-4 (1) When a patient has been admitted, the administrator of a hospital or clinic must have the physician or dentist responsible for their treatment prepare documents describing the following information, deliver them to the relevant patient or their family, and give an appropriate explanation thereof, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare; provided, however, that this does not apply where the patient is expected to be discharged from the hospital in a short period of time or where prescribed by an Order of the Ministry of Health, Labour and Welfare:

一　患者の氏名、生年月日及び性別

(i) the name, date of birth, and gender of the patient;

二　当該患者の診療を主として担当する医師又は歯科医師の氏名

(ii) the name of the physician or dentist primarily responsible for the relevant patient's treatment;

三　入院の原因となつた傷病名及び主要な症状

(iii) the name of the illness and major symptoms leading to hospitalization;

四　入院中に行われる検査、手術、投薬その他の治療（入院中の看護及び栄養管理を含む。）に関する計画

(iv) a plan for examinations, surgeries, medication, and other treatments to be undertaken during hospitalization (including nursing and dietary management during hospitalization); and

五　その他厚生労働省令で定める事項

(v) other particulars as prescribed by an Order of the Ministry of Health, Labour and Welfare.

２　病院又は診療所の管理者は、患者又はその家族の承諾を得て、前項の書面の交付に代えて、厚生労働省令で定めるところにより、当該書面に記載すべき事項を電磁的方法であつて厚生労働省令で定めるものにより提供することができる。

(2) In lieu of delivering the documents as set forth in the preceding paragraph, the administrator of a hospital or clinic, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, may provide the particulars that should be stated in the relevant documents by electronic or magnetic means specified by an Order of the Ministry of Health, Labour and Welfare, with the consent of the patient or their family.

３　病院又は診療所の管理者は、患者を退院させるときは、退院後の療養に必要な保健医療サービス又は福祉サービスに関する事項を記載した書面の作成、交付及び適切な説明が行われるよう努めなければならない。

(3) When a patient is being discharged from the hospital, the administrator of the relevant hospital or clinic must endeavor to have documents that describe the particulars related to health and medical services or welfare services that will be necessary for their treatment after being discharged from the hospital prepared, delivered, and appropriately explained.

４　病院又は診療所の管理者は、第一項の書面の作成に当たつては、当該病院又は診療所に勤務する医師、歯科医師、薬剤師、看護師その他の従業者の有する知見を十分に反映させるとともに、当該書面に記載された内容に基づき、これらの者による有機的な連携の下で入院中の医療が適切に提供されるよう努めなければならない。

(4) In preparing the documents as set forth in paragraph (1), the administrator of a hospital or clinic must endeavor to properly reflect the opinions of the physicians, dentists, pharmacists, nurses, and other employees who work at the relevant hospital or clinic, and to appropriately provide medical care during hospitalization through organic coordination between these parties, based on the contents of the relevant documents.

５　病院又は診療所の管理者は、第三項の書面の作成に当たつては、当該患者の退院後の療養に必要な保健医療サービス又は福祉サービスを提供する者との連携が図られるよう努めなければならない。

(5) In preparing the documents set forth in paragraph (3), the administrator of a hospital or clinic must endeavor to seek cooperation with providers of the health and medical services or welfare services that are necessary for the relevant patient's treatment after the patient is discharged from the hospital.

第六条の四の二　助産所の管理者（出張のみによつてその業務に従事する助産師にあつては当該助産師。次項において同じ。）は、妊婦又は産婦（以下この条及び第十九条第二項において「妊婦等」という。）の助産を行うことを約したときは、厚生労働省令で定めるところにより、当該妊婦等の助産を担当する助産師により、次に掲げる事項を記載した書面の当該妊婦等又はその家族への交付及びその適切な説明が行われるようにしなければならない。

Article 6-4-2 (1) The administrator of a birthing center (or in the case of a midwife who only does house calls, the relevant midwife; the same applies in the following paragraph), when the administrator has promised to provide midwifery services to a pregnant woman or a woman in labor (hereinafter referred to as "pregnant woman, etc." in this Article and Article 19, paragraph (2)), must ensure, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare that the midwife in charge of providing midwifery services to the relevant pregnant woman, etc. delivers a document stating the following information and provides appropriate explanation to the relevant pregnant woman, etc. or her family;

一　妊婦等の氏名及び生年月日

(i) the name and date of birth of the pregnant woman, etc.;

二　当該妊婦等の助産を担当する助産師の氏名

(ii) the name of the midwife who is in charge of providing midwifery services to the relevant pregnant woman, etc.;

三　当該妊婦等の助産及び保健指導に関する方針

(iii) policies concerning midwifery and health guidance for the relevant pregnant woman, etc.;

四　当該助産所の名称、住所及び連絡先

(iv) the name, address and contact information of the relevant birthing center.;

五　当該妊婦等の異常に対応する病院又は診療所の名称、住所及び連絡先

(v) the name, address and contact information of the hospital or clinic that responds to the abnormality of the relevant pregnant woman, etc.; and

六　その他厚生労働省令で定める事項

(vi) other particulars specified by an Order of the Ministry of Health, Labour and Welfare.

２　助産所の管理者は、妊婦等又はその家族の承諾を得て、前項の書面の交付に代えて、厚生労働省令で定めるところにより、当該書面に記載すべき事項を電磁的方法であつて厚生労働省令で定めるものにより提供することができる。

(2) In lieu of delivering the documents as set forth in the preceding paragraph, the administrator of a birthing center, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, provide the particulars that should be stated in the relevant documents by electronic or magnetic means specified by an Order of the Ministry of Health, Labour and Welfare, with the consent of the pregnant woman, etc. or her family.

第二節　医業、歯科医業又は助産師の業務等の広告

Section 2 Advertisement of Medical Practices, Dental Practices, or Midwifery Services

第六条の五　何人も、医業若しくは歯科医業又は病院若しくは診療所に関して、文書その他いかなる方法によるを問わず、広告その他の医療を受ける者を誘引するための手段としての表示（以下この節において単に「広告」という。）をする場合には、虚偽の広告をしてはならない。

Article 6-5 (1) No party, when placing any advertisement or making any other representation as a means of inducing medical care recipients (hereinafter simply referred to as "advertisement" in this Section) with regard to medical practice or dental practice, or hospitals or clinics, are to run false advertisements, regardless of whether it is made in writing or by any other means.

２　前項に規定する場合には、医療を受ける者による医療に関する適切な選択を阻害することがないよう、広告の内容及び方法が、次に掲げる基準に適合するものでなければならない。

(2) In the case prescribed in the preceding paragraph, the contents and methods of the advertisement must conform to the following standards so as not to hinder appropriate selection of medical care by medical care recipients:

一　他の病院又は診療所と比較して優良である旨の広告をしないこと。

(i) no advertisement is to be placed to the effect that the hospital or clinic is superior to other hospitals or clinics;

二　誇大な広告をしないこと。

(ii) no exaggerated advertisement is to be placed;

三　公の秩序又は善良の風俗に反する内容の広告をしないこと。

(iii) no advertisement that undermines public order or corrupt good morals are to be placed; and

四　その他医療に関する適切な選択に関し必要な基準として厚生労働省令で定める基準

(iv) other standards specified by an Order of the Ministry of Health, Labour and Welfare as necessary for appropriate selection of medical care.

３　第一項に規定する場合において、次に掲げる事項以外の広告がされても医療を受ける者による医療に関する適切な選択が阻害されるおそれが少ない場合として厚生労働省令で定める場合を除いては、次に掲げる事項以外の広告をしてはならない。

(3) In the case prescribed in paragraph (1), advertisement of particulars other than those listed below must not be placed, except in cases specified by an Order of the Ministry of Health, Labour and Welfare as cases where there is little risk of hindering appropriate selection of medical care by medical care recipients even if advertisement of particulars other than those listed below is placed:

一　医師又は歯科医師である旨

(i) that the person is a physician or dentist;

二　診療科名

(ii) the clinical department name;

三　当該病院又は診療所の名称、電話番号及び所在の場所を表示する事項並びに当該病院又は診療所の管理者の氏名

(iii) the name, telephone number, information that indicates the location of the relevant hospital or clinic, and the name of the administrator of the relevant hospital or clinic;

四　診療日若しくは診療時間又は予約による診療の実施の有無

(iv) the days and hours of practice, or whether an appointment can be booked;

五　法令の規定に基づき一定の医療を担うものとして指定を受けた病院若しくは診療所又は医師若しくは歯科医師である場合には、その旨

(v) for a hospital, clinic, physician, or dentist that is designated to undertake standard medical care as set forth in the provisions of laws and regulations, a statement to that effect;

六　第五条の二第一項の認定を受けた医師である場合には、その旨

(vi) in the case of a physician who has obtained the certification under Article 5-2, paragraph (1), a statement to that effect;

七　地域医療連携推進法人（第七十条の五第一項に規定する地域医療連携推進法人をいう。第三十条の四第十二項において同じ。）の参加病院等（第七十条の二第二項第二号に規定する参加病院等をいう。）である場合には、その旨

(vii) in the case of a participating hospital, etc. (meaning a participating hospital, etc. prescribed in Article 70-2, paragraph (2), item (ii)) of a regional medical coordination promotion corporation (meaning a regional medical coordination promotion corporation prescribed in Article 70-5, paragraph (1); the same applies in Article 30-4, paragraph (12)), a statement to that effect;

八　入院設備の有無、第七条第二項に規定する病床の種別ごとの数、医師、歯科医師、薬剤師、看護師その他の従業者の員数その他の当該病院又は診療所における施設、設備又は従業者に関する事項

(viii) whether there are in-patient facilities, the number of each type of bed provided for in Article 7, paragraph (2), the number of physicians, dentists, pharmacists, nurses, and other employees, and other particulars related to the facilities, equipment, or employees at the relevant hospital or clinic;

九　当該病院又は診療所において診療に従事する医療従事者の氏名、年齢、性別、役職、略歴その他の当該医療従事者に関する事項であつて医療を受ける者による医療に関する適切な選択に資するものとして厚生労働大臣が定めるもの

(ix) The names, ages, genders, positions, and brief personal records of medical care professionals practicing at the relevant hospital or clinic, and other particulars related to the relevant medical care professionals that are prescribed by the Minister of Health, Labour and Welfare as particulars that contribute to recipients of medical care making appropriate choices with regard to their medical care;

十　患者又はその家族からの医療に関する相談に応ずるための措置、医療の安全を確保するための措置、個人情報の適正な取扱いを確保するための措置その他の当該病院又は診療所の管理又は運営に関する事項

(x) measures for responding to queries concerning medical care from patients or their families, measures to ensure the safety of medical care, measures to ensure the appropriate handling of personal information, and other particulars related to the management or operation of the relevant hospital or clinic;

十一　紹介をすることができる他の病院若しくは診療所又はその他の保健医療サービス若しくは福祉サービスを提供する者の名称、これらの者と当該病院又は診療所との間における施設、設備又は器具の共同利用の状況その他の当該病院又は診療所と保健医療サービス又は福祉サービスを提供する者との連携に関する事項

(xi) particulars related to cooperation with other hospitals, clinics, or health and medical service or welfare service providers, such as the names of the hospitals, clinics, or other health and medical service or welfare service providers to which patients may be referred, or the shared use of facilities, equipment, or tools between such parties and the relevant hospital or clinic;

十二　診療録その他の診療に関する諸記録に係る情報の提供、第六条の四第三項に規定する書面の交付その他の当該病院又は診療所における医療に関する情報の提供に関する事項

(xii) particulars concerning the provision of information in medical records and other records related to treatment, delivery of documents provided for in Article 6-4, paragraph (3), and provision of other information on medical care at the relevant hospital or clinic;

十三　当該病院又は診療所において提供される医療の内容に関する事項（検査、手術その他の治療の方法については、医療を受ける者による医療に関する適切な選択に資するものとして厚生労働大臣が定めるものに限る。）

(xiii) particulars related to the details of medical care provided at the relevant hospital or clinic (limited to the details of examinations, surgery, and other medical treatment methods that are prescribed by the Minister of Health, Labour and Welfare as particulars that contribute to recipients of medical care making appropriate choices with regard to their medical care);

十四　当該病院又は診療所における患者の平均的な入院日数、平均的な外来患者又は入院患者の数その他の医療の提供の結果に関する事項であつて医療を受ける者による医療に関する適切な選択に資するものとして厚生労働大臣が定めるもの

(xiv) particulars related to the average number of days of hospitalization, average out-patient or in-patient numbers, and other particulars related to the results of the medical care that is provided at the relevant hospital or clinic and that are prescribed by the Minister of Health, Labour and Welfare as particulars that contribute to recipients of medical care making appropriate choices with regard to their medical care; and

十五　その他前各号に掲げる事項に準ずるものとして厚生労働大臣が定める事項

(xv) other particulars prescribed by the Minister of Health, Labour and Welfare is to be dealt with in the same manner as particulars listed in each of the previous items.

４　厚生労働大臣は、第二項第四号若しくは前項の厚生労働省令の制定若しくは改廃の立案又は同項第八号若しくは第十二号から第十四号までに掲げる事項の案の作成をしようとするときは、医療に関する専門的科学的知見に基づいて立案又は作成をするため、診療に関する学識経験者の団体の意見を聴かなければならない。

(4) When the Minister of Health, Labour and Welfare intends to plan the enactment, revision or abolition of an Order of the Ministry of Health, Labour and Welfare set forth in item (iv) of paragraph (2) or the preceding paragraph, or to prepare a draft of the particulars listed in item (viii) or items (xii) through (xiv) of the preceding paragraph, the minister must hear the opinions of groups of persons with the relevant knowledge and experience in medical practice in order to plan or prepare based on expert scientific opinions on medical care.

第六条の六　前条第三項第二号の規定による診療科名は、医業及び歯科医業につき政令で定める診療科名並びに当該診療科名以外の診療科名であつて当該診療に従事する医師又は歯科医師が厚生労働大臣の許可を受けたものとする。

Article 6-6 (1) Clinical department names pursuant to the provisions of paragraph (3), item (ii) of the preceding Article are to be the clinical department names of medical practices and dental practices prescribed by a Cabinet Order, or clinical department names other than such clinical department names in which the practicing physician or dentist has been given permission by the Minister of Health, Labour and Welfare.

２　厚生労働大臣は、前項の政令の制定又は改廃の立案をしようとするときは、医学医術に関する学術団体及び医道審議会の意見を聴かなければならない。

(2) The Minister of Health, Labour and Welfare must hear the opinions of academic societies of medicine and medical science and the Medical Ethics Council, when planning to enact, amend, or abolish the Cabinet Order set forth in the preceding paragraph.

３　厚生労働大臣は、第一項の許可をするに当たつては、あらかじめ、医道審議会の意見を聴かなければならない。

(3) In granting the permission set forth in paragraph (1), the Minister of Health, Labour and Welfare must hear the opinions of the Medical Ethics Council in advance.

４　第一項の規定による許可に係る診療科名について広告をするときは、当該診療科名につき許可を受けた医師又は歯科医師の氏名について、併せて広告をしなければならない。

(4) If an advertisement of a clinical department name that is related to the permission under the provisions of paragraph (1) is placed, the name of the physician or dentist who received that permission must be advertised alongside the relevant clinical department name.

第六条の七　何人も、助産師の業務又は助産所に関して、文書その他いかなる方法によるを問わず、広告をする場合には、虚偽の広告をしてはならない。

Article 6-7 (1) No party, when placing any advertisement with regard to midwifery services or birthing centers, is to run false advertisement, regardless of whether it is made in writing or by any other means.

２　前項に規定する場合には、医療を受ける者による医療に関する適切な選択を阻害することがないよう、広告の内容及び方法が、次に掲げる基準に適合するものでなければならない。

(2) In the case prescribed in the preceding paragraph, the contents and methods of the advertisement must conform to the following standards so as not to hinder appropriate selection of medical care by medical care recipients:

一　他の助産所と比較して優良である旨の広告をしないこと。

(i) no advertisement is to be placed to the effect that the birthing center is superior to other birthing centers;

二　誇大な広告をしないこと。

(ii) no exaggerated advertisement is to be placed;

三　公の秩序又は善良の風俗に反する内容の広告をしないこと。

(iii) no advertisement that undermines public order or corrupt good morals is to be placed; and

四　その他医療に関する適切な選択に関し必要な基準として厚生労働省令で定める基準

(iv) other standards specified by an Order of the Ministry of Health, Labour and Welfare as necessary for appropriate selection of medical care.

３　第一項に規定する場合において、次に掲げる事項以外の広告がされても医療を受ける者による医療に関する適切な選択が阻害されるおそれが少ない場合として厚生労働省令で定める場合を除いては、次に掲げる事項以外の広告をしてはならない。

(3) In the case prescribed in paragraph (1), no advertisement of particulars other than those listed below are to be placed, except in cases specified by an Order of the Ministry of Health, Labour and Welfare as cases where there is little risk of hindering appropriate selection of medical care by medical care recipients even if advertisement of particulars other than those listed below is placed:

一　助産師である旨

(i) that the person is a midwife;

二　当該助産所の名称、電話番号及び所在の場所を表示する事項並びに当該助産所の管理者の氏名

(ii) the name, telephone number, information that indicates the location of the birthing center, and the name of the administrator of the birthing center;

三　就業の日時又は予約による業務の実施の有無

(iii) business days and hours or whether services can be booked;

四　入所施設の有無若しくはその定員、助産師その他の従業者の員数その他の当該助産所における施設、設備又は従業者に関する事項

(iv) whether there are in-patient facilities, the admission capacity, number of midwives and other employees, and other particulars related to the facilities, equipment or employees of the relevant birthing center;

五　当該助産所において業務に従事する助産師の氏名、年齢、役職、略歴その他の助産師に関する事項であつて医療を受ける者による医療に関する適切な選択に資するものとして厚生労働大臣が定めるもの

(v) the names, ages, positions, and brief personal records of the midwives engaged in services at the relevant birthing center, and other particulars related to midwives, as prescribed by the Minister of Health, Labour and Welfare as particulars that contribute to recipients of medical care making appropriate choices with regard to their medical care;

六　患者又はその家族からの医療に関する相談に応ずるための措置、医療の安全を確保するための措置、個人情報の適正な取扱いを確保するための措置その他の当該助産所の管理又は運営に関する事項

(vi) measures for responding to queries on medical care from patients or their families, measures to ensure the safety of medical care, measures to ensure the appropriate handling of personal information, and other particulars related to the management or operation of the relevant birthing center;

七　第十九条第一項に規定する嘱託する医師の氏名又は病院若しくは診療所の名称その他の当該助産所の業務に係る連携に関する事項

(vii) particulars related to cooperation with the services of the relevant birthing center, such as the names of the contract physicians provided for in Article 19, paragraph (1), or the names of hospitals or clinics;

八　助産録に係る情報の提供その他の当該助産所における医療に関する情報の提供に関する事項

(viii) particulars related to the provision of information on birth records and the provision of information on medical care at the relevant birthing center; and

九　その他前各号に掲げる事項に準ずるものとして厚生労働大臣が定める事項

(ix) other particulars prescribed by the Minister of Health, Labour and Welfare as equivalent to the particulars listed in each of the previous items.

第六条の八　都道府県知事、保健所を設置する市の市長又は特別区の区長は、医業、歯科医業若しくは助産師の業務又は病院、診療所若しくは助産所に関する広告が第六条の五第一項から第三項まで又は前条の規定に違反しているおそれがあると認めるときは、当該広告をした者に対し、必要な報告を命じ、又は当該職員に、当該広告をした者の事務所に立ち入り、当該広告に関する文書その他の物件を検査させることができる。

Article 6-8 (1) If a prefectural governor, a mayor of a city with a public health center, or a mayor of a special ward of Tokyo finds that the advertisement related to a medical practice, a dental practice, or midwifery services, or to a hospital, clinic, or birthing center violates the provisions of Article 6-5, paragraphs (1) through (3) or the preceding Article, the governor or mayor may order the party that placed the relevant advertisement to report as required, or may have the relevant official enter the offices of the party that placed the relevant advertisement, and inspect documents or other articles related to the relevant advertisement.

２　都道府県知事、保健所を設置する市の市長又は特別区の区長は、医業、歯科医業若しくは助産師の業務又は病院、診療所若しくは助産所に関する広告が第六条の五第二項若しくは第三項又は前条第二項若しくは第三項の規定に違反していると認める場合には、当該広告をした者に対し、期限を定めて、当該広告を中止し、又はその内容を是正すべき旨を命ずることができる。

(2) If a prefectural governor, a mayor of a city with a public health center, or a mayor of a special ward of Tokyo finds that the advertisement related to a medical practice, a dental practice, or midwifery services, or to a hospital, clinic or birthing center violates the provisions of Article 6-5, paragraph (2) or (3), or paragraph (2) or (3) of the preceding Article, the governor or mayor may order the party that placed the relevant advertisement to discontinue the relevant advertisement or correct its contents by a set deadline.

３　第一項の規定によつて立入検査をする当該職員は、その身分を示す証明書を携帯し、かつ、関係人の請求があるときは、これを提示しなければならない。

(3) An official who enters and inspects pursuant to the provisions of paragraph (1) must carry a certificate for identification and present it when requested by the concerned parties.

４　第一項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(4) The authority granted pursuant to the provisions of paragraph (1) is not be construed as being approved for a criminal investigation.

第三章　医療の安全の確保

Chapter III Ensuring Safety in Medical Care

第一節　医療の安全の確保のための措置

Section 1 Measures for Ensuring Safety in Medical Care

第六条の九　国並びに都道府県、保健所を設置する市及び特別区は、医療の安全に関する情報の提供、研修の実施、意識の啓発その他の医療の安全の確保に関し必要な措置を講ずるよう努めなければならない。

Article 6-9 The national government, prefectures, cities with public health centers and special wards of Tokyo must endeavor to undertake the necessary measures to ensure safety in medical care, including the provision of information on safety in medical care, training, and raising awareness on compliance.

第六条の十　病院、診療所又は助産所（以下この章において「病院等」という。）の管理者は、医療事故（当該病院等に勤務する医療従事者が提供した医療に起因し、又は起因すると疑われる死亡又は死産であつて、当該管理者が当該死亡又は死産を予期しなかつたものとして厚生労働省令で定めるものをいう。以下この章において同じ。）が発生した場合には、厚生労働省令で定めるところにより、遅滞なく、当該医療事故の日時、場所及び状況その他厚生労働省令で定める事項を第六条の十五第一項の医療事故調査・支援センターに報告しなければならない。

Article 6-10 (1) The administrator of a hospital, clinic, or birthing center (hereinafter referred to as "hospital, etc." in this Chapter), when a medical accident (meaning a death or stillbirth caused or suspected to be caused by medical care provided by medical care professionals working in the relevant hospital, etc. and determined by an Order of the Ministry of Health, Labour and Welfare as a death or stillbirth which the relevant administrator did not expect; the same applies hereinafter in this Chapter) has occurred, the administrator must immediately report the date, time, place and circumstances of the relevant medical accident and other particulars specified by an Order of the Ministry of Health, Labour and Welfare to the medical accident investigation and support center set forth in Article 6-15, paragraph (1), pursuant to an Order of the Ministry of Health, Labour and Welfare.

２　病院等の管理者は、前項の規定による報告をするに当たつては、あらかじめ、医療事故に係る死亡した者の遺族又は医療事故に係る死産した胎児の父母その他厚生労働省令で定める者（以下この章において単に「遺族」という。）に対し、厚生労働省令で定める事項を説明しなければならない。ただし、遺族がないとき、又は遺族の所在が不明であるときは、この限りでない。

(2) Prior to the submission of a report pursuant to the provision of the preceding paragraph, the administrator of the hospital, etc. must explain to the bereaved family of the deceased pertaining to the medical accident or the parents of the stillborn baby pertaining to the medical accident and other persons specified by an Order of the Ministry of Health, Labour and Welfare (hereinafter simply referred to as "bereaved family" in this Chapter) about the particulars specified by an Order of the Ministry of Health, Labour and Welfare; provided, however, that this does not apply when there is no bereaved family or the whereabouts of the bereaved family are unknown.

第六条の十一　病院等の管理者は、医療事故が発生した場合には、厚生労働省令で定めるところにより、速やかにその原因を明らかにするために必要な調査（以下この章において「医療事故調査」という。）を行わなければならない。

Article 6-11 (1) In the event of a medical accident, the administrator of a hospital, etc., pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must immediately conduct an investigation necessary to clarify the cause of the accident (hereinafter referred to as "medical accident investigation" in this Chapter).

２　病院等の管理者は、医学医術に関する学術団体その他の厚生労働大臣が定める団体（法人でない団体にあつては、代表者又は管理人の定めのあるものに限る。次項及び第六条の二十二において「医療事故調査等支援団体」という。）に対し、医療事故調査を行うために必要な支援を求めるものとする。

(2) The administrator of a hospital, etc. is to seek the support necessary for conducting medical accident investigations from an academic organization related to medicine and medical science or any other organization specified by the Minister of Health, Labour and Welfare (in the case of an organization that is not a corporation, it is to be limited to an organization with a designated representative or administrator; referred to as "medical accident investigation support organization" in the following paragraph and Article 6-22).

３　医療事故調査等支援団体は、前項の規定により支援を求められたときは、医療事故調査に必要な支援を行うものとする。

(3) When a medical accident investigation support organization is requested to provide support in accordance with the provisions of the preceding paragraph, it is to provide the necessary support for medical accident investigation.

４　病院等の管理者は、医療事故調査を終了したときは、厚生労働省令で定めるところにより、遅滞なく、その結果を第六条の十五第一項の医療事故調査・支援センターに報告しなければならない。

(4) When the administrator of a hospital, etc. has completed a medical accident investigation, the administrator must immediately report the results to the medical accident investigation and support center set forth in Article 6-15, paragraph (1), pursuant to an Order of the Ministry of Health, Labour and Welfare.

５　病院等の管理者は、前項の規定による報告をするに当たつては、あらかじめ、遺族に対し、厚生労働省令で定める事項を説明しなければならない。ただし、遺族がないとき、又は遺族の所在が不明であるときは、この限りでない。

(5) Prior to the submission of a report pursuant to the provisions of the preceding paragraph, the administrator of the hospital, etc. must explain to the bereaved family about the particulars specified by an Order of the Ministry of Health, Labour and Welfare; provided, however, that this does not apply when there is no bereaved family or the whereabouts of the bereaved family are unknown.

第六条の十二　病院等の管理者は、前二条に規定するもののほか、厚生労働省令で定めるところにより、医療の安全を確保するための指針の策定、従業者に対する研修の実施その他の当該病院等における医療の安全を確保するための措置を講じなければならない。

Article 6-12 Beyond what is provided for in the preceding two Articles, the administrator of a hospital, etc., pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must take measures to ensure the safety of medical care in the relevant hospital, etc., such as formulating guidelines to ensure the safety of medical care and providing training for employees.

第六条の十三　都道府県、保健所を設置する市及び特別区（以下この条及び次条において「都道府県等」という。）は、第六条の九に規定する措置を講ずるため、次に掲げる事務を実施する施設（以下「医療安全支援センター」という。）を設けるよう努めなければならない。

Article 6-13 (1) Prefectures, cities with public health centers, and special wards (hereinafter referred to as "prefectures, etc." in this Article and the following Article) must endeavor to provide facilities (hereinafter such a facility is referred to as a "medical care safety support center") for the implementation of the following operations, in order to undertake the measures provided for in Article 6-9:

一　患者又はその家族からの当該都道府県等の区域内に所在する病院等における医療に関する苦情に対応し、又は相談に応ずるとともに、当該患者若しくはその家族又は当該病院等の管理者に対し、必要に応じ、助言を行うこと。

(i) handling complaints and responding to queries from patients or their families concerning medical care at the hospitals, etc. situated within the boundaries of the relevant prefecture, etc., and giving advice as required to the relevant patients or their families and the administrators of the relevant hospitals, etc.;

二　当該都道府県等の区域内に所在する病院等の開設者若しくは管理者若しくは従業者又は患者若しくはその家族若しくは住民に対し、医療の安全の確保に関し必要な情報の提供を行うこと。

(ii) providing information as required to ensure safety in medical care to the organizers, administrators, and employees of the hospitals, etc. situated within the boundaries of the relevant prefecture, etc., patients or their families, or citizens;

三　当該都道府県等の区域内に所在する病院等の管理者又は従業者に対し、医療の安全に関する研修を実施すること。

(iii) implementing training on safety in medical care for the administrators and employees of the hospitals, etc. situated within the boundaries of the relevant prefecture, etc.; or

四　前三号に掲げるもののほか、当該都道府県等の区域内における医療の安全の確保のために必要な支援を行うこと。

(iv) providing support beyond that listed in the preceding three items as required to ensure safety in medical care within the boundaries of the relevant prefecture, etc.

２　都道府県等は、前項の規定により医療安全支援センターを設けたときは、その名称及び所在地を公示しなければならない。

(2) When a medical care safety support center has been established pursuant to the provisions of the preceding paragraph, the prefecture, etc. must provide public notice of its name and location.

３　都道府県等は、一般社団法人、一般財団法人その他の厚生労働省令で定める者に対し、医療安全支援センターにおける業務を委託することができる。

(3) A prefecture, etc. may entrust the operations of a medical care safety support center to a general incorporated association, general incorporated foundation, or to another party prescribed by an Order of the Ministry of Health, Labour and Welfare.

４　医療安全支援センターの業務に従事する職員（前項の規定により委託を受けた者（その者が法人である場合にあつては、その役員）及びその職員を含む。）又はその職にあつた者は、正当な理由がなく、その業務に関して知り得た秘密を漏らしてはならない。

(4) Personnel (including parties to whom operations have been entrusted pursuant to the provisions of the preceding paragraph (and their officers in the case that such a party is a corporation) and their personnel) who are or have been engaged in the operations of a medical care safety support center must not divulge any secret acquired in relation to the relevant operations without justifiable grounds.

第六条の十四　国は、医療安全支援センターにおける事務の適切な実施に資するため、都道府県等に対し、医療の安全に関する情報の提供を行うほか、医療安全支援センターの運営に関し必要な助言その他の援助を行うものとする。

Article 6-14 The national government, beyond providing information on safety in medical care, provide advice and other support on the management of medical care safety support centers to prefectures, etc., to contribute to the appropriate implementation of operations in medical care safety support centers.

第二節　医療事故調査・支援センター

Section 2 Medical Accident Investigation and Support Center

第六条の十五　厚生労働大臣は、医療事故調査を行うこと及び医療事故が発生した病院等の管理者が行う医療事故調査への支援を行うことにより医療の安全の確保に資することを目的とする一般社団法人又は一般財団法人であつて、次条に規定する業務を適切かつ確実に行うことができると認められるものを、その申請により、医療事故調査・支援センターとして指定することができる。

Article 6-15 (1) The Minister of Health, Labour and Welfare, upon application, may designate as a medical accident investigation and support center a general incorporated association or general incorporated foundation whose purpose is to contribute to ensuring the safety of medical care by conducting medical accident investigations and providing support for medical accident investigations conducted by the administrators of hospitals, etc. in which medical accidents have occurred, and which is found to be capable of appropriately and reliably performing the services prescribed in the following Article.

２　厚生労働大臣は、前項の規定による指定をしたときは、当該医療事故調査・支援センターの名称、住所及び事務所の所在地を公示しなければならない。

(2) When the Minister of Health, Labor and Welfare has made a designation under the provisions of the preceding paragraph, the minister must make public the name, address, and office location of the relevant medical accident investigation and support center.

３　医療事故調査・支援センターは、その名称、住所又は事務所の所在地を変更しようとするときは、あらかじめ、その旨を厚生労働大臣に届け出なければならない。

(3) When a medical accident investigation and support center intends to change its name, address, or the location of its office, the center must notify the Minister of Health, Labour and Welfare to that effect in advance.

４　厚生労働大臣は、前項の規定による届出があつたときは、当該届出に係る事項を公示しなければならない。

(4) When the Minister of Health, Labour and Welfare has received a notification under the preceding paragraph, the minister must make public the particulars pertaining to the relevant notification.

第六条の十六　医療事故調査・支援センターは、次に掲げる業務を行うものとする。

Article 6-16 The medical accident investigation and support center are to perform the following services:

一　第六条の十一第四項の規定による報告により収集した情報の整理及び分析を行うこと。

(i) organize and analyze the information collected through the report under the provisions of Article 6-11, paragraph (4):

二　第六条の十一第四項の規定による報告をした病院等の管理者に対し、前号の情報の整理及び分析の結果の報告を行うこと。

(ii) report the results of the organization and analysis of the information under the preceding item to the administrators of hospitals, etc. that have made a report under the provisions of Article 6-11, paragraph (4):

三　次条第一項の調査を行うとともに、その結果を同項の管理者及び遺族に報告すること。

(iii) conduct the investigation set forth in paragraph (1) of the following Article and report the results to the administrator and the bereaved family set forth in the same paragraph:

四　医療事故調査に従事する者に対し医療事故調査に係る知識及び技能に関する研修を行うこと。

(iv) provide training on knowledge and skills pertaining to medical accident investigation to those engaged in medical accident investigation:

五　医療事故調査の実施に関する相談に応じ、必要な情報の提供及び支援を行うこと。

(v) provide consultation on the implementation of medical accident investigation and provide necessary information and support:

六　医療事故の再発の防止に関する普及啓発を行うこと。

(vi) promote dissemination of information and awareness-raising about prevention of recurrence of medical accidents: and

七　前各号に掲げるもののほか、医療の安全の確保を図るために必要な業務を行うこと。

(vii) beyond what is listed in each of the preceding items, to perform services necessary to ensure the safety of medical care.

第六条の十七　医療事故調査・支援センターは、医療事故が発生した病院等の管理者又は遺族から、当該医療事故について調査の依頼があつたときは、必要な調査を行うことができる。

Article 6-17 (1) The medical accident investigation and support center may conduct necessary investigations when the administrator of a hospital, etc. where a medical accident has occurred or a bereaved family requests an investigation of the relevant medical accident.

２　医療事故調査・支援センターは、前項の調査について必要があると認めるときは、同項の管理者に対し、文書若しくは口頭による説明を求め、又は資料の提出その他必要な協力を求めることができる。

(2) When the medical accident investigation and support center finds it necessary to conduct the investigation set forth in the preceding paragraph, it may request the administrator set forth in the same paragraph to provide written or oral explanations or submit materials or other forms of necessary cooperation.

３　第一項の管理者は、医療事故調査・支援センターから前項の規定による求めがあつたときは、これを拒んではならない。

(3) The administrator prescribed in paragraph (1) must not refuse a request made by the medical accident investigation and support center pursuant to the preceding paragraph.

４　医療事故調査・支援センターは、第一項の管理者が第二項の規定による求めを拒んだときは、その旨を公表することができる。

(4) When the administrator prescribed in paragraph (1) refuses a request under the provisions of paragraph (2), the medical accident investigation and support center may make a public announcement to that effect.

５　医療事故調査・支援センターは、第一項の調査を終了したときは、その調査の結果を同項の管理者及び遺族に報告しなければならない。

(5) When the medical accident investigation and support center has completed the investigation under paragraph (1), it must report the results of the investigation to the administrator and the bereaved family prescribed in the same paragraph.

第六条の十八　医療事故調査・支援センターは、第六条の十六各号に掲げる業務（以下「調査等業務」という。）を行うときは、その開始前に、調査等業務の実施方法に関する事項その他の厚生労働省令で定める事項について調査等業務に関する規程（次項及び第六条の二十六第一項第三号において「業務規程」という。）を定め、厚生労働大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 6-18 (1) When the medical accident investigation and support center performs the services listed in each item of Article 6-16 (hereinafter referred to as "investigation services, etc."), prior to performance of such services, the center must establish rules for investigation services, etc. covering particulars concerning the implementation method of investigation services, etc. and other particulars specified by an Order of the Ministry of Health, Labour and Welfare (referred to as the "service rules" in the following paragraph and Article 6-26, paragraph (1), item (iii)), and obtain approval from the Minister of Health, Labour and Welfare. The same applies when the medical accident investigation and support center intends to change the relevant rules.

２　厚生労働大臣は、前項の認可をした業務規程が調査等業務の適正かつ確実な実施上不適当となつたと認めるときは、当該業務規程を変更すべきことを命ずることができる。

(2) When the Minister of Health, Labour and Welfare finds that the service rules approved under the preceding paragraph have become inappropriate for the proper and reliable implementation of the investigation services, etc., the minister may order that the relevant service rules be changed.

第六条の十九　医療事故調査・支援センターは、毎事業年度、厚生労働省令で定めるところにより、調査等業務に関し事業計画書及び収支予算書を作成し、厚生労働大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 6-19 (1) Each business year, the medical accident investigation and support center, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must prepare a business plan and a budget for income and expenditure with respect to the investigation services, etc. and obtain the approval from the Minister of Health, Labour and Welfare. The same applies when the medical accident investigation and support center intends to change the relevant business plan and budget.

２　医療事故調査・支援センターは、厚生労働省令で定めるところにより、毎事業年度終了後、調査等業務に関し事業報告書及び収支決算書を作成し、厚生労働大臣に提出しなければならない。

(2) The medical accident investigation and support center, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must prepare and submit to the Minister of Health, Labour and Welfare a business report and a statement of income and expenditure with respect to the investigation services, etc. after the end of each business year.

第六条の二十　医療事故調査・支援センターは、厚生労働大臣の許可を受けなければ、調査等業務の全部又は一部を休止し、又は廃止してはならない。

Article 6-20 The medical accident investigation and support center must not suspend or abolish all or part of the investigation services, etc. without obtaining approval from the Minister of Health, Labour and Welfare.

第六条の二十一　医療事故調査・支援センターの役員若しくは職員又はこれらの者であつた者は、正当な理由がなく、調査等業務に関して知り得た秘密を漏らしてはならない。

Article 6-21 No officer or employee of the medical accident investigation and support center, or any former officer or employee thereof must divulge any secret obtained in connection with the investigation services, etc. without justifiable grounds.

第六条の二十二　医療事故調査・支援センターは、調査等業務の一部を医療事故調査等支援団体に委託することができる。

Article 6-22 (1) The medical accident investigation and support center may entrust a part of the investigation services, etc. to a medical accident investigation support organization.

２　前項の規定による委託を受けた医療事故調査等支援団体の役員若しくは職員又はこれらの者であつた者は、正当な理由がなく、当該委託に係る業務に関して知り得た秘密を漏らしてはならない。

(2) An officer or employee of a medical accident investigation support organization entrusted with the investigation services, etc. under the preceding paragraph, or a person who used to be such an officer or employee must not divulge any secret obtained in connection with the relevant investigation services, etc. entrusted to them without justifiable grounds.

第六条の二十三　医療事故調査・支援センターは、厚生労働省令で定めるところにより、帳簿を備え、調査等業務に関し厚生労働省令で定める事項を記載し、これを保存しなければならない。

Article 6-23 The medical accident investigation and support center, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must keep books, describe particulars specified by an Order of the Ministry of Health, Labour and Welfare concerning the investigation services, etc. therein, and store them.

第六条の二十四　厚生労働大臣は、調査等業務の適正な運営を確保するために必要があると認めるときは、医療事故調査・支援センターに対し、調査等業務若しくは資産の状況に関し必要な報告を命じ、又は当該職員に、医療事故調査・支援センターの事務所に立ち入り、調査等業務の状況若しくは帳簿書類その他の物件を検査させることができる。

Article 6-24 (1) When the Minister of Health, Labour and Welfare finds it necessary in order to ensure the proper operation of investigation services, etc., the minister may order the medical accident investigation and support center to make necessary reports on the status of the investigation services, etc. or assets, or have the relevant officials enter the office of the medical accident investigation and support center and inspect the status of the investigation services, etc. or books, documents or other objects.

２　前項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、かつ、関係人にこれを提示しなければならない。

(2) The official who enters and inspects under the provisions of the preceding paragraph must carry a certificate for identification and present it to the persons concerned.

３　第一項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority under the provisions of paragraph (1) must not be construed as being granted for the purpose of criminal investigation.

第六条の二十五　厚生労働大臣は、この節の規定を施行するために必要な限度において、医療事故調査・支援センターに対し、調査等業務に関し監督上必要な命令をすることができる。

Article 6-25 The Minister of Health, Labour and Welfare, to the extent necessary to enforce the provisions of this Section, may issue to the medical accident investigation and support center orders necessary for the supervision of the investigation services, etc.

第六条の二十六　厚生労働大臣は、医療事故調査・支援センターが次の各号のいずれかに該当するときは、第六条の十五第一項の規定による指定（以下この条において「指定」という。）を取り消すことができる。

Article 6-26 (1) When the medical accident investigation and support center falls under any of the following items, the Minister of Health, Labour and Welfare may rescind the designation under the provisions of Article 6-15, paragraph (1) (hereinafter referred to as "designation" in this Article):

一　調査等業務を適正かつ確実に実施することができないと認められるとき。

(i) when the medical accident investigation and support center is found to be unable to perform investigation services, etc. appropriately and reliably;

二　指定に関し不正の行為があつたとき。

(ii) when there has been a wrongful act with regard to the designation; or

三　この節の規定若しくは当該規定に基づく命令若しくは処分に違反したとき、又は第六条の十八第一項の認可を受けた業務規程によらないで調査等業務を行つたとき。

(iii) when the medical accident investigation and support center has violated the provisions of this Section or an order or disposition thereunder, or has performed investigation services, etc. without complying with the service rules approved under Article 6-18, paragraph (1).

２　厚生労働大臣は、前項の規定により指定を取り消したときは、その旨を公示しなければならない。

(2) When the Minister of Health, Labour and Welfare has rescinded a designation pursuant to the provisions of the preceding paragraph, the minister must make a public announcement to that effect.

第六条の二十七　この節に規定するもののほか、医療事故調査・支援センターに関し必要な事項は、厚生労働省令で定める。

Article 6-27 Beyond what is provided for in this Section, necessary particulars concerning the medical accident investigation and support center are to be specified by an Order of the Ministry of Health, Labour and Welfare.

第四章　病院、診療所及び助産所

Chapter IV Hospitals, Clinics, and Birthing Centers

第一節　開設等

Section 1 Foundation

第七条　病院を開設しようとするとき、医師法（昭和二十三年法律第二百一号）第十六条の六第一項の規定による登録を受けた者（同法第七条の二第一項の規定による厚生労働大臣の命令を受けた者にあつては、同条第二項の規定による登録を受けた者に限る。以下「臨床研修等修了医師」という。）及び歯科医師法（昭和二十三年法律第二百二号）第十六条の四第一項の規定による登録を受けた者（同法第七条の二第一項の規定による厚生労働大臣の命令を受けた者にあつては、同条第二項の規定による登録を受けた者に限る。以下「臨床研修等修了歯科医師」という。）でない者が診療所を開設しようとするとき、又は助産師（保健師助産師看護師法（昭和二十三年法律第二百三号）第十五条の二第一項の規定による厚生労働大臣の命令を受けた者にあつては、同条第三項の規定による登録を受けた者に限る。以下この条、第八条及び第十一条において同じ。）でない者が助産所を開設しようとするときは、開設地の都道府県知事（診療所又は助産所にあつては、その開設地が保健所を設置する市又は特別区の区域にある場合においては、当該保健所を設置する市の市長又は特別区の区長。第八条から第九条まで、第十二条、第十五条、第十八条、第二十四条、第二十四条の二、第二十七条及び第二十八条から第三十条までの規定において同じ。）の許可を受けなければならない。

Article 7 (1) When a person wishes to establish a hospital, when a person who is neither a person registered pursuant to the provisions of Article 16-6, paragraph (1) of the Medical Practitioners Act (Act No. 201 of 1948) (limited to persons registered pursuant to the provisions of paragraph (2) of the same Article who have been issued an order by the Minister of Health, Labour and Welfare pursuant to the provisions of Article 7-2, paragraph (1) of the same Act; hereinafter referred to as a "clinically trained physician") nor a person registered pursuant to the provisions of Article 16-4, paragraph (1) of the Dentists Act (Act No. 202 of 1948) (limited to persons registered pursuant to the provisions of paragraph (2) of the same Article who have been issued an order by the Minister of Health, Labour and Welfare pursuant to the provisions of Article 7-2, paragraph (1) of the same Act; hereinafter referred to as a "clinically trained dentist") wishes to establish a clinic, and when a person who is not a midwife (limited to persons who have been issued an order by the Minister of Health, Labour and Welfare pursuant to the provisions Article 15-2, paragraph (1) of the Act on Public Health Nurses, Midwives and Nurses (Act No. 203 of 1948) and who are registered pursuant to the provisions of paragraph (3) of the same Article; hereinafter the same applies in this Article, Article 8 and Article 11) wishes to establish a birthing center, the person must first acquire permission to do so from the prefectural governor for the location of the relevant facility (the mayor of a city with a public health center or the mayor of a special ward in the case that the location of the relevant clinic or birthing center is within such a city with a public health center or a special ward; the same applies in Article 8 through Article 9, Article 12, Article 15, Article 18, Article 24, Article 24-2, Article 27, and Article 28 through Article 30).

２　病院を開設した者が、病床数、次の各号に掲げる病床の種別（以下「病床の種別」という。）その他厚生労働省令で定める事項を変更しようとするとき、又は臨床研修等修了医師及び臨床研修等修了歯科医師でない者で診療所を開設したもの若しくは助産師でない者で助産所を開設したものが、病床数その他厚生労働省令で定める事項を変更しようとするときも、厚生労働省令で定める場合を除き、前項と同様とする。

(2) When a person who has established a hospital wishes to alter the number of beds, the classification of beds described in each of the following items (hereinafter referred to as "bed classifications"), or other particulars prescribed by an Order of the Ministry of Health, Labour and Welfare, when a person who is neither a clinically trained physician nor a clinically trained dentist but has established a clinic or a person who is not a midwife but has established a birthing center, wishes to alter the number of beds or other particulars prescribed by an Order of the Ministry of Health, Labour and Welfare, the same applies as in the preceding paragraph, except where prescribed by an Order of the Ministry of Health, Labour and Welfare:

一　精神病床（病院の病床のうち、精神疾患を有する者を入院させるためのものをいう。以下同じ。）

(i) psychiatric hospital beds (meaning hospital beds for the hospitalization of persons with psychiatric disorders; the same applies hereinafter):

二　感染症病床（病院の病床のうち、感染症の予防及び感染症の患者に対する医療に関する法律（平成十年法律第百十四号）第六条第二項に規定する一類感染症、同条第三項に規定する二類感染症（結核を除く。）、同条第七項に規定する新型インフルエンザ等感染症及び同条第八項に規定する指定感染症（同法第七条の規定により同法第十九条又は第二十条の規定を準用するものに限る。）の患者（同法第八条（同法第七条において準用する場合を含む。）の規定により一類感染症、二類感染症、新型インフルエンザ等感染症又は指定感染症の患者とみなされる者を含む。）並びに同法第六条第九項に規定する新感染症の所見がある者を入院させるためのものをいう。以下同じ。）

(ii) infectious disease hospital beds (meaning hospital beds for the hospitalization of patients (including persons regarded as patients with Class I infectious diseases, Class II infectious diseases, infectious diseases including novel influenza A, and designated infections pursuant to the provisions of Article 8 of the Act on the Prevention of Infectious Diseases and Medical Care for Patients Suffering from Infectious Diseases (Act No. 114 of 1998) (including where Article 7 of the same Act applies mutatis mutandis)) with Class I infectious diseases provided for in Article 6, paragraph (2) of the same Act, Class II infectious diseases provided for in paragraph (3) of the same Article (except tuberculosis), infections including novel influenza A provided for in paragraph (7) of the same Article, and designated infections provided for in paragraph (8) of the same Article (limited to those infections to which the provisions of Article 19 or Article 20 of the same Act apply mutatis mutandis under the provisions of Article 7 of the same Act), and persons found to have new infectious diseases provided for in Article 6, paragraph (9) of the same Act; the same applies hereinafter):

三　結核病床（病院の病床のうち、結核の患者を入院させるためのものをいう。以下同じ。）

(iii) tuberculosis hospital beds (meaning hospital beds for the hospitalization of tuberculosis patients; the same applies hereinafter):

四　療養病床（病院又は診療所の病床のうち、前三号に掲げる病床以外の病床であつて、主として長期にわたり療養を必要とする患者を入院させるためのものをいう。以下同じ。）

(iv) long-term care beds (meaning hospital or clinic beds other than those described in the above three items that are primarily for the hospitalization of patients requiring long-term recuperation; the same applies hereinafter): or

五　一般病床（病院又は診療所の病床のうち、前各号に掲げる病床以外のものをいう。以下同じ。）

(v) general beds (meaning hospital or clinic beds other than those described in each of the above items; the same applies hereinafter).

３　診療所に病床を設けようとするとき、又は診療所の病床数、病床の種別その他厚生労働省令で定める事項を変更しようとするときは、厚生労働省令で定める場合を除き、当該診療所の所在地の都道府県知事の許可を受けなければならない。

(3) When a person wishes to provide beds in a clinic, or when the person wishes to alter the number of beds in a clinic, the bed classifications, or other particulars prescribed by an Order of the Ministry of Health, Labour and Welfare, the person must first acquire permission to do so from the prefectural governor of the area in which the relevant clinic is situated, except where prescribed by an Order of the Ministry of Health, Labour and Welfare.

４　都道府県知事又は保健所を設置する市の市長若しくは特別区の区長は、前三項の許可の申請があつた場合において、その申請に係る施設の構造設備及びその有する人員が第二十一条及び第二十三条の規定に基づく厚生労働省令並びに第二十一条の規定に基づく都道府県の条例の定める要件に適合するときは、前三項の許可を与えなければならない。

(4) Where there has been an application for permission as set forth in the preceding three paragraphs, the prefectural governor, mayor of a city with a public health center or mayor of a special ward must grant permission as set forth in the preceding three paragraphs if the buildings, equipment, and personnel of the facility pertaining to the relevant application comply with the requirements prescribed by the Order of the Ministry of Health, Labour and Welfare set forth in Article 21 and Article 23 and the Prefectural Ordinance set forth in Article 21.

５　都道府県知事は、病院の開設の許可若しくは病院の病床数の増加若しくは病床の種別の変更の許可又は診療所の病床の設置の許可若しくは診療所の病床数の増加若しくは病床の種別の変更の許可の申請に対する許可には、当該申請に係る病床において、第三十条の十三第一項に規定する病床の機能区分（以下この項において「病床の機能区分」という。）のうち、当該申請に係る病院又は診療所の所在地を含む構想区域（第三十条の四第一項に規定する医療計画（以下この項、次条及び第七条の三第一項において「医療計画」という。）において定める第三十条の四第二項第七号に規定する構想区域をいう。第七条の三第一項において同じ。）における病床の機能区分に応じた既存の病床数が、医療計画において定める当該構想区域における同号イに規定する将来の病床数の必要量に達していないものに係る医療を提供することその他の医療計画において定める同号に規定する地域医療構想の達成の推進のために必要なものとして厚生労働省令で定める条件を付することができる。

(5) When a prefectural governor grants permission for an application for permission to establish a hospital, or permission to increase the number of beds or alter bed classifications in a hospital, or permission to set up new beds in a clinic, or permission to increase the number of beds or alter bed classifications in a clinic, the governor, if with regard to the beds pertaining to the relevant application, out of the functional classification of beds prescribed in Article 30-13, paragraph (1) (hereinafter referred to as "functional classification of beds" in this paragraph), the number of existing beds according to the functional classification of beds in the vision area (meaning the "vision area" prescribed in Article 30-4, paragraph (2), item(vii), which is specified in a medical care plan prescribed in Article 30-4, paragraph (1) (hereinafter referred to as "medical care plan" in this paragraph, the following Article and Article 7-3, paragraph (1)); the same applies in Article 7-3, paragraph (1)) including the location of the hospital or clinic pertaining to the relevant application has not reached the future requirements for the number of beds prescribed in (a) of the same item in the relevant vision area specified in the medical care plan, may attach conditions specified by an Order of the Ministry of Health, Labour and Welfare as necessary for the provision of medical care pertaining to such a case and for the promotion of the achievement of the other regional medical care vision prescribed in the same item specified in the medical care plan.

６　営利を目的として、病院、診療所又は助産所を開設しようとする者に対しては、第四項の規定にかかわらず、第一項の許可を与えないことができる。

(6) Notwithstanding the provisions of paragraph (4), the permission set forth in paragraph (1) may be refused to a person who wishes to establish a hospital, clinic or birthing center for profit.

第七条の二　都道府県知事は、次に掲げる者が病院の開設の許可又は病院の病床数の増加若しくは病床の種別の変更の許可の申請をした場合において、当該申請に係る病院の所在地を含む地域（当該申請に係る病床が療養病床又は一般病床（以下この条及び次条第一項において「療養病床等」という。）のみである場合は医療計画において定める第三十条の四第二項第十四号に規定する区域とし、当該申請に係る病床が精神病床、感染症病床又は結核病床（以下この項において「精神病床等」という。）のみである場合は当該都道府県の区域とし、当該申請に係る病床が療養病床等及び精神病床等である場合は同号に規定する区域及び当該都道府県の区域とする。）における病院又は診療所の病床の当該申請に係る病床の種別に応じた数（当該申請に係る病床が療養病床等のみである場合は、その地域における療養病床及び一般病床の数）が、同条第八項の厚生労働省令で定める基準に従い医療計画において定めるその地域の当該申請に係る病床の種別に応じた基準病床数（当該申請に係る病床が療養病床等のみである場合は、その地域における療養病床及び一般病床に係る基準病床数）に既に達しているか、又は当該申請に係る病院の開設若しくは病床数の増加若しくは病床の種別の変更によつてこれを超えることになると認めるときは、前条第四項の規定にかかわらず、同条第一項又は第二項の許可を与えないことができる。

Article 7-2 (1) Where the following persons have applied for permission to establish a hospital, to increase the number of beds, or to alter bed classifications in a hospital, notwithstanding the provisions of paragraph (4) of the preceding Article, the prefectural governor may refuse the permission set forth in paragraph (1) or paragraph (2) of the same Article when, in the area that includes the hospital to which the relevant application relates (where the beds to which the relevant application relates are recuperation or general beds only (hereinafter referred to as "long-term care beds, etc." in this Article and paragraph (1) of the following Article), this may be the area provided for in Article 30-4, paragraph (2), item (xiv) as prescribed by the medical care plan; where the beds to which the relevant application relates are psychiatric beds, infectious disease beds, or tuberculosis beds only (hereinafter referred to as "psychiatric beds, etc." in this paragraph), this is to be the prefectural area; and where the beds to which the relevant application relates are long-term care beds, etc. and psychiatric beds, etc., this is to be the area provided for in Article 30-4, paragraph (2), item (xiv) and the prefectural area), the number of hospital or clinic beds that correspond to the classifications of the beds that the relevant application relates to (or the number of long-term care beds and general beds in the relevant area, where the beds that the relevant application relates to are long-term care beds, etc. only) has already reached the target number of beds for the relevant area, as prescribed in a medical care plan that is in accordance with the requirements prescribed by the Order of the Ministry of Health, Labour and Welfare set forth in paragraph (8) of the same Article, or if it is considered that establishing a hospital, increasing the number of beds, or altering the bed classifications as per the relevant application would exceed the relevant target:

一　第三十一条に規定する者

(i) a person as provided for in Article 31;

二　国家公務員共済組合法（昭和三十三年法律第百二十八号）の規定に基づき設立された共済組合及びその連合会

(ii) mutual aid associations and federations thereof formed under the provisions of the National Public Officers Mutual Aid Association Act (Act No. 128 of 1958);

三　地方公務員等共済組合法（昭和三十七年法律第百五十二号）の規定に基づき設立された共済組合

(iii) mutual aid associations formed under the provisions of the Local Public Officers Mutual Aid Association Act (Act No. 152 of 1962);

四　前二号に掲げるもののほか、政令で定める法律に基づき設立された共済組合及びその連合会

(iv) beyond what is listed in the preceding two items, mutual aid associations and federations thereof formed under laws and regulations prescribed by Cabinet Order;

五　私立学校教職員共済法（昭和二十八年法律第二百四十五号）の規定により私立学校教職員共済制度を管掌することとされた日本私立学校振興・共済事業団

(v) the Promotion and Mutual Aid Corporation for Private Schools of Japan which administers the private school mutual aid system pursuant to the provisions of the Private School Personnel Mutual Aid Association Act (Act No. 245 of 1953);

六　健康保険法（大正十一年法律第七十号）の規定に基づき設立された健康保険組合及びその連合会

(vi) the National Federation of Health Insurance Societies and its federations formed under the provisions of the Health Insurance Act (Act No. 70 of 1922);

七　国民健康保険法（昭和三十三年法律第百九十二号）の規定に基づき設立された国民健康保険組合及び国民健康保険団体連合会

(vii) the National Health Insurance Association and national health insurance organizations formed under the provisions of the National Health Insurance Act (Act No. 192 of 1958); or

八　独立行政法人地域医療機能推進機構

(viii) Japan Community Health Care Organization.

２　都道府県知事は、前項各号に掲げる者が診療所の病床の設置の許可又は診療所の病床数の増加の許可の申請をした場合において、当該申請に係る診療所の所在地を含む地域（医療計画において定める第三十条の四第二項第十四号に規定する区域をいう。）における療養病床及び一般病床の数が、同条第八項の厚生労働省令で定める基準に従い医療計画において定める当該区域の療養病床及び一般病床に係る基準病床数に既に達しているか、又は当該申請に係る病床の設置若しくは病床数の増加によつてこれを超えることになると認めるときは、前条第四項の規定にかかわらず、同条第三項の許可を与えないことができる。

(2) Where a person listed in any of the items of the preceding paragraph has applied for permission to establish beds in a clinic or to increase the number of beds in a clinic, the prefectural governor may, notwithstanding the provisions of paragraph (4) of the preceding Article, refuse the permission set forth in paragraph (3) of the same Article, when, in the area that includes the clinic to which the relevant application relates (an area provided for in Article 30-4, paragraph (2), item (xiv) as prescribed by the medical care plan) the number of long-term care beds and general beds has already reached the target number of long-term care beds and general beds for the relevant area as prescribed in a medical care plan that is in accordance with the requirements prescribed by the Order of the Ministry of Health, Labour and Welfare as set forth in paragraph (8) of the same Article, or if it is considered that establishing beds or increasing the number of beds as per the relevant application would exceed the relevant target.

３　都道府県知事は、第一項各号に掲げる者が開設する病院（療養病床等を有するものに限る。）又は診療所（前条第三項の許可を得て病床を設置するものに限る。）の所在地を含む地域（医療計画において定める第三十条の四第二項第十四号に規定する区域をいう。）における療養病床及び一般病床の数が、同条第八項の厚生労働省令で定める基準に従い医療計画において定める当該区域の療養病床及び一般病床に係る基準病床数を既に超えている場合において、当該病院又は診療所が、正当な理由がなく、前条第一項若しくは第二項の許可に係る療養病床等又は同条第三項の許可を受けた病床に係る業務の全部又は一部を行つていないときは、当該業務を行つていない病床数の範囲内で、当該病院又は診療所の開設者又は管理者に対し、病床数を削減することを内容とする許可の変更のための措置をとるべきことを命ずることができる。

(3) Where the number of long-term care beds and general beds in the area (an area provided for in Article 30-4, paragraph (2), item (xiv) as prescribed by a medical care plan) in which a hospital (limited to those with long-term care beds, etc.) or clinic (limited to those with beds permitted as set forth in paragraph (3) of the preceding Article) established by a person listed in any of the items of paragraph (1) has already reached the target number for long-term care beds and general beds in the relevant area as specified in a medical care plan that is in accordance with the requirements prescribed by the Order of the Ministry of Health, Labour and Welfare, as set forth in paragraph (8) of the same Article, when the relevant hospital or clinic is not engaging in all or some of the services related to long-term care beds, etc. under the permission set forth in paragraph (1) or paragraph (2) of the preceding Article or beds for which the permission set forth in paragraph (3) of the same Article has been received, without justifiable grounds, the prefectural governor may order the organizer or administrator of the relevant hospital or clinic to adopt measures to amend such permission so as to reduce the number of beds, up to and including the number of beds which are not used for the relevant services.

４　前三項の場合において、都道府県知事は、当該地域における既存の病床数及び当該申請に係る病床数を算定するに当たつては、第三十条の四第八項の厚生労働省令で定める基準に従い都道府県の条例の定めるところにより、病院又は診療所の機能及び性格を考慮して、必要な補正を行わなければならない。

(4) In the cases set forth in the preceding three paragraphs, in calculating the number of existing beds in the relevant area and the number of beds to which the relevant application relates, the prefectural governor must carry out any necessary adjustments in consideration of the function and nature of the hospital or clinic, pursuant to the provisions of the Prefectural Ordinance in accordance with the requirements prescribed by the Order of the Ministry of Health, Labour and Welfare set forth in Article 30-4, paragraph (8).

５　都道府県知事は、第一項若しくは第二項の規定により前条第一項から第三項までの許可を与えない処分をし、又は第三項の規定により命令しようとするときは、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(5) The prefectural governor must hear the opinions of the Prefectural Council on Medical Service Facilities in advance, when the governor wishes to refuse permission as set forth in paragraph (1) through paragraph (3) of the preceding Article pursuant to the provisions of paragraph (1) or paragraph (2) or if the governor wishes to issue an order pursuant to the provisions of paragraph (3).

６　都道府県知事は、第三項の規定による命令をした場合において、当該命令を受けた病院又は診療所の開設者又は管理者がこれに従わなかつたときは、その旨を公表することができる。

(6) When a prefectural governor has issued an order as prescribed in paragraph (3) and the organizer or administrator of the hospital or clinic that has received the relevant order fails to comply with it, the prefectural governor may make a public announcement to that effect.

７　独立行政法人（独立行政法人通則法（平成十一年法律第百三号）第二条第一項に規定する独立行政法人をいう。）のうち政令で定めるものは、病院を開設し、若しくはその開設した病院につき病床数を増加させ、若しくは病床の種別を変更し、又は診療所に病床を設け、若しくは診療所の病床数を増加させ、若しくは病床の種別を変更しようとするときは、あらかじめ、その計画に関し、厚生労働大臣に協議（政令で特に定める場合は、通知）をしなければならない。その計画を変更しようとするときも、同様とする。

(7) When an incorporated administrative agency (an incorporated administrative agency as provided for in Article 2, paragraph (1) of the Act on General Rules for Independent Administrative Agencies (Act No. 103 of 1999)) that has been specified by a Cabinet Order wishes to establish a hospital, increase bed numbers, or alter bed classifications at a hospital it has established, or where it wishes to establish beds in a clinic or increase bed numbers or alter bed classifications at a clinic, the agency must consult (or give notice where specially prescribed by Cabinet Order) with the Minister of Health, Labour and Welfare in advance regarding such plans. The same applies when it wishes to amend such plans.

第七条の三　都道府県知事は、病院の開設の許可又は病院の病床数の増加の許可の申請（療養病床等に関するものに限る。）があつた場合において、当該申請に係る病院の所在地を含む構想区域における療養病床及び一般病床の数の合計が、医療計画において定める当該構想区域における第三十条の四第二項第七号イに規定する将来の病床数の必要量の合計に既に達しているか、又は当該申請に係る病院の開設若しくは病院の病床数の増加によつてこれを超えることになると認めるときは、当該申請をした者（以下この条において「申請者」という。）に対し、当該構想区域において病院の開設又は病院の病床数の増加が必要である理由その他の厚生労働省令で定める事項（以下この条において「理由等」という。）を記載した書面の提出を求めることができる。

Article 7-3 (1) Where a prefectural governor has received an application for permission to establish a hospital or permission to increase the number of beds in a hospital (limited to those related to long-term care beds, etc.), if the governor finds that the total number of long-term care beds and general beds in the vision area including the location of the hospital pertaining to the relevant application has already reached the total number of beds required in the future prescribed in Article 30-4, paragraph (2), item (vii),(a) in the relevant vision area as specified in the medical care plan, or will exceed the total number of beds required due to the establishment of the hospital or the increase in the number of beds in the hospital pertaining to the relevant application, the governor may request the person who has filed the relevant application (hereinafter referred to as the "applicant" in this Article) to submit a document stating the reason why it is necessary to establish a hospital or increase the number of beds in the hospital in the relevant vision area and other particulars specified by an Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as the "reasons, etc." in this Article).

２　都道府県知事は、理由等が十分でないと認めるときは、申請者に対し、第三十条の十四第一項に規定する協議の場における協議に参加するよう求めることができる。

(2) When the prefectural governor finds that the reasons, etc. are not sufficient, the governor may request the applicant to participate in the consultation at the place of consultation prescribed in Article 30-14, paragraph (1).

３　申請者は、前項の規定により都道府県知事から求めがあつたときは、これに応ずるよう努めなければならない。

(3) The applicant, when requested by the prefectural governor pursuant to the provisions of the preceding paragraph, must endeavor to respond to the request.

４　都道府県知事は、第二項の協議の場における協議が調わないとき、その他の厚生労働省令で定めるときは、申請者に対し、都道府県医療審議会に出席し、理由等について説明をするよう求めることができる。

(4) The prefectural governor, when an agreement is not reached through the consultation at the place of consultation set forth in paragraph (2) or when otherwise specified by an Order of the Ministry of Health, Labour and Welfare, may request the applicant to attend a meeting of the Prefectural Council on Medical Service Facilities and explain the reasons, etc.

５　申請者は、前項の規定により都道府県知事から求めがあつたときは、都道府県医療審議会に出席し、理由等について説明をするよう努めなければならない。

(5) The applicant, when requested by the prefectural governor pursuant to the provisions of the preceding paragraph, must endeavor to attend the meeting of the Prefectural Council on Medical Service Facilities and explain the reasons, etc.

６　都道府県知事は、第二項の協議の場における協議の内容及び第四項の説明の内容を踏まえ、理由等がやむを得ないものと認められないときは、申請者（前条第一項各号に掲げる者に限る。）に対し、第七条第四項の規定にかかわらず、同条第一項又は第二項の許可を与えないことができる。

(6) Notwithstanding the provisions of Article 7, paragraph (4), the prefectural governor, if the reasons, etc. are not found to be unavoidable based on the content of the consultation at the place of consultation set forth in paragraph (2) and the content of the explanation set forth in paragraph (4), may decide not to grant the permission set forth in paragraph (1) or (2) of the same Article to the applicant (limited to those listed in the items of paragraph (1) of the preceding Article).

７　都道府県知事は、前項の規定により第七条第一項又は第二項の許可を与えない処分をしようとするときは、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(7) When the prefectural governor decides not to grant the permission set forth in paragraph (1) or (2) of Article 7 under the provisions of the preceding paragraph, the governor must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

８　前各項の規定は、診療所の病床の設置の許可又は診療所の病床数の増加の許可の申請について準用する。この場合において、第六項中「同条第一項又は第二項」とあるのは「同条第三項」と、前項中「第七条第一項又は第二項」とあるのは「第七条第三項」と読み替えるものとする。

(8) The provisions of the preceding paragraphs apply mutatis mutandis to an application for permission to set up new beds in a clinic or permission to increase the number of beds in a clinic. In this case, the term "paragraph (1) or (2) of the same Article" in paragraph (6) is to be replaced with "paragraph (3) of the same Article", and the term "paragraph (1) or (2) of Article 7" in the preceding paragraph is to be replaced with "paragraph (3) of Article 7".

第八条　臨床研修等修了医師、臨床研修等修了歯科医師又は助産師が診療所又は助産所を開設したときは、開設後十日以内に、診療所又は助産所の所在地の都道府県知事に届け出なければならない。

Article 8 When a clinically trained physician, a clinically trained dentist, or a midwife establishes a clinic or birthing center, the physician must notify the prefectural governor of the area in which the clinic or birthing center is situated within ten days of its establishment.

第八条の二　病院、診療所又は助産所の開設者は、正当の理由がないのに、その病院、診療所又は助産所を一年を超えて休止してはならない。ただし、前条の規定による届出をして開設した診療所又は助産所の開設者については、この限りでない。

Article 8-2 (1) The organizer of a hospital, clinic, or birthing center must not suspend the operation of the relevant hospital, clinic or birthing center for more than one year without justifiable grounds; provided, however, that this does not apply to the organizer of a clinic or birthing center of which the prefectural governor was notified and that was established pursuant to the provisions of the preceding Article.

２　病院、診療所又は助産所の開設者が、その病院、診療所又は助産所を休止したときは、十日以内に、都道府県知事に届け出なければならない。休止した病院、診療所又は助産所を再開したときも、同様とする。

(2) When the organizer of a hospital, clinic, or birthing center suspends the operation of the relevant hospital, clinic, or birthing center, the organizer must notify the prefectural governor within ten days. The same applies when a hospital, clinic, or birthing center whose operation was suspended is re-opened.

第九条　病院、診療所又は助産所の開設者が、その病院、診療所又は助産所を廃止したときは、十日以内に、都道府県知事に届け出なければならない。

Article 9 (1) When the organizer of a hospital, clinic, or birthing center discontinues the operation of the relevant hospital, clinic, or birthing center, the organizer must notify the prefectural governor within ten days.

２　病院、診療所又は助産所の開設者が死亡し、又は失そうの宣告を受けたときは、戸籍法（昭和二十二年法律第二百二十四号）の規定による死亡又は失そうの届出義務者は、十日以内に、その旨をその所在地の都道府県知事に届け出なければならない。

(2) When the organizer of a hospital, clinic, or birthing center has died or has become the subject of an adjudication of disappearance, the person who is obligated to submit a notification of such person's death or disappearance pursuant to the provisions of the Family Register Act (Act No. 224 of 1947) must notify the prefectural governor of their area of the same within ten days.

第二節　管理

Section 2 Management

第十条　病院（第三項の厚生労働省令で定める病院を除く。次項において同じ。）又は診療所の開設者は、その病院又は診療所が医業をなすものである場合は臨床研修等修了医師に、歯科医業をなすものである場合は臨床研修等修了歯科医師に、これを管理させなければならない。

Article 10 (1) The organizer of a hospital (excluding hospitals specified by an Order of the Ministry of Health, Labour and Welfare set forth in paragraph (3); the same applies in the following paragraph) or clinic is to have it managed by a clinically trained physician where a medical practice is operated at the relevant hospital or clinic, or must have it managed by a clinically trained dentist where a dental practice is operated at the relevant hospital or clinic.

２　病院又は診療所の開設者は、その病院又は診療所が、医業及び歯科医業を併せ行うものである場合は、それが主として医業を行うものであるときは臨床研修等修了医師に、主として歯科医業を行うものであるときは臨床研修等修了歯科医師に、これを管理させなければならない。

(2) Where both a medical practice and dental practice are operated at a hospital or clinic, the organizer of the relevant hospital or clinic is to have it managed by a clinically trained physician where it is primarily for the operation of a medical practice, or must have it managed by a clinically trained dentist where it is primarily for the operation of a dental practice.

３　医師の確保を特に図るべき区域における医療の確保のために必要な支援を行う病院その他の厚生労働省令で定める病院の開設者は、その病院が医業をなすものである場合又は医業及び歯科医業を併せ行うものであつて主として医業を行うものである場合は、臨床研修等修了医師であつて第五条の二第一項の認定を受けたものに、これを管理させなければならない。ただし、地域における医療の提供に影響を与える場合その他の厚生労働省令で定める場合は、臨床研修等修了医師であつて当該認定を受けていないものに、これを管理させることができる。

(3) The organizer of a hospital that provides necessary support for securing medical care in an acute physician shortage area or other hospitals specified by an Order of the Ministry of Health, Labour and Welfare, in the case that the hospital is engaged in medical practice or in the case that the hospital is engaged in both medical practice and dental practice and mainly engages in medical practice, may have it managed by a clinically trained physician certified under Article 5-2, paragraph (1); provided, however, that in the case that affects the provision of medical care in the region or in other cases specified by an Order of the Ministry of Health, Labour and Welfare, the hospital may be managed by a clinically trained physician who has not been certified under Article 5-2, paragraph (1).

第十条の二　特定機能病院の開設者は、前条の規定により管理させる場合は、厚生労働省令で定めるところにより、第十六条の三第一項各号に掲げる事項の実施その他の特定機能病院の管理及び運営に関する業務の遂行に関し必要な能力及び経験を有する者を管理者として選任しなければならない。

Article 10-2 (1) The organizer of an advanced treatment hospital who intends to have it managed in accordance with the provisions of the preceding Article, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must appoint as its administrator a person who has the necessary ability and experience to perform the particulars listed in each item of Article 16-3, paragraph (1) and other tasks related to the management and operation of the advanced treatment hospital.

２　前項の規定による特定機能病院の管理者の選任は、厚生労働省令で定めるところにより、特定機能病院の開設者と厚生労働省令で定める特別の関係がある者以外の者を構成員に含む管理者となる者を選考するための合議体を設置し、その審査の結果を踏まえて行わなければならない。

(2) The appointment of an administrator of an advanced treatment hospital under the provisions of the preceding paragraph, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must be made based on the results of the examination by a council for selecting a candidate for administrator, which consists of the organizer of the advanced treatment hospital and persons other than those who have a special relationship as specified by an Order of the Ministry of Health, Labour and Welfare.

第十一条　助産所の開設者は、助産師に、これを管理させなければならない。

Article 11 An organizer of a birthing center must have the relevant birthing center managed by a midwife.

第十二条　病院、診療所又は助産所の開設者が、病院、診療所又は助産所の管理者となることができる者である場合は、自らその病院、診療所又は助産所を管理しなければならない。ただし、病院、診療所又は助産所の所在地の都道府県知事の許可を受けた場合は、他の者にこれを管理させることができる。

Article 12 (1) The organizer of a hospital, clinic, or birthing center must manage the relevant hospital, clinic, or birthing center themselves if they are a person capable of being the administrator of a hospital, clinic, or birthing center; provided, however, that it is permissible for the organizer to have another party manage where permitted by the prefectural governor of the area in which the hospital, clinic, or birthing center is situated.

２　病院、診療所又は助産所を管理する医師、歯科医師又は助産師は、次の各号のいずれかに該当するものとしてその病院、診療所又は助産所の所在地の都道府県知事の許可を受けた場合を除くほか、他の病院、診療所又は助産所を管理しない者でなければならない。

(2) The physician, dentist, or midwife who manages a hospital, clinic, or birthing center must be a person who does not manage any other hospital, clinic, or birthing center, except where permitted by the prefectural governor of the area in which the relevant hospital, clinic, or birthing center is situated as falling under any of the following items:

一　医師の確保を特に図るべき区域内に開設する診療所を管理しようとする場合

(i) when intending to manage a clinic established in an acute physician shortage area;

二　介護老人保健施設その他の厚生労働省令で定める施設に開設する診療所を管理しようとする場合

(ii) when intending to manage a clinic established in a long-term care health facility or other facilities specified by an Order of the Ministry of Health, Labour and Welfare;

三　事業所等に従業員等を対象として開設される診療所を管理しようとする場合

(iii) when intending to manage a clinic established in an office or other places of business for employees, etc;

四　地域における休日又は夜間の第三十条の三第一項に規定する医療提供体制の確保のために開設される診療所を管理しようとする場合

(iv) when intending to manage a clinic established to secure the medical care delivery system prescribed in Article 30-3, paragraph (1) on holidays or at night in the region; or

五　その他厚生労働省令で定める場合

(v) other cases specified by an Order of the Ministry of Health, Labour and Welfare.

第十二条の二　地域医療支援病院の開設者は、厚生労働省令の定めるところにより、業務に関する報告書を都道府県知事に提出しなければならない。

Article 12-2 (1) The organizer of a regional medical care support hospital must submit reports concerning its operation to the prefectural governor pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

２　都道府県知事は、厚生労働省令で定めるところにより、前項の報告書の内容を公表しなければならない。

(2) The prefectural governor must make public the details of the reports set forth in the preceding paragraph pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

第十二条の三　特定機能病院の開設者は、厚生労働省令の定めるところにより、業務に関する報告書を厚生労働大臣に提出しなければならない。

Article 12-3 (1) The organizer of an advanced treatment hospital must submit reports concerning its operation to the Minister of Health, Labour and Welfare pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

２　厚生労働大臣は、厚生労働省令で定めるところにより、前項の報告書の内容を公表しなければならない。

(2) The Minister of Health, Labour and Welfare must make public the details of the reports set forth in the preceding paragraph pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

第十二条の四　臨床研究中核病院の開設者は、厚生労働省令の定めるところにより、業務に関する報告書を厚生労働大臣に提出しなければならない。

Article 12-4 (1) The organizer of a core hospital for clinical research must submit a report on its operations to the Minister of Health, Labor and Welfare pursuant to the provisions of an Order of the Ministry of Health, Labor and Welfare.

２　厚生労働大臣は、厚生労働省令で定めるところにより、前項の報告書の内容を公表しなければならない。

(2) The Minister of Health, Labor and Welfare is to make public the content of the report prescribed in the preceding paragraph pursuant to the provisions of an Order of the Ministry of Health, Labor and Welfare.

第十三条　患者を入院させるための施設を有する診療所の管理者は、入院患者の病状が急変した場合においても適切な治療を提供することができるよう、当該診療所の医師が速やかに診療を行う体制を確保するよう努めるとともに、他の病院又は診療所との緊密な連携を確保しておかなければならない。

Article 13 The administrator of a clinic with facilities for the hospitalization of patients is to endeavor to ensure a system for the relevant clinic's physicians to make prompt diagnoses that enable appropriate medical treatment to be provided, even where the symptoms of a hospitalized patient change suddenly, and must ensure close cooperation with other hospitals or clinics.

第十四条　助産所の管理者は、同時に十人以上の妊婦、産婦又はじよく婦を入所させてはならない。ただし、他に入院させ、又は入所させるべき適当な施設がない場合において、臨時応急のため入所させるときは、この限りでない。

Article 14 The administrator of a birthing center is not to allow ten or more pregnant women, women in labor, or women resting after childbirth to be admitted at the same time; provided, however, that this does not apply to temporary and emergency admissions in the case that there are no other appropriate facilities for hospitalization or admission.

第十四条の二　病院又は診療所の管理者は、厚生労働省令の定めるところにより、当該病院又は診療所に関し次に掲げる事項を当該病院又は診療所内に見やすいよう掲示しなければならない。

Article 14-2 (1) The administrator of a hospital or clinic must post the following information concerning the relevant hospital or clinic in a visible location within the relevant hospital or clinic, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare:

一　管理者の氏名

(i) the name of the administrator;

二　診療に従事する医師又は歯科医師の氏名

(ii) the names of practicing physicians or dentists;

三　医師又は歯科医師の診療日及び診療時間

(iii) the days and hours of the physicians' or dentists' practices; and

四　前三号に掲げるもののほか、厚生労働省令で定める事項

(iv) beyond those listed in the preceding three items, the particulars prescribed by an Order of the Ministry of Health, Labour and Welfare.

２　助産所の管理者は、厚生労働省令の定めるところにより、当該助産所に関し次に掲げる事項を当該助産所内に見やすいように掲示しなければならない。

(2) The administrator of a birthing center must post the following information concerning the relevant birthing center in a visible location within the relevant birthing center, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare:

一　管理者の氏名

(i) the name of the administrator;

二　業務に従事する助産師の氏名

(ii) the names of midwives engaging in services;

三　助産師の就業の日時

(iii) the midwives' working days and hours; and

四　前三号に掲げるもののほか、厚生労働省令で定める事項

(iv) beyond what is listed in the preceding three items, the particulars prescribed by an Order of the Ministry of Health, Labour and Welfare.

第十五条　病院又は診療所の管理者は、この法律に定める管理者の責務を果たせるよう、当該病院又は診療所に勤務する医師、歯科医師、薬剤師その他の従業者を監督し、その他当該病院又は診療所の管理及び運営につき、必要な注意をしなければならない。

Article 15 (1) The administrator of a hospital or clinic must supervise the physicians, dentists, pharmacists, and other employees working at the relevant hospital or clinic, and must take other necessary precautions for the management and operation of the relevant hospital or clinic, so that they can fulfill their responsibilities prescribed in this Act.

２　助産所の管理者は、この法律に定める管理者の責務を果たせるよう、当該助産所に勤務する助産師その他の従業者を監督し、その他当該助産所の管理及び運営につき、必要な注意をしなければならない。

(2) The administrator of a birthing center must supervise the midwives and other employees working at the relevant birthing center, and must take other necessary precautions for the management and operation of the relevant birthing center, so that they can fulfill their responsibilities prescribed in this Act.

３　病院又は診療所の管理者は、病院又は診療所に診療の用に供するエックス線装置を備えたときその他厚生労働省令で定める場合においては、厚生労働省令の定めるところにより、病院又は診療所所在地の都道府県知事に届け出なければならない。

(3) The administrator of a hospital or clinic must notify the prefectural governor of the area in which the hospital or clinic is situated, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, where the relevant hospital or clinic has an x-ray unit for medical treatment, or in other cases prescribed by an Order of the Ministry of Health, Labour and Welfare.

第十五条の二　病院、診療所又は助産所の管理者は、当該病院、診療所又は助産所において、臨床検査技師等に関する法律（昭和三十三年法律第七十六号）第二条に規定する検体検査（以下この条及び次条第一項において「検体検査」という。）の業務を行う場合は、検体検査の業務を行う施設の構造設備、管理組織、検体検査の精度の確保の方法その他の事項を検体検査の業務の適正な実施に必要なものとして厚生労働省令で定める基準に適合させなければならない。

Article 15-2 The administrator of a hospital, clinic or birthing center, when performing specimen testing prescribed in Article 2 of the Act on Clinical Laboratory Technicians (Act No. 76 of 1958) (hereinafter referred to as "specimen testing" in this Article and paragraph (1) of the following Article) in the relevant hospital, clinic or birthing center, must ensure that the buildings and equipment of the facilities where specimen testing is performed, management organization, methods for ensuring the accuracy of specimen testing and other particulars conform to the standards specified by an Order of the Ministry of Health, Labour and Welfare as necessary for the proper performance of specimen testing.

第十五条の三　病院、診療所又は助産所の管理者は、検体検査の業務を委託しようとするときは、次に掲げる者に委託しなければならない。

Article 15-3 (1) When the administrator of a hospital, clinic or birthing center wishes to entrust specimen testing, the administrator must do so to the following persons:

一　臨床検査技師等に関する法律第二十条の三第一項の登録を受けた衛生検査所の開設者

(i) an organizer of a sanitary laboratory registered under Article 20-3, paragraph (1) of the Act on Clinical Laboratory Technicians.; and

二　病院又は診療所その他厚生労働省令で定める場所において検体検査の業務を行う者であつて、その者が検体検査の業務を行う施設の構造設備、管理組織、検体検査の精度の確保の方法その他の事項が検体検査の業務の適正な実施に必要なものとして厚生労働省令で定める基準に適合するもの

(ii) a person who performs specimen testing in a hospital, clinic or other places specified by an Order of the Ministry of Health, Labour and Welfare, and the buildings and equipment of the facilities where the person performs specimen testing, management organization, methods for ensuring the accuracy of specimen testing and other particulars conform to the standards specified by an Order of the Ministry of Health, Labour and Welfare as necessary for the proper performance of specimen testing.

２　病院、診療所又は助産所の管理者は、前項に定めるもののほか、病院、診療所又は助産所の業務のうち、医師若しくは歯科医師の診療若しくは助産師の業務又は患者、妊婦、産婦若しくはじよく婦の入院若しくは入所に著しい影響を与えるものとして政令で定めるものを委託しようとするときは、当該病院、診療所又は助産所の業務の種類に応じ、当該業務を適正に行う能力のある者として厚生労働省令で定める基準に適合するものに委託しなければならない。

(2) Beyond what is provided for in the preceding paragraph, when the administrator of a hospital, clinic, or birthing center wishes to entrust the operation of the hospital, clinic, or birthing center that are prescribed by Cabinet Order as having a significant influence on physicians' or dentists' diagnoses, on the services of midwives, or on the hospitalization or admission of patients, pregnant women, women in labor, or women resting after childbirth, the administrator must entrust the relevant operations to a party who conforms to the requirements prescribed by an Order of the Ministry of Health, Labour and Welfare as a party with the ability to properly undertake its operation, in accordance with the type of operation undertaken at the relevant hospital, clinic, or birthing center.

第十六条　医業を行う病院の管理者は、病院に医師を宿直させなければならない。ただし、当該病院の医師が当該病院に隣接した場所に待機する場合その他当該病院の入院患者の病状が急変した場合においても当該病院の医師が速やかに診療を行う体制が確保されている場合として厚生労働省令で定める場合は、この限りでない。

Article 16 The administrator of a hospital that carries out a medical practice must have a physician on night duty in the hospital; provided, however, that this does not apply to the case where the physicians of the relevant hospital stand by at a place adjacent to the relevant hospital or other cases specified by an Order of the Ministry of Health, Labour and Welfare as those where a system is in place which ensures that the physicians of the relevant hospital promptly provide medical treatment in the event of a sudden change in the medical condition of an inpatient of the relevant hospital.

第十六条の二　地域医療支援病院の管理者は、厚生労働省令の定めるところにより、次に掲げる事項を行わなければならない。

Article 16-2 (1) The administrator of a regional medical care support hospital must undertake the following particulars, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare:

一　当該病院の建物の全部若しくは一部、設備、器械又は器具を、当該病院に勤務しない医療従事者の診療、研究又は研修のために利用させること。

(i) allowing all or part of the buildings, equipment, instruments, or tools of the relevant hospital to be used by medical care professionals who do not work at the relevant hospital for their practices, research, or training;

二　救急医療を提供すること。

(ii) providing emergency medical care;

三　地域の医療従事者の資質の向上を図るための研修を行わせること。

(iii) carrying out training to enhance the quality of community medical care professionals;

四　第二十二条第二号及び第三号に掲げる諸記録を体系的に管理すること。

(iv) systematically managing records as listed in Article 22, items (ii) and (iii);

五　当該地域医療支援病院に患者を紹介しようとする医師その他厚生労働省令で定める者から第二十二条第二号又は第三号に掲げる諸記録の閲覧を求められたときは、正当の理由がある場合を除き、当該諸記録のうち患者の秘密を害するおそれのないものとして厚生労働省令で定めるものを閲覧させること。

(v) when a request to view records listed in Article 22, item (ii) or (iii) has been received from a physician who wishes to refer a patient to the relevant regional medical care support hospital or from other persons as prescribed by an Order of the Ministry of Health, Labour and Welfare, making available for inspection the records which are prescribed by an Order of the Ministry of Health, Labour and Welfare as having no risk of harming patient confidentiality, except where there are justifiable grounds for not doing so;

六　他の病院又は診療所から紹介された患者に対し、医療を提供すること。

(vi) providing medical care to patients referred from other hospitals or clinics; and

七　その他厚生労働省令で定める事項

(vii) other particulars as prescribed by an Order of the Ministry of Health, Labour and Welfare.

２　地域医療支援病院の管理者は、居宅等における医療を提供する医療提供施設、介護保険法第八条第四項に規定する訪問看護を行う同法第四十一条第一項に規定する指定居宅サービス事業者その他の居宅等における医療を提供する者（以下この項において「居宅等医療提供施設等」という。）における連携の緊密化のための支援、医療を受ける者又は地域の医療提供施設に対する居宅等医療提供施設等に関する情報の提供その他の居宅等医療提供施設等による居宅等における医療の提供の推進に関し必要な支援を行わなければならない。

(2) The administrator of a regional medical care support hospital must provide necessary support concerning the promotion of in-home medical care provision by medical institutions providing in-home medical care, designated in-home service providers pursuant to the provisions of Article 41, paragraph (1) of the Long-Term Care Insurance Act who undertake in-home nursing under Article 8, paragraph (4) of the same Act, and other persons providing in-home medical care (hereinafter referred to as "in-home medical care providers, etc." in this paragraph), such as supporting close coordination with in-home medical care providers, etc., and providing information concerning in-home medical care providers, etc. to recipients of medical care or medical institutions in the area.

第十六条の三　特定機能病院の管理者は、厚生労働省令の定めるところにより、次に掲げる事項を行わなければならない。

Article 16-3 (1) The administrator of an advanced treatment hospital must undertake the following particulars pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare:

一　高度の医療を提供すること。

(i) providing advanced medical care;

二　高度の医療技術の開発及び評価を行うこと。

(ii) carrying out development and evaluation of advanced medical care techniques;

三　高度の医療に関する研修を行わせること。

(iii) carrying out training in advanced medical care;

四　医療の高度の安全を確保すること。

(iv) ensuring a high level of medical safety;

五　第二十二条の二第三号及び第四号に掲げる諸記録を体系的に管理すること。

(v) systematically managing the records listed under Article 22-2, items (iii) and (iv);

六　当該特定機能病院に患者を紹介しようとする医師その他厚生労働省令で定める者から第二十二条の二第三号又は第四号に掲げる諸記録の閲覧を求められたときは、正当の理由がある場合を除き、当該諸記録のうち患者の秘密を害するおそれのないものとして厚生労働省令で定めるものを閲覧させること。

(vi) when a request to view the records listed in Article 22-2, item (iii) or (iv) has been received from a physician who wishes to refer a patient to the relevant advanced treatment hospital or from other persons as prescribed by an Order of the Ministry of Health, Labour and Welfare, making available for inspection the records that are prescribed by an Order of the Ministry of Health, Labour and Welfare as having no risk of harming patient confidentiality, except where there are justifiable grounds for not doing so;

七　他の病院又は診療所から紹介された患者に対し、医療を提供すること。

(vii) providing medical care to patients referred from other hospitals or clinics; and

八　その他厚生労働省令で定める事項

(viii) other particulars as prescribed by an Order of the Ministry of Health, Labour and Welfare.

２　特定機能病院の管理者は、特定機能病院の管理及び運営に関する事項のうち重要なものとして厚生労働省令で定めるものを行う場合には、厚生労働省令で定めるところにより、当該管理者並びに当該特定機能病院に勤務する医師、歯科医師、薬剤師及び看護師その他の者をもつて構成する合議体の決議に基づいて行わなければならない。

(2) The administrator of an advanced treatment hospital, when carrying out particulars specified by an Order of the Ministry of Health, Labour and Welfare as important particulars concerning the management and operation of the advanced treatment hospital, must do so based on a resolution of a council composed of the relevant administrator and physicians, dentists, pharmacists, nurses and other persons working in the relevant advanced treatment hospital, pursuant to an Order of the Ministry of Health, Labour and Welfare.

３　特定機能病院の管理者は、第三十条の四第二項第二号に規定する医療連携体制が適切に構築されるように配慮しなければならない。

(3) The administrator of an advanced treatment hospital must make arrangements so that a medical care coordination system as provided for in Article 30-4, paragraph (2), item (ii) is properly constructed.

第十六条の四　臨床研究中核病院の管理者は、厚生労働省令の定めるところにより、次に掲げる事項を行わなければならない。

Article 16-4 The administrator of a core hospital for clinical research, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must carry out the following particulars:

一　特定臨床研究に関する計画を立案し、及び実施すること。

(i) to develop and implement a plan concerning specified clinical research;

二　他の病院又は診療所と共同して特定臨床研究を実施する場合にあつては、特定臨床研究の実施の主導的な役割を果たすこと。

(ii) when conducting specified clinical research jointly with other hospitals or clinics, to play a leading role in the implementation of specified clinical research;

三　他の病院又は診療所に対し、特定臨床研究の実施に関する相談に応じ、必要な情報の提供、助言その他の援助を行うこと。

(iii) to provide consultation, necessary information, advice and other assistance to other hospitals or clinics concerning the implementation of specified clinical research;

四　特定臨床研究に関する研修を行うこと。

(iv) to provide training on specified clinical research;

五　第二十二条の三第三号及び第四号に掲げる諸記録を体系的に管理すること。

(v) to systematically manage the various records listed in items (iii) and (iv) of Article 22-3; and

六　その他厚生労働省令で定める事項

(vi) other particulars specified by an Order of the Ministry of Health, Labour and Welfare.

第十七条　第六条の十から第六条の十二まで及び第十三条から前条までに定めるもののほか、病院、診療所又は助産所の管理者が、その構造設備、医薬品その他の物品の管理並びに患者、妊婦、産婦及びじよく婦の入院又は入所につき遵守すべき事項については、厚生労働省令で定める。

Article 17 Beyond the provisions of Article 6-10 through Article 6-12 and Article 13 through the preceding Article, particulars that should be observed by the administrator of a hospital, clinic, or birthing center in the management of their buildings and equipment, medical supplies, and other articles, and in the hospitalization or admission of patients, pregnant women, women in labor, and women resting after childbirth, are to be as prescribed by an Order of the Ministry of Health, Labour and Welfare.

第十八条　病院又は診療所にあつては、その開設者は、厚生労働省令で定める基準に従い都道府県（診療所にあつては、その所在地が保健所を設置する市又は特別区の区域にある場合においては、当該保健所を設置する市又は特別区）の条例の定めるところにより、専属の薬剤師を置かなければならない。ただし、病院又は診療所所在地の都道府県知事の許可を受けた場合は、この限りでない。

Article 18 The organizer of a hospital or clinic must provide an exclusive pharmacist in the relevant hospital or clinic in accordance with the standards specified by an Order of the Ministry of Health, Labour and Welfare and in accordance with Ordinances of the Prefecture (or, in the case of a clinic situated in a city or special ward with a public health center, the relevant city or special ward with a public health center); provided, however, that this does not apply where permitted by the prefectural governor of the area in which the hospital or clinic is situated.

第十九条　助産所の開設者は、厚生労働省令で定めるところにより、嘱託する医師及び病院又は診療所を定めておかなければならない。

Article 19 (1) The organizer of a birthing center must provide for contract physicians and hospitals or clinics pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

２　出張のみによつてその業務に従事する助産師は、妊婦等の助産を行うことを約するときは、厚生労働省令で定めるところにより、当該妊婦等の異常に対応する病院又は診療所を定めなければならない。

(2) When a midwife who only does house calls enters into a contract which provides that she will give midwifery services to a pregnant woman, etc., she must specify the hospital or clinic that responds to the abnormality of the relevant pregnant woman, etc., pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

第十九条の二　特定機能病院の開設者は、当該特定機能病院の管理者による当該特定機能病院の管理及び運営に関する業務が適切に遂行されるよう、厚生労働省令で定めるところにより、次に掲げる措置を講じなければならない。

Article 19-2 The organizer of an advanced treatment hospital, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must take the following measures to ensure that the administrator of the relevant advanced treatment hospital properly executes the management and operation of the relevant advanced treatment hospital:

一　当該特定機能病院の管理及び運営について当該管理者が有する権限を明らかにすること。

(i) to clarify the authority that the relevant administrator has for the management and operation of the relevant advanced treatment hospital;

二　医療の安全の確保に関する監査委員会を設置すること。

(ii) to set up an audit committee for ensuring the safety of medical care.;

三　当該管理者の業務の執行が法令に適合することを確保するための体制、当該開設者による当該特定機能病院の業務の監督に係る体制その他の当該特定機能病院の業務の適正を確保するために必要なものとして厚生労働省令で定める体制を整備すること。

(iii) to establish a system to ensure that the execution of the duties of the relevant administrator complies with laws and regulations, a system pertaining to the supervision of the business of the relevant advanced treatment hospital by the relevant organizer, and other systems specified by an Order of the Ministry of Health, Labour and Welfare as necessary to ensure the appropriateness of the business of the relevant advanced treatment hospital: and

四　その他当該管理者による当該特定機能病院の管理及び運営に関する業務の適切な遂行に必要なものとして厚生労働省令で定める措置

(iv) other measures specified by an Order of the Ministry of Health, Labour and Welfare as necessary for the proper execution of the management and operation of the relevant advanced treatment hospital by the relevant administrator.

第二十条　病院、診療所又は助産所は、清潔を保持するものとし、その構造設備は、衛生上、防火上及び保安上安全と認められるようなものでなければならない。

Article 20 A hospital, clinic, or birthing center is to be maintained in a clean state, and its buildings and equipment must be recognizable as being safe in terms of sanitation, fire safety, and security.

第二十一条　病院は、厚生労働省令（第一号に掲げる従業者（医師及び歯科医師を除く。）及び第十二号に掲げる施設にあつては、都道府県の条例）の定めるところにより、次に掲げる人員及び施設を有し、かつ、記録を備えて置かなければならない。

Article 21 (1) A hospital is to have the following personnel and facilities and must prepare the following records, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare (in the case of employees listed in item (i) (excluding physicians and dentists) and facilities listed in item (xii), Prefectural Ordinances):

一　当該病院の有する病床の種別に応じ、厚生労働省令で定める員数の医師及び歯科医師のほか、都道府県の条例で定める員数の看護師その他の従業者

(i) beyond physicians, dentists in the numbers prescribed by an Order of the Ministry of Health, Labour and Welfare, nurses, and other employees in the numbers prescribed by prefectural ordinances, in accordance with the classifications of the beds at the relevant hospital;

二　各科専門の診察室

(ii) a consultation room for each clinical department;

三　手術室

(iii) an operating room;

四　処置室

(iv) treatment rooms;

五　臨床検査施設

(v) a diagnostic laboratory;

六　エックス線装置

(vi) an X-ray unit;

七　調剤所

(vii) a dispensary;

八　給食施設

(viii) food service facilities;

九　診療に関する諸記録

(ix) records concerning medical treatment;

十　診療科名中に産婦人科又は産科を有する病院にあつては、分べん室及び新生児の入浴施設

(x) delivery rooms and neonatal bathing facilities in hospitals that have a gynecology and obstetrics department or an obstetrics department;

十一　療養病床を有する病院にあつては、機能訓練室

(xi) functional training rooms in hospitals that have long-term care beds; and

十二　その他都道府県の条例で定める施設

(xii) other facilities as prescribed by prefectural ordinances.

２　療養病床を有する診療所は、厚生労働省令（第一号に掲げる従業者（医師及び歯科医師を除く。）及び第三号に掲げる施設にあつては、都道府県の条例）の定めるところにより、次に掲げる人員及び施設を有しなければならない。

(2) A clinic with long-term care beds must have the following personnel and facilities, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare (in the case of employees listed in item (i) (excluding physicians and dentists) and facilities listed in item (iii), Prefectural Ordinances):

一　厚生労働省令で定める員数の医師及び歯科医師のほか、都道府県の条例で定める員数の看護師及び看護の補助その他の業務の従業者

(i) beyond physicians, dentists in the numbers prescribed by an Order of the Ministry of Health, Labour and Welfare, nurses, and other employees, including those engaged in nursing support, in the numbers prescribed by Prefectural Ordinances;

二　機能訓練室

(ii) functional training rooms; and

三　その他都道府県の条例で定める施設

(iii) other facilities as prescribed by Prefectural Ordinances.

３　都道府県が前二項の条例を定めるに当たつては、病院及び療養病床を有する診療所の従業者及びその員数（厚生労働省令で定めるものに限る。）については厚生労働省令で定める基準に従い定めるものとし、その他の事項については厚生労働省令で定める基準を参酌するものとする。

(3) When formulating the ordinances set forth in the preceding two paragraphs, prefectures is to determine the employees and the number of employees of hospitals and clinics with long-term care beds (limited to those specified by an Order of the Ministry of Health, Labour and Welfare) in accordance with the standards specified by an Order of the Ministry of Health, Labour and Welfare, and other particulars with reference to the standards specified by an Order of the Ministry of Health, Labour and Welfare.

第二十二条　地域医療支援病院は、前条第一項（第九号を除く。）に定めるもののほか、厚生労働省令の定めるところにより、次に掲げる施設を有し、かつ、記録を備えて置かなければならない。

Article 22 Beyond the provisions of paragraph (1) of the preceding Article (excluding item (ix)), a regional medical care support hospital is to have the following facilities and must prepare the following records, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare:

一　集中治療室

(i) an intensive care unit;

二　診療に関する諸記録

(ii) records concerning medical treatment;

三　病院の管理及び運営に関する諸記録

(iii) records concerning the management and operation of the hospital;

四　化学、細菌及び病理の検査施設

(iv) chemical, bacteriological, and pathological inspection facilities;

五　病理解剖室

(v) an autopsy room;

六　研究室

(vi) a laboratory;

七　講義室

(vii) a lecture room;

八　図書室

(viii) a library; and

九　その他厚生労働省令で定める施設

(ix) other facilities as prescribed by an Order of the Ministry of Health, Labour and Welfare.

第二十二条の二　特定機能病院は、第二十一条第一項（第一号及び第九号を除く。）に定めるもののほか、厚生労働省令の定めるところにより、次に掲げる人員及び施設を有し、かつ、記録を備えて置かなければならない。

Article 22-2 Beyond the provisions of Article 21, paragraph (1) (excluding items (i) and (ix)), an advanced treatment hospital is to have the following personnel and facilities and must prepare the following records, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare:

一　厚生労働省令で定める員数の医師、歯科医師、薬剤師、看護師その他の従業者

(i) physicians, dentists, pharmacists, nurses, and other employees in the numbers prescribed by an Order of the Ministry of Health, Labour and Welfare;

二　集中治療室

(ii) an intensive care unit;

三　診療に関する諸記録

(iii) records concerning medical treatment;

四　病院の管理及び運営に関する諸記録

(iv) records concerning the management and operation of the hospital;

五　前条第四号から第八号までに掲げる施設

(v) the facilities listed in item (iv) through item (viii) of the preceding Article; and

六　その他厚生労働省令で定める施設

(vi) other facilities as prescribed by an Order of the Ministry of Health, Labour and Welfare.

第二十二条の三　臨床研究中核病院は、第二十一条第一項（第一号及び第九号を除く。）に定めるもののほか、厚生労働省令の定めるところにより、次に掲げる人員及び施設を有し、かつ、記録を備えて置かなければならない。

Article 22-3 Beyond the provisions of Article 21, paragraph (1) (excluding items (i) and (ix)), a core hospital for clinical research is to have the following personnel and facilities and must prepare the following records, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare:

一　厚生労働省令で定める員数の臨床研究に携わる医師、歯科医師、薬剤師、看護師その他の従業者

(i) physicians, dentists, pharmacists, nurses, and other employees involved in clinical research in the numbers prescribed by an Order of the Ministry of Health, Labour and Welfare;

二　集中治療室

(ii) an intensive care unit;

三　診療及び臨床研究に関する諸記録

(iii) records concerning medical treatment and clinical research;

四　病院の管理及び運営に関する諸記録

(iv) records concerning the management and operation of the hospital;

五　第二十二条第四号から第八号までに掲げる施設

(v) the facilities listed in item (iv) through item (viii) of Article 22; and

六　その他厚生労働省令で定める施設

(vi) other facilities as prescribed by an Order of the Ministry of Health, Labour and Welfare.

第二十三条　第二十一条から前条までに定めるもののほか、病院、診療所又は助産所の構造設備について、換気、採光、照明、防湿、保安、避難及び清潔その他衛生上遺憾のないように必要な基準は、厚生労働省令で定める。

Article 23 (1) Beyond the provisions of Article 21 through the preceding Article, the necessary standards for ensuring satisfactory ventilation, lighting, illumination, damp proofing, security, emergency evacuation, cleanliness, and other sanitary conditions with regard to the buildings and equipment of a hospital, clinic or birthing center, is to be prescribed by an Order of the Ministry of Health, Labour and Welfare.

２　前項の規定に基づく厚生労働省令の規定に違反した者については、政令で二十万円以下の罰金の刑を科する旨の規定を設けることができる。

(2) Regulations may be established by Cabinet Order to sentence persons who have violated the provisions of the Order of the Ministry of Health, Labour and Welfare as set forth in the provisions of the preceding paragraph to a fine of up to 200,000 yen.

第三節　監督

Section 3 Supervision

第二十三条の二　都道府県知事は、病院又は療養病床を有する診療所について、その人員の配置が、第二十一条第一項（第一号に係る部分に限る。）又は第二項（第一号に係る部分に限る。）の規定に基づく厚生労働省令又は都道府県の条例で定める基準に照らして著しく不十分であり、かつ、適正な医療の提供に著しい支障が生ずる場合として厚生労働省令で定める場合に該当するときは、その開設者に対し、期限を定めて、その人員の増員を命じ、又は期間を定めて、その業務の全部若しくは一部の停止を命ずることができる。

Article 23-2 When the distribution of personnel in a hospital or in a clinic with long-term care beds is significantly lacking in terms of the standards prescribed by the Order of the Ministry of Health, Labour and Welfare or prefectural ordinances set forth in Article 21, paragraph (1) (limited to the parts pertaining to item (i)) or paragraph (2) (limited to the part pertaining to item (i)), and falls under cases prescribed by an Order of the Ministry of Health, Labour and Welfare as cases that cause a significant impediment to the suitable provision of medical care, the prefectural governor may order the organizer to increase the number of personnel by a set deadline, or may suspend all or a part of its operations for a period that the governor prescribes.

第二十四条　都道府県知事は、病院、診療所又は助産所が清潔を欠くとき、又はその構造設備が第二十一条第一項若しくは第二項若しくは第二十二条の規定若しくは第二十三条第一項の規定に基づく厚生労働省令の規定に違反し、若しくは衛生上有害若しくは保安上危険と認めるときは、その開設者に対し、期間を定めて、その全部若しくは一部の使用を制限し、若しくは禁止し、又は期限を定めて、修繕若しくは改築を命ずることができる。

Article 24 (1) When a hospital, clinic, or birthing center is lacking in cleanliness, or when its buildings and equipment violate the provisions of Article 21, paragraph (1) or (2), or Article 22, or violate the provisions of an Order of the Ministry of Health, Labour and Welfare that is based on the provisions set forth in Article 23, paragraph (1), or are found to be a sanitation hazard or safety risk, the prefectural governor may prescribe a period of time and order the organizer to fully or partially limit or prohibit the use thereof, or may order repairs or reconstruction to be carried out by a set deadline.

２　厚生労働大臣は、特定機能病院又は臨床研究中核病院（以下この節において「特定機能病院等」という。）の構造設備が第二十二条の二又は第二十二条の三の規定に違反するときは、その開設者に対し、期限を定めて、その修繕又は改築を命ずることができる。

(2) When the buildings and equipment of an advanced treatment hospital or core hospital for clinical research (hereinafter referred to as "advanced treatment hospital, etc." in this Section) violate the provisions of Article 22-2 or Article 22-3, the Minister of Health, Labour and Welfare may order their repair or reconstruction to be carried out by the organizer of the relevant advanced treatment hospital, etc. by a set deadline.

第二十四条の二　都道府県知事は、病院、診療所若しくは助産所の業務が法令若しくは法令に基づく処分に違反し、又はその運営が著しく適正を欠くと認めるとき（第二十三条の二又は前条第一項に規定する場合を除く。）は、この法律の施行に必要な限度において、当該病院、診療所又は助産所の開設者に対し、期限を定めて、必要な措置をとるべきことを命ずることができる。

Article 24-2 (1) When a prefectural governor finds that the business of a hospital, clinic or birthing center violates laws and regulations or dispositions under laws and regulations, or that the operation of a hospital, clinic or birthing center is extremely inappropriate (excluding the cases prescribed in Article 23-2 or paragraph (1) of the preceding Article), the governor may, to the extent necessary for the enforcement of this Act, order the organizer of the relevant hospital, clinic or birthing center to take necessary measures by a set deadline.

２　前項の開設者が同項の規定による命令に従わないときは、都道府県知事は、当該開設者に対し、期間を定めて、その開設する病院、診療所又は助産所の業務の全部又は一部の停止を命ずることができる。

(2) In the event that the organizer set forth in the preceding paragraph does not comply with the order as prescribed in the same paragraph, the prefectural governor may order the relevant organizer to suspend all or part of the business of the relevant organizer's hospital, clinic or birthing center for a specified period of time.

第二十五条　都道府県知事、保健所を設置する市の市長又は特別区の区長は、必要があると認めるときは、病院、診療所若しくは助産所の開設者若しくは管理者に対し、必要な報告を命じ、又は当該職員に、病院、診療所若しくは助産所に立ち入り、その有する人員若しくは清潔保持の状況、構造設備若しくは診療録、助産録、帳簿書類その他の物件を検査させることができる。

Article 25 (1) When a prefectural governor, the mayor of a city with a public health center, or the mayor of a special ward of Tokyo finds it necessary, the governor or mayor may order the organizer or administrator of a hospital, clinic, or birthing center to report as necessary, and may have the relevant officials enter the relevant hospital, clinic, or birthing center and inspect the personnel or the state of cleanliness, its buildings, and equipment, its medical records, birth records, books and documents, and other articles.

２　都道府県知事、保健所を設置する市の市長又は特別区の区長は、病院、診療所若しくは助産所の業務が法令若しくは法令に基づく処分に違反している疑いがあり、又はその運営が著しく適正を欠く疑いがあると認めるときは、この法律の施行に必要な限度において、当該病院、診療所若しくは助産所の開設者若しくは管理者に対し、診療録、助産録、帳簿書類その他の物件の提出を命じ、又は当該職員に、当該病院、診療所若しくは助産所の開設者の事務所その他当該病院、診療所若しくは助産所の運営に関係のある場所に立ち入り、帳簿書類その他の物件を検査させることができる。

(2) When a prefectural governor, the mayor of a city with a public health center, or the mayor of a special ward of Tokyo suspects that the operation of a hospital, clinic or birthing center is in violation of laws and regulations or a disposition based on laws and regulations, or suspects that the management thereof is significantly unsuitable, the governor or mayor may order the organizer or administrator of the relevant hospital, clinic, or birthing center to submit medical records, birth records, books and documents, and other articles, or have the relevant officials enter the office of the organizer of the relevant hospital, clinic or birthing center or other places related to the operation of the relevant hospital, clinic or birthing center and inspect books and documents, and other articles to the extent necessary for the enforcement of this Act.

３　厚生労働大臣は、必要があると認めるときは、特定機能病院等の開設者若しくは管理者に対し、必要な報告を命じ、又は当該職員に、特定機能病院等に立ち入り、その有する人員若しくは清潔保持の状況、構造設備若しくは診療録、助産録、帳簿書類その他の物件を検査させることができる。

(3) When the Minister of Health, Labour and Welfare finds it necessary, the minister may order the organizer or administrator of an advanced treatment hospital, etc. to report as necessary, and may have the relevant officials enter the advanced treatment hospital, etc. and inspect the personnel or the state of cleanliness, its buildings and equipment, medical records, birth records, books and documents, and other articles.

４　厚生労働大臣は、特定機能病院等の業務が法令若しくは法令に基づく処分に違反している疑いがあり、又はその運営が著しく適正を欠く疑いがあると認めるときは、当該特定機能病院等の開設者又は管理者に対し、診療録、助産録、帳簿書類その他の物件の提出を命ずることができる。

(4) When the Minister of Health, Labour and Welfare suspects that the operation of an advanced treatment hospital, etc. is in violation of laws and regulations or a disposition based on laws and regulations, or suspects that the management thereof is significantly unsuitable, the minister may order the organizer or administrator of the relevant advanced treatment hospital, etc. to submit medical records, birth records, books and documents, or other articles.

５　第六条の八第三項の規定は第一項から第三項までの立入検査について、同条第四項の規定は前各項の権限について、準用する。

(5) The provisions set forth in Article 6-8, paragraph (3) apply mutatis mutandis pursuant to entry and inspection as set forth in paragraph (1) through paragraph (3), and the provisions set forth in paragraph (4) of the same Article apply mutatis mutandis pursuant to the authority set forth in each of the preceding paragraphs.

第二十五条の二　保健所を設置する市の市長及び特別区の区長は、厚生労働省令の定めるところにより、診療所及び助産所に関し、厚生労働省令で定める事項を都道府県知事に通知しなければならない。

Article 25-2 Mayor of cities with public health centers and mayors of special wards of Tokyo must give notice of the particulars as prescribed by an Order of the Ministry of Health, Labour and Welfare concerning clinics and birthing centers, to the prefectural governor, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

第二十六条　第二十五条第一項及び第三項に規定する当該職員の職権を行わせるため、厚生労働大臣、都道府県知事、保健所を設置する市の市長又は特別区の区長は、厚生労働省、都道府県、保健所を設置する市又は特別区の職員のうちから、医療監視員を命ずるものとする。

Article 26 (1) The Minister of Health, Labour and Welfare, prefectural governors, mayors of cities with public health centers, and mayors of special wards of Tokyo are to appoint medical care inspectors from among the officials of the Ministry of Health, Labour and Welfare, prefecture, city with the public health center, or special ward of Tokyo, to be entrusted with the authority of the relevant officials provided for in Article 25, paragraphs (1) and (3).

２　前項に定めるもののほか、医療監視員に関し必要な事項は、厚生労働省令でこれを定める。

(2) Beyond the provisions of the preceding paragraph, necessary particulars concerning medical care inspectors are to be as prescribed by an Order of the Ministry of Health, Labour and Welfare.

第二十七条　病院、患者を入院させるための施設を有する診療所又は入所施設を有する助産所は、その構造設備について、その所在地を管轄する都道府県知事の検査を受け、許可証の交付を受けた後でなければ、これを使用してはならない。

Article 27 A hospital, clinic with in-patient facilities, or birthing center with admission facilities must not use its buildings and equipment without first undergoing inspection by the prefectural governor with jurisdiction over their location and receiving a license.

第二十七条の二　都道府県知事は、病院又は診療所の開設者又は管理者が、正当な理由がなく、第七条第五項の規定により当該許可に付された条件に従わないときは、当該病院又は診療所の開設者又は管理者に対し、都道府県医療審議会の意見を聴いて、期限を定めて、当該条件に従うべきことを勧告することができる。

Article 27-2 (1) When the organizer or administrator of a hospital or clinic fails to comply with the conditions attached to the permission granted under the provisions of Article 7, paragraph (5) without justifiable grounds, the prefectural governor may recommend that the relevant organizer or administrator comply with the relevant conditions by a set deadline, after hearing the opinions of the Prefectural Council on Medical Service Facilities.

２　都道府県知事は、前項の規定による勧告を受けた病院又は診療所の開設者又は管理者が、正当な理由がなく、当該勧告に係る措置をとらなかつたときは、当該病院又は診療所の開設者又は管理者に対し、都道府県医療審議会の意見を聴いて、期限を定めて、当該勧告に係る措置をとるべきことを命ずることができる。

(2) When the organizer or administrator of a hospital or clinic who has received a recommendation pursuant to the provisions of the preceding paragraph fails to take measures pertaining to the relevant recommendation without justifiable grounds, the prefectural governor may order the relevant organizer or administrator to take measures pertaining to the relevant recommendation by a set deadline, after hearing the opinions of the Prefectural Council on Medical Service Facilities.

３　都道府県知事は、前項の規定による命令をした場合において、当該命令を受けた病院又は診療所の開設者又は管理者がこれに従わなかつたときは、その旨を公表することができる。

(3) If a prefectural governor has issued an order under the preceding paragraph, and the organizer or administrator of a hospital or clinic who has received the relevant order fails to comply with it, the prefectural governor may make a public announcement to that effect.

第二十八条　都道府県知事は、病院、診療所又は助産所の管理者に、犯罪若しくは医事に関する不正行為があり、又はその者が管理をなすのに適しないと認めるときは、その開設者に対し、期限を定めて、その変更を命ずることができる。

Article 28 When the prefectural governor finds the administrator of a hospital, clinic, or birthing center to have committed a criminal act, to have committed an unlawful act related to medical practice, or to be unfit to manage, the governor may order the organizer of the relevant hospital, clinic, or birthing center to replace the the relevant administrator by a set deadline.

第二十九条　都道府県知事は、次の各号のいずれかに該当する場合においては、病院、診療所若しくは助産所の開設の許可を取り消し、又はその開設者に対し、期間を定めて、その閉鎖を命ずることができる。

Article 29 (1) The prefectural governor may rescind permission for establishment of a hospital, clinic, or birthing center, or may order the organizer to close the hospital, clinic, or birthing center by a period that the governor prescribes, if it falls under any of the following items:

一　開設の許可を受けた後、正当な理由がなく、六月以上その業務を開始しないとき。

(i) when operation has not commenced six months or more after permission was received for its establishment, without justifiable grounds;

二　病院、診療所（第八条の届出をして開設したものを除く。）又は助産所（同条の届出をして開設したものを除く。）が、休止した後、正当な理由がなく、一年以上業務を再開しないとき。

(ii) when the operation of a hospital, clinic (excluding where notification and establishment have taken place as set forth in Article 8), or a birthing center (excluding where notification and establishment have taken place as set forth in the same Article) has not re-commenced one year or more after it was suspended, without justifiable grounds;

三　開設者が第六条の三第六項、第二十四条第一項、第二十四条の二第二項又は前条の規定に基づく命令又は処分に違反したとき。

(iii) when the organizer has violated an order or disposition based on the provisions of Article 6-3, paragraph (6), Article 24, paragraph (1), Article 24-2, paragraph (2), or the preceding Article; or

四　開設者に犯罪又は医事に関する不正の行為があつたとき。

(iv) when the organizer has committed a criminal act or an unlawful act related to medical practice.

２　都道府県知事は、第七条第二項又は第三項の規定による許可を受けた後、正当な理由がなく、六月以上当該許可に係る業務を開始しないときは、当該許可を取り消すことができる。

(2) The prefectural governor may, when operation related to the permission pursuant to the provisions of Article 7, paragraph (2) or (3) has not commenced six months or more after the relevant permission was received without justifiable grounds, rescind the relevant permission.

３　都道府県知事は、次の各号のいずれかに該当する場合においては、地域医療支援病院の承認を取り消すことができる。

(3) The prefectural governor may rescind the approval for a regional medical care support hospital if it falls under any of the following items:

一　地域医療支援病院が第四条第一項各号に掲げる要件を欠くに至つたとき。

(i) when the regional medical care support hospital has failed to meet the requirements listed in each item of Article 4, paragraph (1);

二　地域医療支援病院の開設者が第十二条の二第一項の規定に違反したとき。

(ii) when the organizer of the regional medical care support hospital has violated provisions of Article 12-2, paragraph (1);

三　地域医療支援病院の開設者が第二十四条第一項又は第三十条の十三第五項の規定に基づく命令に違反したとき。

(iii) when the organizer of the regional medical care support hospital has violated an order based on the provisions of Article 24, paragraph (1) or Article 30-13, paragraph (5);

四　地域医療支援病院の管理者が第十六条の二第一項の規定に違反したとき。

(iv) when the administrator of a regional medical care support hospital has violated the provisions of Article 16-2, paragraph (1);

五　地域医療支援病院の開設者又は管理者が第七条の二第三項、第二十七条の二第二項又は第三十条の十五第六項の規定に基づく命令に違反したとき。

(v) when the organizer or administrator of the regional medical care support hospital has violated an order under the provisions of Article 7-2, paragraph (3), Article 27-2, paragraph (2), or Article 30-15, paragraph (6);

六　地域医療支援病院の開設者又は管理者が第三十条の十二第二項又は第三十条の十七の規定に基づく勧告に従わなかつたとき。

(vi) when the organizer or administrator of the regional medical care support hospital fails to comply with a recommendation under the provisions of Article 30-12, paragraph (2) or Article, paragraph 30-17; or

七　地域医療支援病院の開設者又は管理者が第三十条の十六第一項の規定に基づく指示に従わなかつたとき。

(vii) when the organizer or administrator of the regional medical care support hospital fails to comply with an instruction under the provisions of Article 30-16, paragraph (1).

４　厚生労働大臣は、次の各号のいずれかに該当する場合においては、特定機能病院の承認を取り消すことができる。

(4) The Minister of Health, Labour and Welfare may rescind their approval for an advanced treatment hospital, if it falls under any of the following items:

一　特定機能病院が第四条の二第一項各号に掲げる要件を欠くに至つたとき。

(i) when the advanced treatment hospital has failed to meet the requirements listed in each of the items of Article 4-2, paragraph (1);

二　特定機能病院の開設者が第十条の二、第十二条の三第一項又は第十九条の二の規定に違反したとき。

(ii) when the organizer of the advanced treatment hospital has violated the provisions of Article 10-2, Article 12-3, paragraph (1), or Article 19-2;

三　特定機能病院の開設者が第二十四条第二項又は第三十条の十三第五項の規定に基づく命令に違反したとき。

(iii) when the organizer of the advanced treatment hospital has violated an order based on the provisions of Article 24, paragraph (2) or Article 30-13, paragraph (5);

四　特定機能病院の管理者が第十六条の三第一項又は第二項の規定に違反したとき。

(iv) when the administrator of the advanced treatment hospital has violated the provisions of paragraph (1) or (2) of Article 16-3;

五　特定機能病院の開設者又は管理者が第七条の二第三項、第二十七条の二第二項又は第三十条の十五第六項の規定に基づく命令に違反したとき。

(v) when the organizer or administrator of the advanced treatment hospital has violated an order under the provisions of Article 7-2, paragraph (3), Article 27-2, paragraph (2), or Article 30-15, paragraph (6);

六　特定機能病院の開設者又は管理者が第三十条の十二第二項又は第三十条の十七の規定に基づく勧告に従わなかつたとき。

(vi) when the organizer or administrator of the advanced treatment hospital fails to comply with a recommendation under the provisions of Article 30-12, paragraph (2) or Article 30-17; or

七　特定機能病院の開設者又は管理者が第三十条の十六第一項の規定に基づく指示に従わなかつたとき。

(vii) when the organizer or administrator of the advanced treatment hospital fails to comply with an instruction under the provisions of Article 30-16, paragraph (1).

５　厚生労働大臣は、次の各号のいずれかに該当する場合においては、臨床研究中核病院の承認を取り消すことができる。

(5) The Minister of Health, Labour and Welfare may revoke the approval for a core hospital for clinical research, if it falls under any of the following items:

一　臨床研究中核病院が第四条の三第一項各号に掲げる要件を欠くに至つたとき。

(i) when the core hospital for clinical research has failed to meet the requirements listed in each of the items of Article 4-3, paragraph (1);

二　臨床研究中核病院の開設者が第十二条の四第一項の規定に違反したとき。

(ii) when the organizer of the core hospital for clinical research has violated the provisions of Article 12-4, paragraph (1);

三　臨床研究中核病院の開設者が第二十四条第二項の規定に基づく命令に違反したとき。

(iii) when the organizer of the core hospital for clinical research has violated an order under the provisions of Article 24, paragraph (2); or

四　臨床研究中核病院の管理者が第十六条の四の規定に違反したとき。

(iv) when the administrator of the core hospital for clinical research has violated the provisions of Article 16-4.

６　都道府県知事は、第三項の規定により地域医療支援病院の承認を取り消すに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(6) In revoking the approval for a regional medical care support hospital pursuant to the provisions of paragraph (3), the prefectural governor must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

７　厚生労働大臣は、第四項又は第五項の規定により特定機能病院等の承認を取り消すに当たつては、あらかじめ、社会保障審議会の意見を聴かなければならない。

(7) In revoking the approval for an advanced treatment hospital, etc. pursuant to the provisions of paragraph (4) or (5), the Minister of Health, Labour and Welfare must hear the opinions of the Social Security Council in advance.

第二十九条の二　厚生労働大臣は、国民の健康を守るため緊急の必要があると認めるときは、都道府県知事に対し、第二十八条並びに前条第一項及び第二項の規定による処分を行うべきことを指示することができる。

Article 29-2 If the Minister of Health, Labour and Welfare finds an urgent necessity to protect the health of the citizens, the minister may instruct a prefectural governor to render a disposition pursuant to the provisions of Article 28, and paragraph (1) and paragraph (2) of the preceding Article.

第三十条　都道府県知事は、行政手続法（平成五年法律第八十八号）第十三条第二項第一号の規定により、あらかじめ弁明の機会の付与又は聴聞を行わないで第二十三条の二、第二十四条第一項、第二十四条の二、第二十八条又は第二十九条第一項若しくは第三項の規定による処分をしたときは、当該処分をした後三日以内に、当該処分を受けた者に対し、弁明の機会の付与を行わなければならない。

Article 30 When a disposition has been rendered pursuant to the provisions of Article 23-2, Article 24, paragraph (1), Article 24-2, Article 28, or Article 29, paragraph (1) or (3) in advance of an opportunity for explanation being granted or a hearing being undertaken pursuant to Article 13, paragraph (2), item (i) of the Administrative Procedure Act (Act No. 88 of 1993), the prefectural governor must grant an opportunity for explanation to parties subject to the relevant disposition within three days of the relevant disposition.

第四節　雑則

Section 4 Miscellaneous Provisions

第三十条の二　この章に特に定めるものの外、病院、診療所及び助産所の開設及び管理に関して必要な事項は、政令でこれを定める。

Article 30-2 Beyond those provided for in this Chapter, the necessary particulars concerning the establishment and management of hospitals, clinics, and birthing centers are to be as specified by Cabinet Order.

第五章　医療提供体制の確保

Chapter V Ensuring the Medical Care Delivery System

第一節　基本方針

Section 1 Basic Policy

第三十条の三　厚生労働大臣は、地域における医療及び介護の総合的な確保の促進に関する法律（平成元年法律第六十四号）第三条第一項に規定する総合確保方針に即して、良質かつ適切な医療を効率的に提供する体制（以下「医療提供体制」という。）の確保を図るための基本的な方針（以下「基本方針」という。）を定めるものとする。

Article 30-3 (1) The Minister of Health, Labour and Welfare, in accordance with the comprehensive securing policy prescribed in Article 3, paragraph (1) of the Act for Promoting Comprehensive Measures for Securing Regional Medical and Nursing Care (Act No. 64 of 1989), is to set forth a basic policy (hereinafter referred to as "basic policy") for ensuring the presence of a system that efficiently delivers good quality and appropriate medical care (hereinafter referred to as the "medical care delivery system").

２　基本方針においては、次に掲げる事項について定めるものとする。

(2) The basic policy is to prescribe the following particulars:

一　医療提供体制の確保のため講じようとする施策の基本となるべき事項

(i) particulars that should form the basis of any measures to be undertaken for ensuring the medical care delivery system;

二　医療提供体制の確保に関する調査及び研究に関する基本的な事項

(ii) basic particulars related to investigation and research into ensuring the medical care delivery system;

三　医療提供体制の確保に係る目標に関する事項

(iii) particulars related to targets for ensuring the medical care delivery system;

四　医療提供施設相互間の機能の分担及び業務の連携並びに医療を受ける者に対する医療提供施設の機能に関する情報の提供の推進に関する基本的な事項

(iv) basic particulars related to the sharing of functions and cooperation between medical institutions, and to promoting the provision of information that concerns medical care functions to recipients of medical care;

五　第三十条の四第二項第七号に規定する地域医療構想に関する基本的な事項

(v) basic particulars related to the regional medical care vision prescribed in Article 30-4, paragraph (2) item (vii);

六　地域における病床の機能（病院又は診療所の病床において提供する患者の病状に応じた医療の内容をいう。以下同じ。）の分化及び連携並びに医療を受ける者に対する病床の機能に関する情報の提供の推進に関する基本的な事項

(vi) basic particulars related to the promotion of the differentiation and coordination of bed functions (meaning the contents of medical care provided in hospital or clinic beds in accordance with the medical conditions of patients; the same applies hereinafter) in the region and the provision of information about bed functions to medical care recipients;

七　外来医療に係る医療提供体制の確保に関する基本的な事項

(vii) basic particulars related to ensuring the medical care delivery system for outpatient medical care;

八　医師の確保に関する基本的な事項

(viii) basic particulars related to ensuring the availability of physicians;

九　医療従事者（医師を除く。）の確保に関する基本的な事項

(ix) basic particulars related to ensuring the availability of medical care professionals (excluding physicians);

十　第三十条の四第一項に規定する医療計画の作成及び医療計画に基づく事業の実施状況の評価に関する基本的な事項

(x) basic particulars related to the preparation of the medical care plans provided for in Article 30-4, paragraph (1), and to evaluating the status of implementation of activities under medical care plans; and

十一　その他医療提供体制の確保に関する重要事項

(xi) other important particulars related to ensuring the medical care delivery system.

３　厚生労働大臣は、基本方針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(3) When the Minister of Health, Labour and Welfare has set forth or amended the basic policy, the minister is to provide a public notice thereof without delay.

第三十条の三の二　厚生労働大臣は、前条第二項第五号又は第六号に掲げる事項を定め、又はこれを変更するために必要があると認めるときは、都道府県知事又は第三十条の十三第一項に規定する病床機能報告対象病院等の開設者若しくは管理者に対し、厚生労働省令で定めるところにより、同項の規定による報告の内容その他の必要な情報の提供を求めることができる。

Article 30-3-2 When the Minister of Health, Labour and Welfare finds it necessary in order to set down or change the particulars listed in item (v) or (vi) of paragraph (2) of the preceding Article, the minister may request the prefectural governor or the organizer or administrator of a hospital, etc. subject to a report on the bed functions prescribed in Article 30-13, paragraph (1) to provide the content of the report provided for in the same paragraph and other necessary information, pursuant to an Order of the Ministry of Health, Labour and Welfare.

第二節　医療計画

Section 2 Medical Care Plans

第三十条の四　都道府県は、基本方針に即して、かつ、地域の実情に応じて、当該都道府県における医療提供体制の確保を図るための計画（以下「医療計画」という。）を定めるものとする。

Article 30-4 (1) The prefecture, with regard to basic policy, is to provide a plan (hereinafter referred to as "medical care plan") for ensuring the medical care delivery system in the relevant prefecture, in accordance with the actual conditions in the area.

２　医療計画においては、次に掲げる事項を定めるものとする。

(2) The following particulars are to be stipulated in the medical care plan:

一　都道府県において達成すべき第四号及び第五号の事業並びに居宅等における医療の確保の目標に関する事項

(i) particulars related to the activities set forth in item (iv) and item (v) and ensuring in-home medical care that should be achieved in the prefecture;

二　第四号及び第五号の事業並びに居宅等における医療の確保に係る医療連携体制（医療提供施設相互間の機能の分担及び業務の連携を確保するための体制をいう。以下同じ。）に関する事項

(ii) particulars related to the medical care coordination system (meaning the system to ensure the sharing of functions between medical institutions and the coordination of operations; the same applies hereinafter) pertaining to activities as set forth in item (iv) and item (v) and ensuring in-home medical care;

三　医療連携体制における医療提供施設の機能に関する情報の提供の推進に関する事項

(iii) particulars related to promoting the provision of information on functions of medical institutions under the medical care coordination system;

四　生活習慣病その他の国民の健康の保持を図るために特に広範かつ継続的な医療の提供が必要と認められる疾病として厚生労働省令で定めるものの治療又は予防に係る事業に関する事項

(iv) particulars related to activities connected with treatment or prevention of illnesses prescribed by an Order of the Ministry of Health, Labour and Welfare as lifestyle diseases or other illnesses that are recognized as specifically requiring the provision of extensive and continuous medical care in order to ensure the health of the citizens;

五　次に掲げる医療の確保に必要な事業（以下「救急医療等確保事業」という。）に関する事項（ハに掲げる医療については、その確保が必要な場合に限る。）

(v) particulars related to activities that are necessary for ensuring the following medical care (hereinafter referred to as "activities to ensure emergency medical care") (limited to where it is necessary to ensure this in the case of medical care listed in (c));

イ　救急医療

(a) emergency medical care;

ロ　災害時における医療

(b) medical care in times of disaster;

ハ　へき地の医療

(c) medical care in remote areas;

ニ　周産期医療

(d) perinatal medical care;

ホ　小児医療（小児救急医療を含む。）

(e) pediatric medical care (including pediatric emergency medical care);

ヘ　イからホまでに掲げるもののほか、都道府県知事が当該都道府県における疾病の発生の状況等に照らして特に必要と認める医療

(f) beyond what is listed in (a) through (e), particulars that are recognized by the prefectural governor as being specifically necessary in the light of outbreaks of illness in the relevant prefecture;

六　居宅等における医療の確保に関する事項

(vi) particulars related to ensuring in-home medical care;

七　地域における病床の機能の分化及び連携を推進するための基準として厚生労働省令で定める基準に従い定める区域（以下「構想区域」という。）における次に掲げる事項を含む将来の医療提供体制に関する構想（以下「地域医療構想」という。）に関する事項

(vii) particulars related to the vision of the future medical care delivery system including the following particulars (hereinafter referred to as "regional medical care vision") in the area specified in accordance with the standards set down by an Order of the Ministry of Health, Labour and Welfare as the standards for promoting the differentiation and coordination of bed functions in the region (hereinafter referred to as "vision area");

イ　構想区域における厚生労働省令で定めるところにより算定された第三十条の十三第一項に規定する病床の機能区分ごとの将来の病床数の必要量（以下単に「将来の病床数の必要量」という。）

(a) the future requirements for the number of beds for each functional classification of beds prescribed in Article 30-13, paragraph (1) (hereinafter simply referred to as the "future requirements for the number of beds") in the vision area calculated pursuant to an Order of the Ministry of Health, Labour and Welfare; and

ロ　イに掲げるもののほか、構想区域における病床の機能の分化及び連携の推進のために必要なものとして厚生労働省令で定める事項

(b) beyond what is listed in (a), particulars specified by an Order of the Ministry of Health, Labour and Welfare as necessary for promoting the differentiation and coordination of the bed functions in the vision area;

八　地域医療構想の達成に向けた病床の機能の分化及び連携の推進に関する事項

(viii) particulars related to the promotion of the differentiation and coordination of bed functions to achieve the regional medical care vision;

九　病床の機能に関する情報の提供の推進に関する事項

(ix) particulars related to the promotion of the provision of information on bed functions;

十　外来医療に係る医療提供体制の確保に関する事項

(x) particulars related to ensuring the medical care delivery system for outpatient medical care;

十一　医師の確保に関する次に掲げる事項

(xi) the following particulars related to ensuring the availability of physicians;

イ　第十四号及び第十五号に規定する区域における医師の確保の方針

(a) policies for ensuring the availability of physicians in the areas prescribed in items (xiv) and (xv);

ロ　厚生労働省令で定める方法により算定された第十四号に規定する区域における医師の数に関する指標を踏まえて定める同号に規定する区域において確保すべき医師の数の目標

(b) the target of the number of physicians to be secured in the area prescribed in item (xiv) to be determined based on the indicator concerning the number of physicians in the relevant area calculated by the method specified by an Order of the Ministry of Health, Labour and Welfare;

ハ　厚生労働省令で定める方法により算定された第十五号に規定する区域における医師の数に関する指標を踏まえて定める同号に規定する区域において確保すべき医師の数の目標

(c) the target number of physicians to be secured in the area prescribed in item (xv) to be determined based on the indicator concerning the number of physicians in the relevant area calculated by the method specified by an Order of the Ministry of Health, Labour and Welfare; and

ニ　ロ及びハに掲げる目標の達成に向けた医師の派遣その他の医師の確保に関する施策

(d) measures to dispatch physicians to achieve the targets listed in (b) and (c) and other measures for ensuring the availability of physicians;

十二　医療従事者（医師を除く。）の確保に関する事項

(xii) particulars related to ensuring the availability of medical care professionals (excluding physicians);

十三　医療の安全の確保に関する事項

(xiii) particulars related to ensuring safety in medical care;

十四　主として病院の病床（次号に規定する病床並びに精神病床、感染症病床及び結核病床を除く。）及び診療所の病床の整備を図るべき地域的単位として区分する区域の設定に関する事項

(xiv) particulars related to the establishment of an area to be classified as a regional unit for the development of mainly beds in hospitals (excluding beds prescribed in the following item, psychiatric beds, infectious disease beds and tuberculosis beds) and beds in clinics;

十五　二以上の前号に規定する区域を併せた区域であつて、主として厚生労働省令で定める特殊な医療を提供する病院の療養病床又は一般病床であつて当該医療に係るものの整備を図るべき地域的単位としての区域の設定に関する事項

(xv) particulars related to the establishment of an area that combines two or more areas prescribed in the preceding item as a regional unit for the development of mainly long-term care beds in hospitals that provide special medical care or general beds used for special medical care as specified by an Order of the Ministry of Health, Labour and Welfare;

十六　第六項及び第七項に規定する区域を定めた場合には、当該区域の設定に関する事項

(xvi) in the event of the establishment of areas prescribed in paragraphs (6) and (7), particulars related to the establishment of the relevant areas; and

十七　療養病床及び一般病床に係る基準病床数、精神病床に係る基準病床数、感染症病床に係る基準病床数並びに結核病床に係る基準病床数に関する事項

(xvii) particulars related to the target number of beds for long-term care beds and general beds, the target number of beds for psychiatric beds, the target number of beds for infectious disease beds, and the target number of beds for tuberculosis beds.

３　医療計画においては、前項各号に掲げる事項のほか、次に掲げる事項について定めるよう努めるものとする。

(3) Beyond the particulars listed in each item of the preceding paragraph, efforts is to be made so that medical care plans stipulate the following particulars:

一　地域医療支援病院の整備の目標その他医療提供施設の機能を考慮した医療提供施設の整備の目標に関する事項

(i) particulars related to targets for the development of regional medical care support hospitals and targets for the development of other medical institutions in consideration of the functions of such institutions; and

二　前号に掲げるもののほか、医療提供体制の確保に関し必要な事項

(ii) beyond what is listed in the preceding item, particulars necessary for securing the medical care delivery system.

４　都道府県は、第二項第二号に掲げる事項を定めるに当たつては、次に掲げる事項に配慮しなければならない。

(4) The prefecture must consider the following particulars when stipulating particulars listed in paragraph (2) item (ii):

一　医療連携体制の構築の具体的な方策について、第二項第四号の厚生労働省令で定める疾病又は同項第五号イからヘまでに掲げる医療若しくは居宅等における医療ごとに定めること。

(i) specific measures for the establishment of a medical care coordination system are to be specified for each disease prescribed by an Order of the Ministry of Health, Labour and Welfare set forth in item (iv) of paragraph (2) or medical care listed in (a) through (f) of item (v) of the same paragraph or in-home medical care;

二　医療連携体制の構築の内容が、患者が退院後においても継続的に適切な医療を受けることができることを確保するものであること。

(ii) the details of the establishment of the medical care coordination system are to ensure that patients can receive appropriate medical care continuously even after being discharged from the hospital;

三　医療連携体制の構築の内容が、医療提供施設及び居宅等において提供される保健医療サービスと福祉サービスとの連携を含むものであること。

(iii) the details of the establishment of the medical care coordination system are to include the coordination between health and medical services and welfare services provided in medical institutions and in homes; and

四　医療連携体制が、医療従事者、介護保険法に規定する介護サービス事業者、住民その他の地域の関係者による協議を経て構築されること。

(iv) the medical care coordination system is to be established through consultation among medical care professionals, long-term care service providers provided for in the Long-Term Care Insurance Act, citizens, and other related parties in the community.

５　都道府県は、地域医療構想に関する事項を定めるに当たつては、第三十条の十三第一項の規定による報告の内容並びに人口構造の変化の見通しその他の医療の需要の動向並びに医療従事者及び医療提供施設の配置の状況の見通しその他の事情を勘案しなければならない。

(5) The prefecture, in stipulating particulars concerning the regional medical care vision, is to take into consideration the contents of reports under Article 30-13, paragraph (1), the prospects for changes in the demographic structure and other trends in demand for medical care, the prospects for the arrangement of medical care professionals and medical institutions, and other circumstances.

６　都道府県は、第二項第十一号に掲げる事項を定めるに当たつては、提供される医療の種別として厚生労働省令で定めるものごとに、同号ロに規定する指標に関し厚生労働省令で定める基準に従い、医師の数が少ないと認められる同項第十四号に規定する区域を定めることができる。

(6) In stipulating the particulars listed in paragraph (2), item (xi), the prefecture, for each type of medical care to be provided that is specified by an Order of the Ministry of Health, Labour and Welfare, may establish, in accordance with the standard specified by an Order of the Ministry of Health, Labour and Welfare concerning the indicator prescribed in paragraph (2) item (xi), (b), the area prescribed in item (xiv) of the same paragraph where the number of physicians is recognized to be small.

７　都道府県は、第二項第十一号に掲げる事項を定めるに当たつては、提供される医療の種別として厚生労働省令で定めるものごとに、同号ロに規定する指標に関し厚生労働省令で定める基準に従い、医師の数が多いと認められる同項第十四号に規定する区域を定めることができる。

(7) In stipulating the particulars listed in paragraph (2), item (xi), the prefecture, for each type of medical care to be provided that is specified by an Order of the Ministry of Health, Labour and Welfare, may establish, in accordance with the standard specified by an Order of the Ministry of Health, Labour and Welfare concerning the indicator prescribed in paragraph (2) item (xi), (b), the area prescribed in item (xiv) of the same paragraph where the number of physicians is recognized to be large.

８　第二項第十四号及び第十五号に規定する区域の設定並びに同項第十七号に規定する基準病床数に関する基準（療養病床及び一般病床に係る基準病床数に関する基準にあつては、それぞれの病床の種別に応じ算定した数の合計数を基にした基準）は、厚生労働省令で定める。

(8) Standards related to the establishment of areas provided for in paragraph (2), items (xiv) and (xv), and the target number of beds provided for in item (xvii) of the same paragraph (for standards related to the target number of long-term care beds and general beds, standards based on the total number calculated according to each type of bed) are to be as prescribed by an Order of the Ministry of Health, Labour and Welfare.

９　都道府県は、第二項第十七号に規定する基準病床数を定めようとする場合において、急激な人口の増加が見込まれることその他の政令で定める事情があるときは、政令で定めるところにより、同号に規定する基準病床数に関し、前項の基準によらないことができる。

(9) The prefecture, where it wishes to stipulate the target number of beds provided for in paragraph (2) item (xvii), when a sudden increase in population is expected or when there are other circumstances as provided by a Cabinet Order, may disregard the standards set forth in the preceding paragraph with regard to the required number of beds provided for in the same item, pursuant to the provisions of a Cabinet Order.

１０　都道府県は、第十八項の規定により当該都道府県の医療計画が公示された後に、急激な人口の増加が見込まれることその他の政令で定める事情があるときは、政令で定めるところにより算定した数を、政令で定める区域の第二項第十七号に規定する基準病床数とみなして、病院の開設の許可の申請その他の政令で定める申請に対する許可に係る事務を行うことができる。

(10) After providing public notice of the medical care plan for a prefecture pursuant to provisions in paragraph (18), the relevant prefecture, when a sudden increase in population is expected or when there are other circumstances as provided by a Cabinet Order, may regard the target number of beds provided for in paragraph (2), item (xvii) as the number calculated pursuant to the provisions of a Cabinet Order, in areas as provided by Cabinet Order, and may engage in activities related to granting permission for applications for permission to establish hospitals and granting permission for other applications as prescribed by Cabinet Order.

１１　都道府県は、第十八項の規定により当該都道府県の医療計画が公示された後に、厚生労働省令で定める病床を含む病院の開設の許可の申請その他の政令で定める申請があつた場合においては、政令で定めるところにより算定した数を、政令で定める区域の第二項第十七号に規定する基準病床数とみなして、当該申請に対する許可に係る事務を行うことができる。

(11) After providing public notice of the medical care plan for the prefecture pursuant to the provisions of paragraph (18), the relevant prefecture, where there has been an application for permission to establish a hospital that includes beds as prescribed by an Order of the Ministry of Health, Labour and Welfare, or where there has been another application as prescribed by a Cabinet Order, may regard the target number of beds provided for in paragraph (2), item (xvii) as the number calculated pursuant to the provisions of a Cabinet Order, in areas as provided by Cabinet Order, and may engage in activities related to granting permission for the relevant application.

１２　都道府県は、第十八項の規定により当該都道府県の医療計画が公示された後に、地域医療連携推進法人の参加法人（第七十条第一項に規定する参加法人をいう。）から病院の開設の許可の申請その他の政令で定める申請があつた場合において、当該申請が当該医療計画において定める地域医療構想の達成を推進するために必要なものであることその他の厚生労働省令で定める要件に該当すると認めるときは、当該申請に係る当該医療計画において定められた第二項第十七号に規定する基準病床数に政令で定めるところにより算定した数を加えて得た数を、当該基準病床数とみなして、当該申請に対する許可に係る事務を行うことができる。

(12) After providing public notice of the medical care plan for the prefecture pursuant to the provisions of paragraph (18), the relevant prefecture, where an application for permission to establish a hospital or any other application specified by a Cabinet Order has been filed by a participating corporation (meaning a participating corporation prescribed in Article 70, paragraph (1)) of a regional medical coordination promotion corporation and where it is found that the relevant application is necessary for promoting the achievement of the regional medical care vision specified in the relevant medical care plan and other requirements specified by an Order of the Ministry of Health, Labour and Welfare are met, may regard the number obtained by adding the number calculated pursuant to the provisions of a Cabinet Order to the target number of beds provided for in paragraph (2), item (xvii) in the relevant medical care plan pertaining to the relevant application as the relevant target number of beds, and may engage in activities related to granting permission for the relevant application.

１３　都道府県は、医療計画を作成するに当たつては、地域における医療及び介護の総合的な確保の促進に関する法律第四条第一項に規定する都道府県計画及び介護保険法第百十八条第一項に規定する都道府県介護保険事業支援計画との整合性の確保を図らなければならない。

(13) In preparing medical care plans, prefectures must ensure consistency with the prefectural plans prescribed in Article 4, paragraph (1) of the Act for Promoting Comprehensive Measures for Securing Regional Medical and Nursing Care and the prefectural long-term care insurance business support plans prescribed in Article 118, paragraph (1) of the Long-Term Care Insurance Act.

１４　都道府県は、医療計画を作成するに当たつては、他の法律の規定による計画であつて医療の確保に関する事項を定めるものとの調和が保たれるようにするとともに、公衆衛生、薬事、社会福祉その他医療と密接な関連を有する施策との連携を図るように努めなければならない。

(14) In preparing medical care plans, prefectures are to endeavor to ensure that harmony is maintained with plans prepared pursuant to the provisions of other laws and regulations and with particulars that concern ensuring medical care, and must endeavor to seek coordination among public health, pharmacy, social welfare, and other measures which are closely related to medical care.

１５　都道府県は、医療計画を作成するに当たつて、当該都道府県の境界周辺の地域における医療の需給の実情に照らし必要があると認めるときは、関係都道府県と連絡調整を行うものとする。

(15) In preparing medical care plans, prefectures are to undertake liaison and coordination with related prefectures, when it is considered necessary in the light of the supply and demand of medical care in areas near the boundaries of the relevant prefectures.

１６　都道府県は、医療に関する専門的科学的知見に基づいて医療計画の案を作成するため、診療又は調剤に関する学識経験者の団体の意見を聴かなければならない。

(16) The prefecture must hear the opinions of groups of persons with the relevant knowledge and experience in diagnoses or prescriptions, in order to prepare a draft medical care plan based on expert scientific opinions on medical care.

１７　都道府県は、医療計画を定め、又は第三十条の六の規定により医療計画を変更しようとするときは、あらかじめ、都道府県医療審議会、市町村（救急業務を処理する地方自治法（昭和二十二年法律第六十七号）第二百八十四条第一項の一部事務組合及び広域連合を含む。）及び高齢者の医療の確保に関する法律（昭和五十七年法律第八十号）第百五十七条の二第一項の保険者協議会の意見を聴かなければならない。

(17) The prefecture must hear the opinions of the Prefectural Council on Medical Service Facilities, municipalities (including a part of the administrative associations and cross-regional federations set forth in Article 284, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) that handle first aid services), and the Council of Insurers set forth in Article 157-2, paragraph (1) of the Act on Assurance of Medical Care for Elderly People (Act No. 80 of 1982) in advance, when stipulating the medical care plan or revising the medical care plan pursuant to the provisions of Article 30-6.

１８　都道府県は、医療計画を定め、又は第三十条の六の規定により医療計画を変更したときは、遅滞なく、これを厚生労働大臣に提出するとともに、その内容を公示しなければならない。

(18) When a prefecture has established a medical care plan or revised a medical care plan pursuant to the provisions of Article 30-6, it must submit the relevant plan to the Minister of Health, Labour and Welfare without delay and provide public notice of the details thereof.

第三十条の五　都道府県は、医療計画を作成し、又は医療計画に基づく事業を実施するために必要があると認めるときは、市町村その他の官公署、介護保険法第七条第七項に規定する医療保険者（第三十条の十四第一項及び第三十条の十八の二第一項において「医療保険者」という。）又は医療提供施設の開設者若しくは管理者に対し、当該都道府県の区域内における医療提供施設の機能に関する情報その他の必要な情報の提供を求めることができる。

Article 30-5 A prefecture, if it finds it necessary for the preparation of the medical care plan or for the execution of activities based on the medical care plan, may request the delivery of any necessary information from the municipalities and their public agencies, medical insurers provided for in Article 7, paragraph (7) of the Long-Term Care Insurance Act (referred to as "medical insurers" in Article 30-14, paragraph (1) and Article 30-18-2, paragraph (1)), or organizers or administrators of medical institutions, including information concerning the functions of medical institutions within the boundaries of the relevant prefecture.

第三十条の六　都道府県は、三年ごとに第三十条の四第二項第六号及び第十一号に掲げる事項並びに次の各号に掲げる事項のうち同項第六号及び第十一号に掲げる事項その他厚生労働省令で定める事項に関するもの（次項において「特定事項」という。）について、調査、分析及び評価を行い、必要があると認めるときは、当該都道府県の医療計画を変更するものとする。

Article 30-6 (1) The prefecture, every three years, must inspect, analyze and evaluate the particulars listed in Article 30-4 (2), items (vi) and (xi), the particulars listed in Article 30-4, paragraph (2) items (vi) and (xi) out of the particulars listed in the following items, and other particulars specified by an Order of the Ministry of Health, Labour and Welfare (referred to as "specified particulars" in the following paragraph) and is to revise the medical care plan of the relevant prefecture when it finds it necessary:

一　第三十条の四第二項各号（第六号及び第十一号を除く。）に掲げる事項

(i) particulars listed in each item of Article 30-4, paragraph (2) (excluding items (vi) and (xi)); and

二　医療計画に第三十条の四第三項各号に掲げる事項を定める場合にあつては、当該各号に掲げる事項

(ii) if the medical care plan stipulates the particulars listed in each item of Article 30-4, paragraph (3), particulars listed in the relevant items.

２　都道府県は、六年ごとに前項各号に掲げる事項（特定事項を除く。）について、調査、分析及び評価を行い、必要があると認めるときは、当該都道府県の医療計画を変更するものとする。

(2) The prefecture, every six years, inspect, is to analyze and evaluate the particulars listed in each item of the preceding paragraph (excluding specified particulars), and is to revise the medical care plan of the relevant prefecture when it finds it necessary.

第三十条の七　医療提供施設の開設者及び管理者は、医療計画の達成の推進に資するため、医療連携体制の構築のために必要な協力をするよう努めるものとする。

Article 30-7 (1) Organizers and administrators of medical institutions are to endeavor to cooperate as necessary in the construction of the medical care coordination system, in order to contribute to the implementation of the medical care plan.

２　医療提供施設のうち次の各号に掲げるものの開設者及び管理者は、前項の必要な協力をするに際しては、良質かつ適切な医療を効率的に提供するため、他の医療提供施設との業務の連携を図りつつ、それぞれ当該各号に定める役割を果たすよう努めるものとする。

(2) Organizers and administrators of medical institutions listed in the following items, when providing the necessary cooperation set forth in the preceding paragraph, are to endeavor to fulfill the roles prescribed in the respective items, while coordinating their operations with those of other medical institutions, in order to efficiently provide high-quality and appropriate medical care:

一　病院　病床の機能に応じ、地域における病床の機能の分化及び連携の推進に協力し、地域において必要な医療を確保すること。

(i) hospitals: To secure necessary medical care in the community by cooperating in the promotion of differentiation and coordination of the bed functions in the community, according to the bed functions; and

二　病床を有する診療所　その提供する医療の内容に応じ、患者が住み慣れた地域で日常生活を営むことができるよう、次に掲げる医療の提供その他の地域において必要な医療を確保すること。

(ii) clinics with beds: To provide the following medical care and ensure other necessary medical care in the community so that patients can lead their daily lives in their familiar communities, according to the content of the medical care they provide;

イ　病院を退院する患者が居宅等における療養生活に円滑に移行するために必要な医療を提供すること。

(a) to provide medical care necessary for patients discharged from hospitals to make a smooth transition to in-home medical treatment;

ロ　居宅等において必要な医療を提供すること。

(b) to provide necessary in-home medical care; and

ハ　患者の病状が急変した場合その他入院が必要な場合に入院させ、必要な医療を提供すること。

(c) to hospitalize patients and provide them with necessary medical care when their condition suddenly changes or otherwise when hospitalization is necessary.

３　病院又は診療所の管理者は、医療計画の達成の推進に資するため、居宅等において医療を提供し、又は福祉サービスとの連携を図りつつ、居宅等における医療の提供に関し必要な支援を行うよう努めるものとする。

(3) Organizers and administrators of hospitals are to provide in-home medical care, and are to seek cooperation with welfare services and endeavor to give the necessary support for the provision of in-home medical care, in order to contribute to the implementation of the medical care plan.

４　病院の開設者及び管理者は、医療計画の達成の推進に資するため、当該病院の医療業務に差し支えない限り、その建物の全部又は一部、設備、器械及び器具を当該病院に勤務しない医師、歯科医師又は薬剤師の診療、研究又は研修のために利用させるように努めるものとする。

(4) Organizers and administrators of hospitals are to endeavor to allow the use of all or parts of the hospital's buildings, equipment, instruments, and tools by physicians, dentists, or pharmacists who do not work at the relevant hospital in their practice, research, or training, provided there is no hindrance to the medical care services of the relevant hospital, in order to contribute to the implementation of the medical care plan.

第三十条の八　厚生労働大臣は、医療計画の作成の手法その他医療計画の作成上重要な技術的事項について、都道府県に対し、必要な助言をすることができる。

Article 30-8 The Minister of Health, Labour and Welfare may provide the necessary advice to the prefectures regarding the method of preparing medical care plans and other key practical particulars regarding the preparation of medical care plans.

第三十条の九　国は、医療計画の達成を推進するため、都道府県に対し、予算の範囲内で、医療計画に基づく事業に要する費用の一部を補助することができる。

Article 30-9 The national government may provide subsidies to prefectures for part of the costs required for activities based on medical care plans, within the extent of the budget, in order to promote the fulfillment of medical care plans.

第三十条の十　国及び地方公共団体は、医療計画の達成を推進するため、病院又は診療所の不足している地域における病院又は診療所の整備、地域における病床の機能の分化及び連携の推進、医師の確保その他必要な措置を講ずるように努めるものとする。

Article 30-10 (1) National government and local governments are to endeavor to undertake any necessary measures, including improving hospitals or clinics in areas with insufficient hospitals or clinics, promoting the differentiation and coordination of the bed functions in the community and ensuring the availability of physicians, in order to promote the fulfillment of medical care plans.

２　国は、前項に定めるもののほか、都道府県の区域を超えた広域的な見地から必要とされる医療を提供する体制の整備に努めるものとする。

(2) Beyond what is set forth in the preceding paragraph, the national government is to endeavor to improve the system for providing medical care as necessary on a cross-regional level which extends beyond prefectural boundaries.

第三十条の十一　都道府県知事は、医療計画の達成の推進のため特に必要がある場合には、病院若しくは診療所を開設しようとする者又は病院若しくは診療所の開設者若しくは管理者に対し、都道府県医療審議会の意見を聴いて、病院の開設若しくは病院の病床数の増加若しくは病床の種別の変更又は診療所の病床の設置若しくは診療所の病床数の増加に関して勧告することができる。

Article 30-11 The prefectural governor, where it is specifically necessary in order to promote the fulfillment of the medical care plan, may hear the opinions of the Prefectural Council on Medical Service Facilities, and recommend that a person who wishes to establish a hospital or clinic, or an organizer or administrator of a hospital or clinic, establish a hospital, increase a hospital's number of beds, or change its bed classifications, or recommend that such a person establish beds in a clinic or increase the number of beds in a clinic.

第三十条の十二　第七条の二第三項から第五項までの規定は、医療計画の達成の推進のため特に必要がある場合において、同条第一項各号に掲げる者以外の者が開設する病院（療養病床又は一般病床を有するものに限る。）又は診療所（第七条第三項の許可を得て病床を設置するものに限る。）について準用する。この場合において、第七条の二第三項中「命ずる」とあるのは「要請する」と、同条第四項中「前三項」とあるのは「前項」と、「病床数及び当該申請に係る病床数」とあるのは「病床数」と、同条第五項中「第一項若しくは第二項の規定により前条第一項から第三項までの許可を与えない処分をし、又は第三項」とあるのは「第三項」と、「命令しよう」とあるのは「要請しよう」と読み替えるものとする。

Article 30-12 (1) The provisions of Article 7-2, paragraphs (3) through (5) apply mutatis mutandis to hospitals established by persons other than those listed in each item of paragraph (1) of the same Article (limited to those having long-term care beds or general beds) or clinics (limited to those setting up beds with permission under Article 7, paragraph (3)), when it is especially necessary for promoting the achievement of the medical care plan. In this case, the term "order" in Article 7-2, paragraph (3) is replaced with "request", the term "preceding three paragraphs" in paragraph (4) of the same Article is replaced with "preceding paragraph", the term "the number of beds, and the number of beds to which the relevant application relates" is replaced with "the number of beds", the terms "refuse permission as set forth in paragraphs (1) through (3) of the preceding Article pursuant to the provisions of paragraph (1) or (2), or paragraph (3)" in paragraph (5) of the same Article is replaced with "paragraph (3)", and the term "wishes to issue an order" is replaced with "wishes to issue a request".

２　都道府県知事は、前項において読み替えて準用する第七条の二第三項の規定による要請を受けた病院又は診療所の開設者又は管理者が、正当な理由がなく、当該要請に係る措置を講じていないと認めるときは、当該病院又は診療所の開設者又は管理者に対し、都道府県医療審議会の意見を聴いて、当該措置をとるべきことを勧告することができる。

(2) When a prefectural governor finds that the organizer or administrator of a hospital or clinic that has received a request under Article 7-2, paragraph (3) as applied mutatis mutandis by replacing the terms in accordance with the preceding paragraph has not taken measures pertaining to the relevant request without justifiable grounds, the prefectural governor may recommend that the relevant organizer or administrator of the hospital or clinic should take the relevant measures, after hearing the opinions of the Prefectural Council on Medical Service Facilities.

３　都道府県知事は、前項の規定による勧告をした場合において、当該勧告を受けた病院又は診療所の開設者又は管理者がこれに従わなかつたときは、その旨を公表することができる。

(3) In the case where a prefectural governor has made a recommendation under the preceding paragraph, the governor, if the organizer or administrator of a hospital or clinic that has received the relevant recommendation fails to comply with it, may make a public announcement to that effect.

第三節　地域における病床の機能の分化及び連携の推進

Section 3 Promotion of differentiation and coordination of the bed functions in the community

第三十条の十三　病院又は診療所であつて一般病床又は療養病床を有するもの（以下「病床機能報告対象病院等」という。）の管理者は、地域における病床の機能の分化及び連携の推進のため、厚生労働省令で定めるところにより、当該病床機能報告対象病院等の病床の機能に応じ厚生労働省令で定める区分（以下「病床の機能区分」という。）に従い、次に掲げる事項を当該病床機能報告対象病院等の所在地の都道府県知事に報告しなければならない。

Article 30-13 (1) In order to promote the differentiation and coordination of the bed functions in the community, the administrator of a hospital or clinic with general beds or long-term care beds (hereinafter referred to as a "hospital, etc. subject to a report on the bed functions"), pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must report the following particulars in accordance with the classification specified by an Order of the Ministry of Health, Labour and Welfare according to the bed functions (hereinafter referred to as "functional classification of beds") of the relevant hospital, etc. subject to a report on the bed functions to the governor of the prefecture where the relevant hospital, etc. subject to a report on the bed functions is situated:

一　厚生労働省令で定める日（次号において「基準日」という。）における病床の機能（以下「基準日病床機能」という。）

(i) the bed functions on the date specified by an Order of the Ministry of Health, Labour and Welfare (referred to as the "reference date" in the following item) (hereinafter referred to as the "reference date bed functions");

二　基準日から厚生労働省令で定める期間が経過した日における病床の機能の予定（以下「基準日後病床機能」という。）

(ii) the bed functions expected on the day when the period specified by an Order of the Ministry of Health, Labour and Welfare from the reference date has elapsed (hereinafter referred to as the "bed functions after the reference date");

三　当該病床機能報告対象病院等に入院する患者に提供する医療の内容

(iii) details of medical care to be provided to patients hospitalized in the relevant hospital, etc. subject to a report on the bed functions; and

四　その他厚生労働省令で定める事項

(iv) other particulars specified by an Order of the Ministry of Health, Labour and Welfare.

２　病床機能報告対象病院等の管理者は、前項の規定により報告した基準日後病床機能について変更が生じたと認められるときとして厚生労働省令で定めるときは、厚生労働省令で定めるところにより、速やかに当該病床機能報告対象病院等の所在地の都道府県知事に報告しなければならない。

(2) The administrator of a hospital, etc. subject to a report on the bed functions, when the bed functions after the reference date reported under the provisions of the preceding paragraph are deemed to have changed, as specified by an Order of the Ministry of Health, Labour and Welfare, must immediately report to the governor of the prefecture where the relevant hospital, etc. subject to a report on the bed functions is situated, pursuant to an Order of the Ministry of Health, Labour and Welfare.

３　都道府県知事は、前二項の規定による報告の内容を確認するために必要があると認めるときは、市町村その他の官公署に対し、当該都道府県の区域内に所在する病床機能報告対象病院等に関し必要な情報の提供を求めることができる。

(3) When the prefectural governor finds it necessary in order to confirm the contents of the report prescribed in the preceding two paragraphs, the governor may request municipalities and other public offices to provide necessary information concerning hospitals, etc. subject to a report on the bed functions located within the area of the relevant prefecture.

４　都道府県知事は、厚生労働省令で定めるところにより、第一項及び第二項の規定により報告された事項を公表しなければならない。

(4) The prefectural governor, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must publicize the particulars reported in accordance with the provisions of paragraphs (1) and (2).

５　都道府県知事は、病床機能報告対象病院等の管理者が第一項若しくは第二項の規定による報告をせず、又は虚偽の報告をしたときは、期間を定めて、当該病床機能報告対象病院等の開設者に対し、当該管理者をしてその報告を行わせ、又はその報告の内容を是正させることを命ずることができる。

(5) When the administrator of a hospital, etc. subject to a report on the bed functions has failed to make a report pursuant to the provisions of paragraph (1) or (2) or has made a false report, the prefectural governor may order the organizer of the relevant hospital, etc. subject to a report on the bed functions to have the relevant administrator make a report or correct the contents of the report, by setting a period of time.

６　都道府県知事は、前項の規定による命令をした場合において、その命令を受けた病床機能報告対象病院等の開設者がこれに従わなかつたときは、その旨を公表することができる。

(6) If the prefectural governor has issued an order pursuant to the provisions of the preceding paragraph, if the organizer of a hospital, etc. subject to a report on the bed functions who has received the relevant order fails to comply with it, the prefectural governor may make a public announcement to that effect.

第三十条の十四　都道府県は、構想区域その他の当該都道府県の知事が適当と認める区域（第三十条の十六第一項及び第三十条の十八の二第三項において「構想区域等」という。）ごとに、診療に関する学識経験者の団体その他の医療関係者、医療保険者その他の関係者（以下この条において「関係者」という。）との協議の場（第三十条の十八の二第一項及び第二項並びに第三十条の二十三第一項を除き、以下「協議の場」という。）を設け、関係者との連携を図りつつ、医療計画において定める将来の病床数の必要量を達成するための方策その他の地域医療構想の達成を推進するために必要な事項について協議を行うものとする。

Article 30-14 (1) The prefecture is to establish a place of consultation (hereinafter referred to as the "place of consultation" except for Article 30-18-2, paragraphs (1) and (2) and Article 30-23, paragraph (1)) for consultation with organizations of academic experts on medical treatment, other medical experts, medical insurers, and other related parties (hereinafter referred to as "related parties" in this Article) in each of the vision areas and other areas that the governor of the relevant prefecture deems appropriate (referred to as the "vision area, etc." in Article 30-16, paragraph (1) and Article 30-18-2, paragraph (3)), and in cooperation with related parties, are to hold consultations on measures to achieve the future requirements for the number of beds specified in the medical care plan and other particulars necessary to promote the achievement of the regional medical care vision.

２　関係者は、前項の規定に基づき都道府県が行う協議に参加するよう都道府県から求めがあつた場合には、これに協力するよう努めるとともに、当該協議の場において関係者間の協議が調つた事項については、その実施に協力するよう努めなければならない。

(2) When related parties are requested by the prefecture to participate in a consultation conducted by the prefecture pursuant to the provisions of the preceding paragraph, they is to endeavor to cooperate by participating in it, and must also endeavor to cooperate in the implementation of particulars which related parties have agreed upon at the place of such consultation.

３　第七条第五項に規定する申請をした者は、当該申請に係る病院の開設若しくは病院の病床数の増加若しくは病床の種別の変更又は診療所の病床の設置若しくは診療所の病床数の増加若しくは病床の種別の変更に関して、医療計画において定める地域医療構想の達成の推進のため、協議の場における協議に参加するよう都道府県知事から求めがあつたときは、これに応ずるよう努めなければならない。

(3) In order to promote the achievement of the regional medical care vision specified in the medical care plan, a person who has filed an application prescribed in Article 7, paragraph (5) must endeavor to respond to a request made by the prefectural governor to participate in a consultation at the place of consultation, with regard to the establishment of a hospital or an increase in the number of beds or a change in the type of beds in a hospital, or the establishment of beds in a clinic or an increase in the number of beds or a change in the type of beds in a clinic pertaining to the relevant application.

第三十条の十五　都道府県知事は、第三十条の十三第一項の規定による報告に係る基準日病床機能と基準日後病床機能とが異なる場合その他の厚生労働省令で定める場合において、当該報告をした病床機能報告対象病院等（以下この条及び次条において「報告病院等」という。）の所在地を含む構想区域における病床機能報告対象病院等の病床の当該報告に係る基準日後病床機能に係る病床の機能区分に応じた数が、医療計画において定める当該構想区域における当該報告に係る基準日後病床機能に係る病床の機能区分に応じた将来の病床数の必要量に既に達しているときは、報告病院等の開設者又は管理者に対し、当該報告に係る基準日病床機能と基準日後病床機能とが異なる理由その他の厚生労働省令で定める事項（以下この条において「理由等」という。）を記載した書面の提出を求めることができる。

Article 30-15 (1) In the case where the reference date bed functions and the bed functions after the reference date pertaining to a report under the provisions of Article 30-13, paragraph (1) are different, or in other cases specified by an Order of the Ministry of Health, Labour and Welfare, the prefectural governor, if the number of beds according to the functional classification of beds pertaining to the bed functions after the reference date pertaining to the relevant report of beds at a hospital subject to a report on the bed functions in the vision area including the location of a hospital, etc. subject to a report on the bed functions having filed the relevant report (hereinafter referred to as a "reporting hospital, etc." in this Article and the following Article) has already reached the future requirements for the number of beds according to the functional classification of beds pertaining to the bed functions after the reference date pertaining to the relevant report in the relevant vision area as specified in the medical care plan, may request the organizer or administrator of a reporting hospital, etc. to submit a document stating the reasons why the reference date bed functions and the bed functions after the reference date pertaining to the relevant report are different, and other particulars specified by an Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as "reasons, etc." in this Article).

２　都道府県知事は、前項の書面に記載された理由等が十分でないと認めるときは、当該報告病院等の開設者又は管理者に対し、協議の場における協議に参加するよう求めることができる。

(2) When the prefectural governor finds that the reasons, etc. stated in the document set forth in the preceding paragraph are not sufficient, the governor may request the organizer or administrator of the relevant reporting hospital, etc. to participate in the consultation at the place of consultation.

３　報告病院等の開設者又は管理者は、前項の規定により都道府県知事から求めがあつたときは、これに応ずるよう努めなければならない。

(3) The organizer or administrator of a reporting hospital, etc., when requested by the prefectural governor under the preceding paragraph, must endeavor to respond to the request.

４　都道府県知事は、第二項の協議の場における協議が調わないとき、その他の厚生労働省令で定めるときは、当該報告病院等の開設者又は管理者に対し、都道府県医療審議会に出席し、当該理由等について説明をするよう求めることができる。

(4) When no agreement is reached through the consultation at the place of consultation set forth in paragraph (2), or when otherwise specified by an Order of the Ministry of Health, Labour and Welfare, the prefectural governor may request the organizer or administrator of the relevant reporting hospital, etc. to attend a meeting of the Prefectural Council on Medical Service Facilities and explain the relevant reasons, etc.

５　報告病院等の開設者又は管理者は、前項の規定により都道府県知事から求めがあつたときは、都道府県医療審議会に出席し、当該理由等について説明をするよう努めなければならない。

(5) The organizer or administrator of a reporting hospital, etc., when requested by the prefectural governor under the preceding paragraph, must endeavor to attend a meeting of the Prefectural Council on Medical Service Facilities and explain the relevant reasons, etc.

６　都道府県知事は、第二項の協議の場における協議の内容及び第四項の説明の内容を踏まえ、当該理由等がやむを得ないものと認められないときは、報告病院等（第七条の二第一項各号に掲げる者が開設するものに限る。）の開設者又は管理者に対し、都道府県医療審議会の意見を聴いて、第三十条の十三第一項の規定による報告に係る基準日病床機能を当該報告に係る基準日後病床機能に変更しないことその他必要な措置をとるべきことを命ずることができる。

(6) If the relevant reasons, etc. are not found to be unavoidable based on the content of the consultation at the place of consultation set forth in paragraph (2) and the content of the explanation set forth in paragraph (4), the prefectural governor may order the organizer or administrator of the reporting hospital, etc. (limited to those established by the persons listed in the items of Article 7-2, paragraph (1)) not to change the reference date bed functions pertaining to a report under the provisions of Article 30-13, paragraph (1) to the bed functions after the reference date pertaining to the relevant report and to take other necessary measures, after hearing the opinions of the Prefectural Council on Medical Service Facilities.

７　前項の規定は、医療計画において定める地域医療構想の達成の推進のため特に必要がある場合において、第七条の二第一項各号に掲げる者以外の者が開設する報告病院等について準用する。この場合において、前項中「命ずる」とあるのは、「要請する」と読み替えるものとする。

(7) The provisions of the preceding paragraph apply mutatis mutandis to a reporting hospital, etc. established by a person other than those listed in the items of Article 7-2, paragraph (1), when it is especially necessary for promoting the achievement of the regional medical care vision specified in the medical care plan. In this case, the term "order" in the preceding paragraph is replaced with "request".

第三十条の十六　都道府県知事は、医療計画において定める地域医療構想の達成を推進するために必要な事項について、協議の場における協議が調わないとき、その他の厚生労働省令で定めるときは、構想区域等における病床機能報告対象病院等（第七条の二第一項各号に掲げる者が開設するものに限る。）の開設者又は管理者に対し、都道府県医療審議会の意見を聴いて、病床の機能区分のうち、当該構想区域等に係る構想区域における病床の機能区分に応じた既存の病床数が、医療計画において定める当該構想区域における将来の病床数の必要量に達していないものに係る医療を提供することその他必要な措置をとるべきことを指示することができる。

Article 30-16 (1) The prefectural governor, when no agreement is reached through consultation at the place of consultation on particulars necessary to promote the achievement of the regional medical care vision specified in the medical care plan, or when otherwise specified by an Order of the Ministry of Health, Labour and Welfare, may instruct the organizer or administrator of a hospital, etc. subject to a report on the bed functions (limited to those established by the persons listed in the items of Article 7-2, paragraph (1)) in the vision area, etc. to provide medical care pertaining to the case where, out of the functional classification of beds, the number of existing beds according to the functional classification of beds in the vision area pertaining to the relevant vision area, etc. has not reached the future requirements for the number of beds in the relevant vision area specified in the medical care plan and take other necessary measures, after hearing the opinions of the Prefectural Council on Medical Service Facilities.

２　前項の規定は、医療計画において定める地域医療構想の達成の推進のため特に必要がある場合において、第七条の二第一項各号に掲げる者以外の者が開設する病床機能報告対象病院等について準用する。この場合において、前項中「指示する」とあるのは、「要請する」と読み替えるものとする。

(2) The provisions of the preceding paragraph apply mutatis mutandis to a hospital, etc. subject to a report on the bed functions established by a person other than those listed in the items of Article 7-2, paragraph (1), when it is especially necessary for promoting the achievement of the regional medical care vision specified in the medical care plan. In this case, the term "instruct" in the preceding paragraph is replaced with "request".

第三十条の十七　都道府県知事は、第三十条の十五第七項において読み替えて準用する同条第六項又は前条第二項において読み替えて準用する同条第一項の規定による要請を受けた病床機能報告対象病院等の開設者又は管理者が、正当な理由がなく、当該要請に係る措置を講じていないと認めるときは、当該病床機能報告対象病院等の開設者又は管理者に対し、都道府県医療審議会の意見を聴いて、当該措置を講ずべきことを勧告することができる。

Article 30-17 When the prefectural governor finds that the organizer or administrator of a hospital, etc. subject to a report on the bed functions who has received a request under Article 30-15, paragraph (6) as applied mutatis mutandis by replacing the terms in accordance with paragraph (7) of the same Article, or under paragraph (1) of the preceding Article as applied mutatis mutandis by replacing the terms in accordance with paragraph (2) of the same Article has not taken measures pertaining to the relevant request without justifiable grounds, the governor may recommend that the relevant organizer or administrator of a hospital, etc. subject to a report on the bed functions should take the relevant measures, after hearing the opinions of the Prefectural Council on Medical Service Facilities.

第三十条の十八　都道府県知事は、第三十条の十五第六項の規定による命令、第三十条の十六第一項の規定による指示又は前条の規定による勧告をした場合において、当該命令、指示又は勧告を受けた病床機能報告対象病院等の開設者又は管理者がこれに従わなかつたときは、その旨を公表することができる。

Article 30-18 In the event that a prefectural governor has issued an order under the provisions of Article 30-15, paragraph (6), an instruction under the provisions of Article 30-16, paragraph (1), or a recommendation under the provisions of the preceding Article, and the organizer or administrator of a hospital, etc. subject to a report on the bed functions who has received the relevant order, instruction or recommendation fails to comply with it, the prefectural governor may make a public announcement to that effect.

第四節　地域における外来医療に係る医療提供体制の確保

Section 4 Securing the Medical Care Delivery System for Outpatient Medical Care in the Region

第三十条の十八の二　都道府県は、第三十条の四第二項第十四号に規定する区域その他の当該都道府県の知事が適当と認める区域（第三項において「対象区域」という。）ごとに、診療に関する学識経験者の団体その他の医療関係者、医療保険者その他の関係者（以下この項及び次項において「関係者」という。）との協議の場を設け、関係者との連携を図りつつ、次に掲げる事項（第二号から第四号までに掲げる事項については、外来医療に係る医療提供体制の確保に関するものに限る。第三項において同じ。）について協議を行い、その結果を取りまとめ、公表するものとする。

Article 30-18-2 (1) The prefecture is to establish a place of consultation for consultation with organizations of academic experts on medical treatment, other medical experts, medical insurers, and other related parties (hereinafter referred to as "related parties" in this paragraph and the following paragraph) in each of the areas set forth in Article 30-4, paragraph (2), item (xiv) and other areas that the governor of the relevant prefecture deems appropriate (referred to as the "target area" in paragraph (3)), and, in cooperation with related parties, are to hold consultations on the following particulars (with regard to the particulars listed in items (ii) through (iv), limited to those related to securing the medical care delivery system for outpatient medical care; the same applies in paragraph (3)), and summarize and publicize the results thereof:

一　第三十条の四第二項第十一号ロに規定する指標によつて示される医師の数に関する情報を踏まえた外来医療に係る医療提供体制の状況に関する事項

(i) particulars concerning the status of the medical care delivery system for outpatient medical care, based on the information on the number of physicians indicated by the indicator prescribed in Article 30-4, paragraph (2) item (xi), (b);

二　病院及び診療所の機能の分化及び連携の推進に関する事項

(ii) particulars concerning the promotion of functional differentiation and coordination of hospitals and clinics;

三　複数の医師が連携して行う診療の推進に関する事項

(iii) particulars concerning the promotion of medical treatment provided by multiple physicians in cooperation;

四　医療提供施設の建物の全部又は一部、設備、器械及び器具の効率的な活用に関する事項

(iv) particulars concerning the efficient utilization of all or part of buildings, equipment, instruments and appliances of medical institutions; and

五　その他外来医療に係る医療提供体制を確保するために必要な事項

(v) other particulars necessary for securing the medical care delivery system for outpatient medical care.

２　関係者は、前項の規定に基づき都道府県が行う協議に参加するよう都道府県から求めがあつた場合には、これに協力するよう努めるとともに、当該協議の場において関係者間の協議が調つた事項については、その実施に協力するよう努めなければならない。

(2) When related parties are requested by the prefecture to participate in a consultation conducted by the prefecture pursuant to the provisions of the preceding paragraph, they are to endeavor to cooperate by participating in it, and must also endeavor to cooperate in the implementation of particulars which related parties have agreed upon at the place of such consultation.

３　都道府県は、対象区域が構想区域等と一致する場合には、当該対象区域における第一項の協議に代えて、当該構想区域等における協議の場において、同項各号に掲げる事項について協議を行うことができる。

(3) When the target area coincides with the vision area, etc., the prefecture, in lieu of the consultation set forth in paragraph (1) in the relevant target area, may hold consultations on the particulars listed in the items of the same paragraph at the place of consultation in the relevant vision area, etc.

４　前項に規定する場合には、第三十条の十四第一項に規定する関係者は、前項の規定に基づき都道府県が行う協議に参加するよう都道府県から求めがあつた場合には、これに協力するよう努めるとともに、当該協議の場において当該関係者間の協議が調つた事項については、その実施に協力するよう努めなければならない。

(4) In the case prescribed in the preceding paragraph, related parties as prescribed in Article 30-14, paragraph (1), when requested by the prefecture to participate in a consultation conducted by the prefecture pursuant to the provisions of the preceding paragraph, are to endeavor to cooperate by participating in it, and must also endeavor to cooperate in the implementation of particulars which related parties have agreed upon at the place of such consultation.

第五節　医療従事者の確保等に関する施策等

Section 5 Measures to Ensure the Availability of Medical Care Professionals, etc.

第三十条の十九　病院又は診療所の管理者は、当該病院又は診療所に勤務する医療従事者の勤務環境の改善その他の医療従事者の確保に資する措置を講ずるよう努めなければならない。

Article 30-19 The administrator of a hospital or clinic must endeavor to take measures to improve the working environment of medical care professionals working in the relevant hospital or clinic and other measures that contribute to ensuring the availability of medical care professionals.

第三十条の二十　厚生労働大臣は、前条の規定に基づき病院又は診療所の管理者が講ずべき措置に関して、その適切かつ有効な実施を図るための指針となるべき事項を定め、これを公表するものとする。

Article 30-20 The Minister of Health, Labour and Welfare is to establish and publicize particulars that should serve as guidelines for the appropriate and effective implementation of measures to be taken by administrators of hospitals and clinics in accordance with the provisions of the preceding Article.

第三十条の二十一　都道府県は、医療従事者の勤務環境の改善を促進するため、次に掲げる事務を実施するよう努めるものとする。

Article 30-21 (1) The prefecture is to endeavor to implement the following particulars in order to promote the improvement of the working environment of medical care professionals:

一　病院又は診療所に勤務する医療従事者の勤務環境の改善に関する相談に応じ、必要な情報の提供、助言その他の援助を行うこと。

(i) providing consultation, necessary information, advice and other assistance concerning the improvement of the working environment of medical care professionals working in hospitals or clinics;

二　病院又は診療所に勤務する医療従事者の勤務環境の改善に関する調査及び啓発活動を行うこと。

(ii) conducting surveys and awareness-raising activities concerning the improvement of the working environment of medical care professionals working in hospitals or clinics; and

三　前二号に掲げるもののほか、医療従事者の勤務環境の改善のために必要な支援を行うこと。

(iii) beyond what is listed in the preceding two items, providing support necessary for improving the working environment of medical care professionals.

２　都道府県は、前項各号に掲げる事務の全部又は一部を厚生労働省令で定める者に委託することができる。

(2) The prefecture may entrust all or part of the affairs listed in the items of the preceding paragraph to a person specified by an Order of the Ministry of Health, Labour and Welfare.

３　都道府県又は前項の規定による委託を受けた者は、第一項各号に掲げる事務又は当該委託に係る事務を実施するに当たり、次に掲げる事項について特に留意するものとする。

(3) A person entrusted pursuant to the provisions of the preceding paragraph, when implementing the affairs listed in each item of paragraph (1) or the particulars pertaining to the relevant entrustment, is to pay special attention to the following particulars:

一　医師の確保を特に図るべき区域に派遣される医師が勤務することとなる病院又は診療所における勤務環境の改善の重要性

(i) importance of improving the working environment in a hospital or clinic in an acute physician shortage area where physicians will be staffed; and

二　医療従事者の勤務環境の改善を促進するための拠点としての機能の確保の重要性

(ii) importance of securing the function as a center to promote the improvement of the working environment of medical care professionals.

４　都道府県又は第二項の規定による委託を受けた者は、第一項各号に掲げる事務又は当該委託に係る事務を実施するに当たつては、第三十条の二十五第三項に規定する地域医療支援事務又は同項の規定による委託に係る事務を実施する者と相互に連携を図らなければならない。

(4) The prefecture or a person entrusted pursuant to the provisions of paragraph (2), when implementing the affairs listed in each item of paragraph (1) or the affairs pertaining to the relevant entrustment, must mutually cooperate with a person who implements the affairs to support regional medical care prescribed in Article 30-25, paragraph (3) or the affairs pertaining to the entrustment set forth in the same paragraph.

５　第二項の規定による委託を受けた者若しくはその役員若しくは職員又はこれらの者であつた者は、正当な理由がなく、当該委託に係る事務に関して知り得た秘密を漏らしてはならない。

(5) A person entrusted pursuant to the provisions of paragraph (2), or an officer or employee thereof, or a person who used to be such a person must not divulge any secret that has come to their knowledge concerning the affairs pertaining to the relevant entrustment without justifiable grounds.

第三十条の二十二　国は、前条第一項各号に掲げる事務の適切な実施に資するため、都道府県に対し、必要な情報の提供その他の協力を行うものとする。

Article 30-22 In order to contribute to appropriate implementation of the affairs listed in each item of paragraph (1) of the preceding Article, the national government is to provide necessary information and other forms of cooperation to prefectures.

第三十条の二十三　都道府県は、次に掲げる者の管理者その他の関係者との協議の場（次項において「地域医療対策協議会」という。）を設け、これらの者の協力を得て、同項各号に掲げる医療計画において定める医師の確保に関する事項の実施に必要な事項について協議を行い、当該協議が調つた事項について、公表しなければならない。

Article 30-23 (1) The prefecture must establish a place of consultation with the administrators of the following entities and other related parties (referred to as the "Council for Regional Medical Care Measures" in the following paragraph), which are to hold consultations with the cooperation of these persons on particulars necessary for the implementation of the particulars listed in each item of the same paragraph concerning ensuring the availability of physicians specified in the medical care plans, and must make a public announcement of the particulars agreed upon through the relevant consultations:

一　特定機能病院

(i) advanced treatment hospitals;

二　地域医療支援病院

(ii) regional medical care support hospitals;

三　第三十一条に規定する公的医療機関（第五号において「公的医療機関」という。）

(iii) public medical institutions provided for in Article 31 (referred to as "public medical institutions" in item (v)).

四　医師法第十六条の二第一項に規定する都道府県知事の指定する病院

(iv) hospitals designated by prefectural governors and provided for in Article 16-2, paragraph (1) of the Medical Practitioners' Act;

五　公的医療機関以外の病院（公的医療機関に準ずるものとして厚生労働省令で定めるものを除く。）

(v) hospitals other than public medical institutions (excluding those specified by an Order of the Ministry of Health, Labour and Welfare as being equivalent to public medical institutions);

六　診療に関する学識経験者の団体

(vi) groups of persons with the relevant knowledge and experience in medical practice;

七　学校教育法（昭和二十二年法律第二十六号）第一条に規定する大学（以下単に「大学」という。）その他の医療従事者の養成に関係する機関

(vii) universities prescribed in Article 1 of the School Education Act (Act No. 26 of 1947) (hereinafter simply referred to as "universities") and other organizations related to the training of medical care professionals;

八　当該都道府県知事の認定を受けた第四十二条の二第一項に規定する社会医療法人

(viii) social medical corporations provided for in Article 42-2, paragraph (1) authorized by the relevant prefectural governor; or

九　その他厚生労働省令で定める者

(ix) other parties as prescribed by an Order of the Ministry of Health, Labour and Welfare.

２　前項の規定により地域医療対策協議会において協議を行う事項は、次に掲げる事項とする。

(2) The particulars to be discussed at the Council for Regional Medical Care Measures pursuant to the provisions of the preceding paragraph are to be the following particulars:

一　医師の確保を特に図るべき区域における医師の確保に資するとともに、医師の確保を特に図るべき区域に派遣される医師の能力の開発及び向上を図ることを目的とするものとして厚生労働省令で定める計画に関する事項

(i) particulars concerning plans specified by an Order of the Ministry of Health, Labour and Welfare as those aimed at contributing to ensuring the availability of physicians in acute physician shortage areas and at developing and improving the abilities of physicians to be dispatched to acute physician shortage areas;

二　医師の派遣に関する事項

(ii) particulars concerning the staffing of physicians;

三　第一号に規定する計画に基づき医師の確保を特に図るべき区域に派遣された医師の能力の開発及び向上に関する継続的な援助に関する事項

(iii) particulars concerning continuous assistance for the development and improvement of the abilities of the physicians dispatched to acute physician shortage areas in accordance with the plans prescribed in item (i);

四　医師の確保を特に図るべき区域に派遣された医師の負担の軽減のための措置に関する事項

(iv) particulars concerning measures to alleviate the burden on physicians dispatched to acute physician shortage areas;

五　医師の確保を特に図るべき区域における医師の確保のために大学と都道府県とが連携して行う文部科学省令・厚生労働省令で定める取組に関する事項

(v) particulars concerning measures to be taken in cooperation between universities and prefectures for ensuring the availability of physicians in acute physician shortage areas that are specified by an Order of the Ministry of Education, Culture, Sports, Science and Technology and an Order of the Ministry of Health, Labour and Welfare;

六　医師法の規定によりその権限に属させられた事項

(vi) particulars that fall under the authority as set forth in the Medical Practitioners' Act; and

七　その他医療計画において定める医師の確保に関する事項

(vii) other particulars concerning ensuring the availability of physicians specified in the medical care plan.

３　都道府県知事は、前項第二号に掲げる事項についての協議を行うに当たつては、医師の派遣が医師の確保を特に図るべき区域における医師の確保に資するものとなるよう、第三十条の四第二項第十一号ロに規定する指標によつて示される医師の数に関する情報を踏まえることその他の厚生労働省令で定める事項に配慮しなければならない。

(3) The prefectural governor, when holding consultations on the particulars listed in item (ii) of the preceding paragraph, must take into account the information on the number of physicians indicated by the indicator prescribed in Article 30-4, paragraph (2) item (xi), (b) and give consideration to other particulars specified by an Order of the Ministry of Health, Labour and Welfare, so that the dispatch of physicians will contribute to ensuring the availability of physicians in acute physician shortage areas.

４　第一項各号に掲げる者の管理者その他の関係者は、同項の規定に基づき都道府県が行う協議に参画するよう都道府県から求めがあつた場合には、これに協力するよう努めなければならない。

(4) Administrators of the entities listed in the items of paragraph (1) and other related parties must endeavor to cooperate, if requested by the prefecture, by participating in consultations carried out by the prefecture as set forth in the provisions of the same paragraph.

第三十条の二十四　都道府県知事は、前条第一項に規定する協議が調つた事項（次条第一項、第三十条の二十七及び第三十一条において「協議が調つた事項」という。）に基づき、特に必要があると認めるときは、前条第一項各号に掲げる者の開設者、管理者その他の関係者に対し、医師の派遣、研修体制の整備その他の医師の確保を特に図るべき区域の病院又は診療所における医師の確保に関し必要な協力を要請することができる。

Article 30-24 When the prefectural governor finds it especially necessary based on the particulars agreed upon through the consultation prescribed in paragraph (1) of the preceding Article (referred to as "particulars agreed upon" in paragraph (1) of the following Article, Article 30-27 and Article 31), the governor may request the organizers and administrators of entities listed in the items of paragraph (1) of the preceding Article and other related parties to provide necessary cooperation for ensuring the availability of physicians in hospitals or clinics in acute physician shortage areas, such as dispatching physicians and developing training systems.

第三十条の二十五　都道府県は、協議が調つた事項に基づき、地域において必要とされる医療を確保するため、次に掲げる事務を実施するよう努めるものとする。

Article 30-25 (1) The prefecture, based on the particulars agreed upon, is to endeavor to implement the following affairs in order to secure the medical care required in the region:

一　第三十条の四第六項に規定する区域内に所在する病院及び診療所における医師の確保の動向、同条第七項に規定する区域内に所在する病院及び診療所において医師が確保されている要因その他の地域において必要とされる医療の確保に関する調査及び分析を行うこと。

(i) to conduct surveys and analyses concerning: trends in ensuring the availability of physicians in hospitals and clinics located in the areas prescribed in Article 30-4, paragraph (6); factors contributing to ensuring the availability of physicians in hospitals and clinics located in the areas prescribed in Article 30-4, paragraph (7); and other particulars concerning the securing of medical care required in the region;

二　病院及び診療所の開設者、管理者その他の関係者に対し、医師の確保に関する相談に応じ、必要な情報の提供、助言その他の援助を行うこと。

(ii) to provide consultation, necessary information, advice and other assistance concerning ensuring the availability of physicians to organizers and administrators of hospitals and clinics and other related parties;

三　就業を希望する医師、大学の医学部において医学を専攻する学生その他の関係者に対し、就業に関する相談に応じ、必要な情報の提供、助言その他の援助を行うこと。

(iii) to provide consultation, necessary information, advice and other assistance concerning employment to physicians who wish to work, students majoring in medicine at universities and other related parties;

四　医師に対し、医療に関する最新の知見及び技能に関する研修その他の能力の開発及び向上に関する相談に応じ、必要な情報の提供、助言その他の援助を行うこと。

(iv) to provide physicians with consultation, necessary information, advice and other assistance concerning training on the latest knowledge and skills related to medical care and other programs for the development and improvement of their abilities;

五　第三十条の二十三第二項第一号に規定する計画を策定すること。

(v) to formulate the plans prescribed in Article 30-23, paragraph (2), item (i);

六　第三十条の二十三第二項第二号から第四号までに掲げる事項の実施に関し必要な調整を行うこと。

(vi) to make the necessary coordination with regard to the implementation of the particulars listed in items (ii) through (iv) of Article 30-23, paragraph (2); and

七　前各号に掲げるもののほか、病院及び診療所における医師の確保を図るために必要な支援を行うこと。

(vii) beyond what is listed in each of the preceding items, to provide necessary support for ensuring the availability of physicians in hospitals and clinics.

２　都道府県は、前項各号に掲げる事務のほか、医師について職業安定法（昭和二十二年法律第百四十一号）第二十九条第一項の規定により無料の職業紹介事業を行うこと又は医業について労働者派遣事業の適正な運営の確保及び派遣労働者の保護等に関する法律（昭和六十年法律第八十八号）第五条第一項の許可を受けて労働者派遣事業を行うことができる。

(2) Beyond the affairs listed in the items of the preceding paragraph, the prefecture may carry out free employment placement services for physicians pursuant to the provisions of Article 29, paragraph (1) of the Employment Security Act (Act No. 141 of 1947) or carry out worker dispatching services for medical practitioners by obtaining the license provided for in Article 5, paragraph (1) of the Act for Securing the Proper Operation of Worker Dispatching Businesses and Protecting Dispatched Workers (Act No. 88 of 1985).

３　都道府県は、第一項各号に掲げる事務及び前項に規定する事務（以下この条及び次条において「地域医療支援事務」という。）の全部又は一部を厚生労働省令で定める者に委託することができる。

(3) The prefecture may entrust all or part of the affairs listed in the items of paragraph (1) and the affairs provided for in the preceding paragraph (hereinafter referred to as "affairs to support regional medical care" in this Article and the following Article) to a person specified by an Order of the Ministry of Health, Labour and Welfare.

４　都道府県又は前項の規定による委託を受けた者は地域医療支援事務又は当該委託に係る事務を実施するに当たり、地域において必要とされる医療を確保するための拠点としての機能の確保に努めるものとする。

(4) The prefecture or a person who has been entrusted under the provisions of the preceding paragraph, when implementing the affairs to support regional medical care or the affairs pertaining to the relevant entrustment, is to endeavor to secure the functions as a center for securing the medical care required in the region.

５　都道府県又は第三項の規定による委託を受けた者は、地域医療支援事務又は当該委託に係る事務を実施するに当たつては、第三十条の二十一第一項各号に掲げる事務又は同条第二項の規定による委託に係る事務を実施する者と相互に連携を図らなければならない。

(5) The prefecture or a person who has been entrusted under the provisions of paragraph (3), when implementing the affairs to support regional medical care or the affairs pertaining to the relevant entrustment, cooperate with a person who implements affairs listed in each item of Article 30-21, paragraph (1) or affairs pertaining to the entrustment under Article 30-21, paragraph (2).

６　第三項の規定による委託を受けた者若しくはその役員若しくは職員又はこれらの者であつた者は、正当な理由がなく、当該委託に係る事務に関して知り得た秘密を漏らしてはならない。

(6) A person who has been entrusted under the provisions of paragraph (3) or an officer or employee thereof, or a person who used to be such a person must not divulge any secret that has come to their knowledge with regard to the affairs pertaining to the relevant entrustment without justifiable grounds.

第三十条の二十六　国は、地域医療支援事務の適切な実施に資するため、都道府県に対し、必要な情報の提供その他の協力を行うものとする。

Article 30-26 In order to contribute to the appropriate implementation of affairs to support regional medical care, the national government is to provide necessary information and other forms of cooperation to prefectures.

第三十条の二十七　第三十条の二十三第一項各号（第三号を除く。）に掲げる者及び医療従事者は、協議が調つた事項その他当該都道府県において必要とされる医療の確保に関する事項の実施に協力するよう努めるとともに、第三十条の二十四の規定により協力を要請されたときは、当該要請に応じ、医師の確保に関し協力するよう努めなければならない。

Article 30-27 The persons listed in the items of Article 30-23, paragraph (1) (excluding item (iii)) and medical care professionals are to endeavor to cooperate in the implementation of particulars agreed upon and other particulars concerning the securing of medical care required in relevant prefectures. They must also, when cooperation is requested in accordance with the provisions of Article 30-24, respond to the relevant request and endeavor to cooperate in ensuring the availability of physicians.

第六節　公的医療機関

Section 6 Public Medical Institutions

第三十一条　公的医療機関（都道府県、市町村その他厚生労働大臣の定める者の開設する病院又は診療所をいう。以下この節において同じ。）は、協議が調つた事項その他当該都道府県において必要とされる医療の確保に関する事項の実施に協力するとともに、第三十条の二十四の規定により協力を要請されたときは、当該要請に応じ、医師の確保に関し協力しなければならない。

Article 31 Public medical institutions (hospitals or clinics established by a prefecture, municipality or other party as prescribed by the Minister of Health, Labour and Welfare; the same applies hereinafter in this Section) are to endeavor to cooperate in the implementation of particulars agreed upon and other particulars concerning the securing of medical care required in relevant prefectures. They must also, when cooperation is requested in accordance with the provisions of Article 30-24, respond to the relevant request and cooperate in ensuring the availability of physicians.

第三十二条及び第三十三条　削除

Articles 32 and 33 Deleted

第三十四条　厚生労働大臣は、医療の普及を図るため特に必要があると認めるときは、第三十一条に規定する者に対し、公的医療機関の設置を命ずることができる。

Article 34 (1) If the Minister of Health, Labour and Welfare finds it specifically necessary for the dissemination of medical care, may order the parties provided for in Article 31 to establish a public medical institution.

２　前項の場合においては、国庫は、予算の定める範囲内において、その設置に要する費用の一部を補助する。

(2) In the case referred to in the preceding paragraph, the national treasury is to subsidize part of the costs required for the relevant establishment, within the extent determined by the budget.

第三十五条　厚生労働大臣又は都道府県知事は、公的医療機関の開設者又は管理者に対して、次の事項を命ずることができる。

Article 35 (1) The Minister of Health, Labour and Welfare or a prefectural governor may order the organizer or administrator of a public medical institution to undertake the following particulars:

一　当該病院又は診療所の医療業務に差し支えない限り、その建物の全部又は一部、設備、器械及び器具を当該公的医療機関に勤務しない医師又は歯科医師の診療又は研究のために利用させること。

(i) allow the use of all or parts of the buildings, equipment, instruments, and tools for the practice and research of physicians and dentists who do not work at the relevant public medical institution, provided that this is not a hindrance to the medical care services of the relevant hospital or clinic;

二　医師法第十一条第二号若しくは歯科医師法第十一条第二号の規定による実地修練又は医師法第十六条の二第一項若しくは歯科医師法第十六条の二第一項の規定による臨床研修を行わせるのに必要な条件を整備すること。

(ii) provide the necessary conditions for practical training pursuant to Article 11, item (ii) of the Medical Practitioners' Act or Article 11, item (ii) of the Dentists Act, or for clinical training pursuant to Article 16-2, paragraph (1) of the Medical Practitioners' Act or Article 16-2, paragraph (1) of the Dentists Act; and

三　当該公的医療機関の所在地の都道府県の医療計画に定められた救急医療等確保事業に係る医療の確保に関し必要な措置を講ずること。

(iii) undertake necessary measures to ensure medical care in relation to activities to ensure emergency medical care as prescribed by the medical care plan of the prefecture in which the relevant public medical institution is situated.

２　前項各号に掲げる事項の外、厚生労働大臣又は都道府県知事は、公的医療機関の開設者に対して、その運営に関して必要な指示をすることができる。

(2) The Minister of Health, Labour and Welfare or a prefectural governor may instruct the organizer of a public medical institution as necessary on particulars concerning the operation thereof other than those listed in each item of the preceding paragraph.

第三十六条から第三十八条まで　削除

Articles 36 through 38 Deleted

第六章　医療法人

Chapter VI Medical Corporations

第一節　通則

Section 1 General Rules

第三十九条　病院、医師若しくは歯科医師が常時勤務する診療所、介護老人保健施設又は介護医療院を開設しようとする社団又は財団は、この法律の規定により、これを法人とすることができる。

Article 39 (1) An association or foundation that wishes to establish a hospital, a clinic where a physician or dentist will work full-time, a long-term care health facility, or an integrated facility for medical and long-term care may incorporate the relevant facility pursuant to the provisions of this Act.

２　前項の規定による法人は、医療法人と称する。

(2) A corporation pursuant to the provisions of the previous paragraph is to include in its name the term "medical corporation".

第四十条　医療法人でない者は、その名称中に、医療法人という文字を用いてはならない。

Article 40 An entity that is not a medical corporation must not use the term "medical corporation" in its name.

第四十条の二　医療法人は、自主的にその運営基盤の強化を図るとともに、その提供する医療の質の向上及びその運営の透明性の確保を図り、その地域における医療の重要な担い手としての役割を積極的に果たすよう努めなければならない。

Article 40-2 A medical corporation, as well as seeking to independently strengthen its operational foundations, is to seek to improve the quality of the medical care it provides and ensure transparency in its operation, and must endeavor to actively fulfill its role as a major medical care actor in the community.

第四十一条　医療法人は、その業務を行うに必要な資産を有しなければならない。

Article 41 (1) A medical corporation must possess the assets necessary for it to operate.

２　前項の資産に関し必要な事項は、医療法人の開設する医療機関の規模等に応じ、厚生労働省令で定める。

(2) Necessary particulars concerning the assets set forth in the preceding paragraph are to be as prescribed by an Order of the Ministry of Health, Labour and Welfare, in accordance with the scale, etc. of medical care functions established by the medical corporation.

第四十二条　医療法人は、その開設する病院、診療所、介護老人保健施設又は介護医療院（当該医療法人が地方自治法第二百四十四条の二第三項に規定する指定管理者として管理する公の施設である病院、診療所、介護老人保健施設又は介護医療院（以下「指定管理者として管理する病院等」という。）を含む。）の業務に支障のない限り、定款又は寄附行為の定めるところにより、次に掲げる業務の全部又は一部を行うことができる。

Article 42 A medical corporation may carry out all or some of the following operations, provided there is no hindrance to the operation of the hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care it has established (including a hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care publically established by the relevant medical corporation and managed by a designated administrator provided for in Article 244-2, paragraph (3) of the Local Autonomy Act (hereinafter referred to as "hospital, etc. managed by a designated administrator")), pursuant to the provisions of its articles of incorporation or its act of endowment:

一　医療関係者の養成又は再教育

(i) the training or re-training of medical personnel;

二　医学又は歯学に関する研究所の設置

(ii) the establishment of a research center for medicine or dentistry;

三　第三十九条第一項に規定する診療所以外の診療所の開設

(iii) the establishment of clinics other than clinics provided for in Article 39, paragraph (1);

四　疾病予防のために有酸素運動（継続的に酸素を摂取して全身持久力に関する生理機能の維持又は回復のために行う身体の運動をいう。次号において同じ。）を行わせる施設であつて、診療所が附置され、かつ、その職員、設備及び運営方法が厚生労働大臣の定める基準に適合するものの設置

(iv) the establishment of facilities that allow people to engage in aerobic exercise for the prevention of illness (meaning physical exercise undertaken in order to maintain or rehabilitate physiological functions related to whole-body stamina, through the continuous intake of oxygen; the same applies in the following item) that are affiliated with a clinic and whose personnel, equipment, and operation comply with standards prescribed by the Minister of Health, Labour and Welfare;

五　疾病予防のために温泉を利用させる施設であつて、有酸素運動を行う場所を有し、かつ、その職員、設備及び運営方法が厚生労働大臣の定める基準に適合するものの設置

(v) the establishment of facilities that allow the use of a hot spring for the prevention of illness that has a space for aerobic exercise and whose personnel, equipment, and operation comply with standards prescribed by the Minister of Health, Labour and Welfare;

六　前各号に掲げるもののほか、保健衛生に関する業務

(vi) beyond what is listed in each of the preceding items, operations related to health and hygiene;

七　社会福祉法（昭和二十六年法律第四十五号）第二条第二項及び第三項に掲げる事業のうち厚生労働大臣が定めるものの実施

(vii) the establishment of the activities prescribed by the Minister of Health, Labour and Welfare, among those listed in Article 2, paragraphs (2) and (3) of the Social Welfare Act (Act No. 45 of 1951); and

八　老人福祉法（昭和三十八年法律第百三十三号）第二十九条第一項に規定する有料老人ホームの設置

(viii) the establishment of the fee-based home care for the elderly provided for in Article 29, paragraph (1) of the Act on Social Welfare Services for the Elderly (Act No. 133 of 1963).

第四十二条の二　医療法人のうち、次に掲げる要件に該当するものとして、政令で定めるところにより都道府県知事の認定を受けたもの（以下「社会医療法人」という。）は、その開設する病院、診療所、介護老人保健施設又は介護医療院（指定管理者として管理する病院等を含む。）の業務に支障のない限り、定款又は寄附行為の定めるところにより、その収益を当該社会医療法人が開設する病院、診療所、介護老人保健施設又は介護医療院の経営に充てることを目的として、厚生労働大臣が定める業務（以下「収益業務」という。）を行うことができる。

Article 42-2 (1) A medical corporation that has received authorization from the prefectural governor as falling under the following requirements, pursuant to the provisions of a Cabinet Order (hereinafter referred to as "social medical corporations") may undertake operations as prescribed by the Minister of Health, Labour and Welfare (hereinafter referred to as "profit-making activities"), for the purpose of allocating its proceeds to the administration of a hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care established by the relevant social medical corporation, pursuant to the provisions of its articles of incorporation or act of endowment, provided that this does not hinder the operation of the hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care the relevant medical corporation has established (including hospitals, etc. managed by a designated administrator):

一　役員のうちには、各役員について、その役員、その配偶者及び三親等以内の親族その他各役員と厚生労働省令で定める特殊の関係がある者が役員の総数の三分の一を超えて含まれることがないこと。

(i) no more than one-third of the total number of officers is composed of the officer, their spouse, their relatives within the third degree of kinship, or other persons who have a special relationship with the officer as specified by an Order of the Ministry of Health, Labour and Welfare.;

二　社団たる医療法人の社員のうちには、各社員について、その社員、その配偶者及び三親等以内の親族その他各社員と厚生労働省令で定める特殊の関係がある者が社員の総数の三分の一を超えて含まれることがないこと。

(ii) no more than one-third of the total number of members of an associated medical corporation is composed of the member, their spouse, their relatives within the third degree of kinship, or other persons who have a special relationship with the member as specified by an Order of the Ministry of Health, Labour and Welfare;

三　財団たる医療法人の評議員のうちには、各評議員について、その評議員、その配偶者及び三親等以内の親族その他各評議員と厚生労働省令で定める特殊の関係がある者が評議員の総数の三分の一を超えて含まれることがないこと。

(iii) no more than one-third of the total number of councillors of an associated medical corporation is composed of the councillor, their spouse, their relatives within the third degree of kinship, or other persons who have a special relationship with the councillor as specified by an Order of the Ministry of Health, Labour and Welfare;

四　救急医療等確保事業（当該医療法人が開設する病院又は診療所の所在地の都道府県が作成する医療計画に記載されたものに限る。次条において同じ。）に係る業務を当該病院又は診療所の所在地の都道府県（次のイ又はロに掲げる医療法人にあつては、それぞれイ又はロに定める都道府県）において行つていること。

(iv) it carries out operations related to activities to ensure emergency medical care (limited to those listed in the medical care plan prepared by the prefecture of the hospital or clinic established by the relevant medical corporation; the same applies in the following Article) in the prefecture (in the case of a medical corporation listed in (a) or (b) below, the prefecture specified in (a) or (b) respectively) in which the relevant hospital or clinic is situated;

イ　二以上の都道府県において病院又は診療所を開設する医療法人（ロに掲げる者を除く。）　当該病院又は診療所の所在地の全ての都道府県

(a) a medical corporation that establishes hospitals or clinics in two or more prefectures (excluding those listed in (b)): All prefectures where the relevant hospitals or clinics are located; or

ロ　一の都道府県において病院を開設し、かつ、当該病院の所在地の都道府県の医療計画において定める第三十条の四第二項第十四号に規定する区域に隣接した当該都道府県以外の都道府県の医療計画において定める同号に規定する区域において診療所を開設する医療法人であつて、当該病院及び当該診療所における医療の提供が一体的に行われているものとして厚生労働省令で定める基準に適合するもの　当該病院の所在地の都道府県

(b) a medical corporation that establishes hospitals in one prefecture and clinics in the area prescribed in Article 30-4, paragraph (2), item (xiv) specified in the medical care plan of the prefecture other than the prefecture where the relevant hospitals are located, which is adjacent to the area prescribed in the same item specified in the medical care plan of the prefecture where the relevant hospitals are located, and medical care in the relevant hospitals and the relevant clinics is provided in an integrated manner in conformity with the standards specified by an Order of the Ministry of Health, Labour and Welfare: The prefecture where the relevant hospitals are located;

五　前号の業務について、次に掲げる事項に関し厚生労働大臣が定める基準に適合していること。

(v) the operations set forth in the preceding item comply with the standards prescribed by the Minister of Health, Labour and Welfare with regard to the following particulars:

イ　当該業務を行う病院又は診療所の構造設備

(a) the buildings and equipment of the hospitals or clinics engaged in the relevant operations;

ロ　当該業務を行うための体制

(b) the system by which the relevant operations are undertaken; and

ハ　当該業務の実績

(c) the outcome of the relevant operations;

六　前各号に掲げるもののほか、公的な運営に関する厚生労働省令で定める要件に適合するものであること。

(vi) beyond what is listed in each of the preceding items, particulars that comply with the requirements set out by an Order of the Ministry of Health, Labour and Welfare with regard to public operations; and

七　定款又は寄附行為において解散時の残余財産を国、地方公共団体又は他の社会医療法人に帰属させる旨を定めていること。

(vii) it is stipulated in the articles of incorporation or the act of endowment that any residual assets at the time of dissolution will belong to the national government, local government, or another social medical corporation.

２　都道府県知事は、前項の認定をするに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(2) In granting the authorization set forth in the preceding paragraph, the prefectural governor must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

３　収益業務に関する会計は、当該社会医療法人が開設する病院、診療所、介護老人保健施設又は介護医療院（指定管理者として管理する病院等を含む。）の業務及び前条各号に掲げる業務に関する会計から区分し、特別の会計として経理しなければならない。

(3) Accounting for profit-making activities are to be kept separate from accounting for the operation of a hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care established by the relevant social medical corporation (including a hospital, etc. managed by a designated administrator), and from operations listed in each item of the preceding Article, and must be accounted for in a special account.

第四十二条の三　前条第一項の認定（以下この項及び第六十四条の二第一項において「社会医療法人の認定」という。）を受けた医療法人のうち、前条第一項第五号ハに掲げる要件を欠くに至つたこと（当該要件を欠くに至つたことが当該医療法人の責めに帰することができない事由として厚生労働省令で定める事由による場合に限る。）により第六十四条の二第一項第一号に該当し、同項の規定により社会医療法人の認定を取り消されたもの（前条第一項各号（第五号ハを除く。）に掲げる要件に該当するものに限る。）は、救急医療等確保事業に係る業務の継続的な実施に関する計画（以下この条において「実施計画」という。）を作成し、これを都道府県知事に提出して、その実施計画が適当である旨の認定を受けることができる。

Article 42-3 (1) Out of medical corporations that have received authorization set forth in paragraph (1) of the preceding Article (hereinafter referred to as "authorization as a social medical corporation" in this paragraph and Article 64-2, paragraph (1)), those that have fallen under Article 64-2, paragraph (1), item (i) due to the fact that they no longer meet the requirements listed in paragraph (1), item (v), (c) of the preceding Article (limited to the case where the relevant failure to meet the requirements is due to reasons specified by an Order of the Ministry of Health, Labour and Welfare as reasons not attributable to the relevant medical corporations) and have their authorization as a social medical corporation rescinded pursuant to the provisions of Article 64-2, paragraph (1) (limited to those that fall under the requirements listed in each item (excluding item (v), (c)) of paragraph (1) of the preceding Article) may prepare a plan for the continuous implementation of activities to ensure emergency medical care (hereinafter referred to as the "implementation plan" in this Article) and submit it to the prefectural governor to receive approval to the effect that the implementation plan is appropriate.

２　前項の認定を受けた医療法人は、前条第一項及び第三項の規定の例により収益業務を行うことができる。

(2) A medical corporation that has received the approval set forth in the preceding paragraph may conduct profit-making operations in accordance with the provisions of paragraphs (1) and (3) of the preceding Article.

３　前条第二項の規定は、第一項の認定をする場合について準用する。

(3) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the case of granting the approval set forth in paragraph (1).

４　前三項に規定するもののほか、実施計画の認定及びその取消しに関し必要な事項は、政令で定める。

(4) Beyond what is provided for in the preceding three paragraphs, particulars necessary for the approval of an implementation plan and its revocation is specified by Cabinet Order.

第四十三条　医療法人は、政令で定めるところにより、その設立、従たる事務所の新設、事務所の移転、その他登記事項の変更、解散、合併、分割、清算人の就任又はその変更及び清算の結了の各場合に、登記をしなければならない。

Article 43 (1) A medical corporation must complete its registration pursuant to the provisions of a Cabinet Order, in the case of its establishment, the establishment of secondary offices, a relocation of its offices, a change in other registered particulars, dissolution, merger, split, the appointment or change of a liquidator, and the completion of liquidation.

２　前項の規定により登記しなければならない事項は、登記の後でなければ、これをもつて第三者に対抗することはできない。

(2) Particulars which are to be registered pursuant to the provisions of the preceding paragraph may not be duly asserted against a third party after registration.

第二節　設立

Section 2 Establishment

第四十四条　医療法人は、その主たる事務所の所在地の都道府県知事（以下この章（第三項及び第六十六条の三を除く。）において単に「都道府県知事」という。）の認可を受けなければ、これを設立することができない。

Article 44 (1) A medical corporation may not be established without the authorization of the prefectural governor of the location of its principal office (hereinafter referred to simply as "prefectural governor" in this Chapter (excluding paragraph (3) and Article 66-3)).

２　医療法人を設立しようとする者は、定款又は寄附行為をもつて、少なくとも次に掲げる事項を定めなければならない。

(2) A person who wishes to establish a medical corporation must stipulate at least the following particulars in its articles of incorporation or act of endowment:

一　目的

(i) its purpose;

二　名称

(ii) its name;

三　その開設しようとする病院、診療所、介護老人保健施設又は介護医療院（地方自治法第二百四十四条の二第三項に規定する指定管理者として管理しようとする公の施設である病院、診療所、介護老人保健施設又は介護医療院を含む。）の名称及び開設場所

(iii) the name and established location of the hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care (including a publically established hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care that is to be managed by a designated administrator as provided in Article 244-2, paragraph (3) of the Local Autonomy Act) to be established;

四　事務所の所在地

(iv) the location of its offices;

五　資産及び会計に関する規定

(v) provisions on assets and accounting;

六　役員に関する規定

(vi) provisions on officers;

七　理事会に関する規定

(vii) provisions on the board of directors;

八　社団たる医療法人にあつては、社員総会及び社員たる資格の得喪に関する規定

(viii) for an association of medical corporations, provisions on general meetings and the acquisition or loss of member status;

九　財団たる医療法人にあつては、評議員会及び評議員に関する規定

(ix) for medical corporation foundations, provisions on the board of councillors and councillors;

十　解散に関する規定

(x) provisions on dissolution;

十一　定款又は寄附行為の変更に関する規定

(xi) provisions on changes to the articles of incorporation or act of endowment; and

十二　公告の方法

(xii) the method of public notice.

３　財団たる医療法人を設立しようとする者が、その名称、事務所の所在地又は理事の任免の方法を定めないで死亡したときは、都道府県知事は、利害関係人の請求により又は職権で、これを定めなければならない。

(3) If a person who wishes to establish a medical corporation foundation dies without stipulating the name, location of its offices, or method of appointment and dismissal of directors, the prefectural governor must determine such particulars by the authority of the governor or at the request of an interested party.

４　医療法人の設立当初の役員は、定款又は寄附行為をもつて定めなければならない。

(4) The initial officers at the time of the establishment of a medical corporation must be stipulated in the articles of incorporation or act of endowment.

５　第二項第十号に掲げる事項中に、残余財産の帰属すべき者に関する規定を設ける場合には、その者は、国若しくは地方公共団体又は医療法人その他の医療を提供する者であつて厚生労働省令で定めるもののうちから選定されるようにしなければならない。

(5) Where, among the particulars listed in paragraph (2), item (x), provisions on persons with vested rights to residual assets have been established, such persons must be selected from among the national government or local governments, or medical corporations or other persons who deliver medical care, as prescribed by an Order of the Ministry of Health, Labour and Welfare.

６　この節に定めるもののほか、医療法人の設立認可の申請に関して必要な事項は、厚生労働省令で定める。

(6) Beyond the provisions of this Section, any necessary particulars related to applications for authorization to establish a medical corporation is to be as prescribed by an Order of the Ministry of Health, Labour and Welfare.

第四十五条　都道府県知事は、前条第一項の規定による認可の申請があつた場合には、当該申請にかかる医療法人の資産が第四十一条の要件に該当しているかどうか及びその定款又は寄附行為の内容が法令の規定に違反していないかどうかを審査した上で、その認可を決定しなければならない。

Article 45 (1) Where there has been an application for authorization pursuant to the provisions of paragraph (1) of the preceding Article, the prefectural governor must reach a decision on such authorization based on an examination of whether the assets of the medical corporation to which the relevant application relates comply with the requirements set forth in Article 41, and whether the articles of incorporation or act of endowment are not in violation of laws and regulations.

２　都道府県知事は、前条第一項の規定による認可をし、又は認可をしない処分をするに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(2) In granting or refusing authorization pursuant to the provisions of paragraph (1) of the preceding Article, the prefectural governor must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

第四十六条　医療法人は、その主たる事務所の所在地において政令の定めるところにより設立の登記をすることによつて、成立する。

Article 46 (1) A medical corporation is to be incorporated through the registration of its establishment at the location of the principal office thereof, pursuant to the provisions of a Cabinet Order.

２　医療法人は、成立の時に財産目録を作成し、常にこれをその主たる事務所に備え置かなければならない。

(2) A medical corporation must prepare an inventory of assets at the time of incorporation, and keep it in its principal office at all times.

第三節　機関

Section 3 Organizations

第一款　機関の設置

Subsection 1 Establishment of Organizations

第四十六条の二　社団たる医療法人は、社員総会、理事、理事会及び監事を置かなければならない。

Article 46-2 (1) A medical corporation as an association must have a general meeting of members, directors, a board of directors, and auditors.

２　財団たる医療法人は、評議員、評議員会、理事、理事会及び監事を置かなければならない。

(2) A medical corporation as a foundation must have councillors, a board of councillors, directors, a board of directors, and auditors.

第二款　社員総会

Subsection 2 General Meeting of Members

第四十六条の三　社員総会は、この法律に規定する事項及び定款で定めた事項について決議をすることができる。

Article 46-3 (1) A general meeting of members may adopt resolutions on particulars provided for in this Act and particulars provided for in the articles of incorporation.

２　この法律の規定により社員総会の決議を必要とする事項について、理事、理事会その他の社員総会以外の機関が決定することができることを内容とする定款の定めは、その効力を有しない。

(2) Provisions in the articles of incorporation to the effect that the directors, the board of directors, or other organizations other than the general meeting of members may decide on particulars requiring a resolution of the general meeting of members under the provisions of this Act has no effect.

第四十六条の三の二　社団たる医療法人は、社員名簿を備え置き、社員の変更があるごとに必要な変更を加えなければならない。

Article 46-3-2 (1) A medical corporation as an association must keep a list of its members and make necessary changes whenever there is a change in the members.

２　社団たる医療法人の理事長は、少なくとも毎年一回、定時社員総会を開かなければならない。

(2) The president of a medical corporation as an association must hold an ordinary general meeting of members at least once a year.

３　理事長は、必要があると認めるときは、いつでも臨時社員総会を招集することができる。

(3) The president may convene an extraordinary general meeting of members, whenever the president finds it necessary,

４　理事長は、総社員の五分の一以上の社員から社員総会の目的である事項を示して臨時社員総会の招集を請求された場合には、その請求のあつた日から二十日以内に、これを招集しなければならない。ただし、総社員の五分の一の割合については、定款でこれを下回る割合を定めることができる。

(4) When one fifth or more of the total number of members request the convening of an extraordinary general meeting of members by indicating the particulars that are the purpose of the general meeting of members, the president must convene an extraordinary general meeting of members within 20 days from the date of the request; provided, however, that the articles of incorporation may provide for a ratio of less than one fifth of the total number of members.

５　社員総会の招集の通知は、その社員総会の日より少なくとも五日前に、その社員総会の目的である事項を示し、定款で定めた方法に従つてしなければならない。

(5) A notice of convocation of a general meeting of members must be given at least five days prior to the date of such general meeting of members, indicating the particulars to be discussed at such general meeting of members and in accordance with the method prescribed in the articles of incorporation.

６　社員総会においては、前項の規定によりあらかじめ通知をした事項についてのみ、決議をすることができる。ただし、定款に別段の定めがあるときは、この限りでない。

(6) At a general meeting of members, resolutions may be adopted only with respect to particulars for which advance notice has been given pursuant to the provisions of the preceding paragraph, except as otherwise provided in the articles of incorporation.

第四十六条の三の三　社員は、各一個の議決権を有する。

Article 46-3-3 (1) Each member is to have one voting right.

２　社員総会は、定款に別段の定めがある場合を除き、総社員の過半数の出席がなければ、その議事を開き、決議をすることができない。

(2) Except as otherwise provided in the articles of incorporation, no general meeting of members may be held and no resolution may be adopted unless a majority of all members are present.

３　社員総会の議事は、この法律又は定款に別段の定めがある場合を除き、出席者の議決権の過半数で決し、可否同数のときは、議長の決するところによる。

(3) Except as otherwise provided in this Act or the articles of incorporation, the agenda of a general meeting of members is to be decided by a majority of the voting rights of those present, and in case of a tie vote, the chairperson is to decide.

４　前項の場合において、議長は、社員として議決に加わることができない。

(4) In the case of the preceding paragraph, the chairperson may not participate in the voting as a member.

５　社員総会に出席しない社員は、書面で、又は代理人によつて議決をすることができる。ただし、定款に別段の定めがある場合は、この限りでない。

(5) Any member who is not present at the general meeting of members may vote in writing or by proxy, unless otherwise provided for in the articles of incorporation.

６　社員総会の決議について特別の利害関係を有する社員は、議決に加わることができない。

(6) Any member who has a special interest in the resolutions of the general meeting of members may not participate in the voting.

第四十六条の三の四　理事及び監事は、社員総会において、社員から特定の事項について説明を求められた場合には、当該事項について必要な説明をしなければならない。ただし、当該事項が社員総会の目的である事項に関しないものである場合その他正当な理由がある場合として厚生労働省令で定める場合は、この限りでない。

Article 46-3-4 In the event that the directors and auditors are requested by members to explain specific particulars at a general meeting of members, they must provide necessary explanations regarding such particulars. However, this does not apply to cases where such particulars do not relate to the particulars that are the purpose of the general meeting of members or other cases specified by Order of the Ministry of Health, Labour and Welfare as cases where there are justifiable grounds.

第四十六条の三の五　社員総会の議長は、社員総会において選任する。

Article 46-3-5 (1) The chairperson of a general meeting of members is to be elected at the general meeting of members.

２　社員総会の議長は、当該社員総会の秩序を維持し、議事を整理する。

(2) The chairperson of a general meeting of members is to maintain order and organize the proceedings of the relevant general meeting of members.

３　社員総会の議長は、その命令に従わない者その他当該社員総会の秩序を乱す者を退場させることができる。

(3) The chairperson of a general meeting of members may dismiss any person who does not obey the chairpersons' orders or who otherwise disturbs the order of the relevant general meeting of members.

第四十六条の三の六　一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第五十七条の規定は、医療法人の社員総会について準用する。この場合において、同条第一項、第三項及び第四項第二号中「法務省令」とあるのは、「厚生労働省令」と読み替えるものとする。

Article 46-3-6 The provisions of Article 57 of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) apply mutatis mutandis to the general meeting of members of a medical corporation. In this case, the term " Ministry of Justice Order" in paragraphs (1), (3) and (4), item (ii) of the same Article is replaced with "Order of the Ministry of Health, Labour and Welfare".

第三款　評議員及び評議員会

Subsection 3 Councillors and Board of Councillors

第四十六条の四　評議員となる者は、次に掲げる者とする。

Article 46-4 (1) The persons who serve as councillors are to be as follows:

一　医療従事者のうちから、寄附行為の定めるところにより選任された者

(i) persons elected as provided for in the act of endowment from among medical care professionals;

二　病院、診療所、介護老人保健施設又は介護医療院の経営に関して識見を有する者のうちから、寄附行為の定めるところにより選任された者

(ii) persons elected as provided for in the act of endowment from among persons who have knowledge and experience in the management of a hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care;

三　医療を受ける者のうちから、寄附行為の定めるところにより選任された者

(iii) persons elected as provided for in the act of endowment from among medical care recipients; or

四　前三号に掲げる者のほか、寄附行為の定めるところにより選任された者

(iv) beyond those listed in the preceding three items, persons elected as provided for in the act of endowment.

２　次の各号のいずれかに該当する者は、医療法人の評議員となることができない。

(2) Any person who falls under any of the following items may not serve as a councillor of a medical corporation:

一　法人

(i) the corporation;

二　心身の故障のため職務を適正に執行することができない者として厚生労働省令で定めるもの

(ii) a person specified by an Order of the Ministry of Health, Labour and Welfare as a person who is unable to execute their duties properly due to a mental or physical disorder;

三　この法律、医師法、歯科医師法その他医事に関する法律で政令で定めるものの規定により罰金以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して二年を経過しない者

(iii) a person sentenced to a fine or severer punishment pursuant to the provisions of this Act, the Medical Practitioners Act, the Dental Practitioners Act or any other laws concerning medical affairs specified by a Cabinet Order, and for whom two years have not yet elapsed from the day on which the execution of the sentence was completed or the sentence became no longer applicable; or

四　前号に該当する者を除くほか、禁錮以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者

(iv) except for those who fall under the preceding item, a person who has been sentenced to imprisonment without work or severer punishment and has completed the execution of the sentence or is no longer subject to the execution of the sentence.

３　評議員は、当該財団たる医療法人の役員又は職員を兼ねてはならない。

(3) A councillor must not concurrently serve as an officer or employee of the relevant medical corporation as a foundation.

４　財団たる医療法人と評議員との関係は、委任に関する規定に従う。

(4) The relationship between a medical corporation as a foundation and its councillors is to be governed by the provisions concerning delegation.

第四十六条の四の二　評議員会は、理事の定数を超える数の評議員（第四十六条の五第一項ただし書の認可を受けた医療法人にあつては、三人以上の評議員）をもつて、組織する。

Article 46-4-2 (1) The board of councillors are to consist of a number of councillors that exceeds the fixed number of directors (in the case of a medical corporation approved under the proviso of Article 46-5, paragraph (1), three or more councillors).

２　評議員会は、第四十六条の四の五第一項の意見を述べるほか、この法律に規定する事項及び寄附行為で定めた事項に限り、決議をすることができる。

(2) Beyond expressing the opinions set forth in Article 46-4-5, paragraph (1), the board of councillors may adopt resolutions only on the particulars provided for in this Act and the particulars provided for in the act of endowment.

３　この法律の規定により評議員会の決議を必要とする事項について、理事、理事会その他の評議員会以外の機関が決定することができることを内容とする寄附行為の定めは、その効力を有しない。

(3) Provisions in the act of endowment to the effect that the directors, the board of directors, or other organizations other than the board of councillors may decide on particulars requiring a resolution of the board of councillors under the provisions of this Act are to have no effect.

第四十六条の四の三　財団たる医療法人の理事長は、少なくとも毎年一回、定時評議員会を開かなければならない。

Article 46-4-3 (1) The president of a medical corporation as a foundation is to hold an ordinary meeting of the board of councillors at least once a year.

２　理事長は、必要があると認めるときは、いつでも臨時評議員会を招集することができる。

(2) The president may convene an extraordinary meeting of the board of councillors whenever the president finds it necessary.

３　評議員会に、議長を置く。

(3) The meeting of the board of councillors are to have a chairperson.

４　理事長は、総評議員の五分の一以上の評議員から評議員会の目的である事項を示して評議員会の招集を請求された場合には、その請求のあつた日から二十日以内に、これを招集しなければならない。ただし、総評議員の五分の一の割合については、寄附行為でこれを下回る割合を定めることができる。

(4) When one fifth or more of the total number of councillors request the convening of a meeting of the board of councillors by indicating the particulars that are the purpose of the meeting, the president must convene a meeting of the board of councillors within 20 days from the date of the request; provided, however, that the act of endowment may provide for a ratio of less than one fifth of the total number of councillors.

５　評議員会の招集の通知は、その評議員会の日より少なくとも五日前に、その評議員会の目的である事項を示し、寄附行為で定めた方法に従つてしなければならない。

(5) Notice of a meeting of the board of councillors must be given at least five days prior to the date of the meeting, indicating the particulars that are the purpose of the meeting and in accordance with the method prescribed in the act of endowment.

６　評議員会においては、前項の規定によりあらかじめ通知をした事項についてのみ、決議をすることができる。ただし、寄附行為に別段の定めがあるときは、この限りでない。

(6) At a meeting of the board of councillors, resolutions may be adopted only with respect to particulars for which prior notice has been given pursuant to the preceding paragraph, except as otherwise provided in the act of endowment.

第四十六条の四の四　評議員会は、総評議員の過半数の出席がなければ、その議事を開き、決議をすることができない。

Article 46-4-4 (1) No meeting of the board of councillors may be held and no resolution may be adopted unless a majority of all councillors are present.

２　評議員会の議事は、この法律に別段の定めがある場合を除き、出席者の議決権の過半数で決し、可否同数のときは、議長の決するところによる。

(2) Except as otherwise provided in this Act, the agenda of a meeting of the board of councillors is to be decided by a majority of the voting rights of those present, and in case of a tie vote, the chairperson is to decide.

３　前項の場合において、議長は、評議員として議決に加わることができない。

(3) In the case of the preceding paragraph, the chairperson may not participate in the voting as a councillor.

４　評議員会の決議について特別の利害関係を有する評議員は、議決に加わることができない。

(4) Any councillor who has a special interest in the resolutions of the meeting of the board of councillors may not participate in the voting.

第四十六条の四の五　理事長は、医療法人が次に掲げる行為をするには、あらかじめ、評議員会の意見を聴かなければならない。

Article 46-4-5 (1) The president must hear the opinion of the board of councillors before the medical corporation takes any of the following actions:

一　予算の決定又は変更

(i) determining or changing the budget;

二　借入金（当該会計年度内の収入をもつて償還する一時の借入金を除く。）の借入れ

(ii) borrowings (excluding temporary borrowings to be redeemed with the income of the relevant fiscal year);

三　重要な資産の処分

(iii) disposal of important assets;

四　事業計画の決定又は変更

(iv) determining or changing the business plan;

五　合併及び分割

(v) merger and split;

六　第五十五条第三項第二号に掲げる事由のうち、同条第一項第二号に掲げる事由による解散

(vi) dissolution due to any of the reasons listed in Article 55, paragraph (1), item (ii) out of those listed in Article 55, paragraph (3), item (ii); or

七　その他医療法人の業務に関する重要事項として寄附行為で定めるもの

(vii) other important particulars concerning the business of the medical corporation as specified in the act of endowment.

２　前項各号に掲げる事項については、評議員会の決議を要する旨を寄附行為で定めることができる。

(2) With regard to the particulars listed in each item of the preceding paragraph, it may be provided for in the act of endowment that a resolution of the board of councillors may be required.

第四十六条の四の六　評議員会は、医療法人の業務若しくは財産の状況又は役員の業務執行の状況について、役員に対して意見を述べ、若しくはその諮問に答え、又は役員から報告を徴することができる。

Article 46-4-6 The board of councillors may express its opinions to the officers, respond to their inquiries, or collect reports from them concerning the status of the business or the status of the property of the medical corporation or the status of the execution of business by the officers.

第四十六条の四の七　一般社団法人及び一般財団法人に関する法律第百九十三条の規定は、医療法人の評議員会について準用する。この場合において、同条第一項、第三項及び第四項第二号中「法務省令」とあるのは、「厚生労働省令」と読み替えるものとする。

Article 46-4-7 The provisions of Article 193 of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to the meeting of the board of councillors of a medical corporation. In this case, the term " Ministry of Justice Order" in paragraph (1), (3) and (4), item (ii) of the same Article is replaced with "Order of the Ministry of Health, Labour and Welfare".

第四款　役員の選任及び解任

Subsection 4 Election and Dismissal of Officers

第四十六条の五　医療法人には、役員として、理事三人以上及び監事一人以上を置かなければならない。ただし、理事について、都道府県知事の認可を受けた場合は、一人又は二人の理事を置けば足りる。

Article 46-5 (1) A medical corporation must have three or more directors and one or more auditors as its officers; provided, however, that if the approval of the prefectural governor has been obtained, it is sufficient to have one or two directors.

２　社団たる医療法人の役員は、社員総会の決議によつて選任する。

(2) Officers of a medical corporation as an association is to be elected by a resolution of a general meeting of members.

３　財団たる医療法人の役員は、評議員会の決議によつて選任する。

(3) Officers of a medical corporation as a foundation is to be elected by a resolution of the board of councillors.

４　医療法人と役員との関係は、委任に関する規定に従う。

(4) The relationship between a medical corporation and its officers is to be governed by the provisions concerning delegation.

５　第四十六条の四第二項の規定は、医療法人の役員について準用する。

(5) The provisions of Article 46-4, paragraph (2) apply mutatis mutandis to officers of a medical corporation.

６　医療法人は、その開設する全ての病院、診療所、介護老人保健施設又は介護医療院（指定管理者として管理する病院等を含む。）の管理者を理事に加えなければならない。ただし、医療法人が病院、診療所、介護老人保健施設又は介護医療院を二以上開設する場合において、都道府県知事の認可を受けたときは、管理者（指定管理者として管理する病院等の管理者を除く。）の一部を理事に加えないことができる。

(6) A medical corporation must include as directors the administrators of all hospitals, clinics, long-term care health facilities or integrated facilities for medical and long-term care it has established (including hospitals, etc. it manages as a designated administrator)provided, however, that in the case where a medical corporation has established two or more hospitals, clinics, long-term care health facilities or integrated facilities for medical and long-term care and approval is obtained from the prefectural governor, it is not obliged to include as directors some of the administrators (excluding the administrators of hospitals, etc. it manages as a designated administrator).

７　前項本文の理事は、管理者の職を退いたときは、理事の職を失うものとする。

(7) The directors set forth in the main clause of the preceding paragraph are to lose their positions as directors when they resign from their positions as administrators.

８　監事は、当該医療法人の理事又は職員を兼ねてはならない。

(8) Auditors must not concurrently serve as directors or employees of the medical corporation.

９　役員の任期は、二年を超えることはできない。ただし、再任を妨げない。

(9) The term of office of an officer must not exceed two years; provided, however, that this must not preclude reappointment.

第四十六条の五の二　社団たる医療法人の役員は、いつでも、社員総会の決議によつて解任することができる。

Article 46-5-2 (1) An officer of a medical corporation as an association may be dismissed at any time by a resolution of the general meeting of members.

２　前項の規定により解任された者は、その解任について正当な理由がある場合を除き、社団たる医療法人に対し、解任によつて生じた損害の賠償を請求することができる。

(2) An officer who has been dismissed pursuant to the provisions of the preceding paragraph may claim compensation for damages caused by the dismissal from the medical corporation as an association unless there are justifiable grounds for such dismissal.

３　社団たる医療法人は、出席者の三分の二（これを上回る割合を定款で定めた場合にあつては、その割合）以上の賛成がなければ、第一項の社員総会（監事を解任する場合に限る。）の決議をすることができない。

(3) A medical corporation as an association may not adopt a resolution at a general meeting of members set forth in paragraph (1) (limited to the case of dismissal of auditors) unless two-thirds or more of those present (or, if a higher ratio is specified in the articles of incorporation, that ratio) approve the resolution.

４　財団たる医療法人の役員が次のいずれかに該当するときは、評議員会の決議によつて、その役員を解任することができる。

(4) When an officer of a medical corporation as a foundation falls under any of the following, the officer may be dismissed by a resolution of the board of councillors:

一　職務上の義務に違反し、又は職務を怠つたとき。

(i) when the officer has violated or neglected their duties; or

二　心身の故障のため、職務の執行に支障があり、又はこれに堪えないとき。

(ii) when the officer is unable to properly perform their duties due to a mental or physical disorder.

５　財団たる医療法人は、出席者の三分の二（これを上回る割合を寄附行為で定めた場合にあつては、その割合）以上の賛成がなければ、前項の評議員会（監事を解任する場合に限る。）の決議をすることができない。

(5) A medical corporation as a foundation may not adopt a resolution at a meeting of the board of councillors set forth in the preceding paragraph (limited to the case of dismissal of auditors) unless two-thirds or more of those present (or, if a higher ratio is specified in the act of endowment, that ratio) approve the resolution.

第四十六条の五の三　この法律又は定款若しくは寄附行為で定めた役員の員数が欠けた場合には、任期の満了又は辞任により退任した役員は、新たに選任された役員（次項の一時役員の職務を行うべき者を含む。）が就任するまで、なお役員としての権利義務を有する。

Article 46-5-3 (1) In the event a situation arises in which the number of officers is less than the number prescribed in this Act or the articles of incorporation or act of endowment, an officer who has retired due to expiration of the term of office or resignation is to continue to have the rights and obligations as an officer until a newly elected officer (including a person who is to perform the duties of a temporary officer set forth in the following paragraph) assumes office.

２　前項に規定する場合において、医療法人の業務が遅滞することにより損害を生ずるおそれがあるときは、都道府県知事は、利害関係人の請求により又は職権で、一時役員の職務を行うべき者を選任しなければならない。

(2) In the case prescribed in the preceding paragraph, if there is a risk of damage due to delay in the business of the medical corporation, the prefectural governor must appoint a person to perform the duties of a temporary officer at the request of an interested party or by the authority of the governor.

３　理事又は監事のうち、その定数の五分の一を超える者が欠けたときは、一月以内に補充しなければならない。

(3) If more than one-fifth of positions of directors or auditors are vacant, the vacancy must be filled within one month.

第四十六条の五の四　一般社団法人及び一般財団法人に関する法律第七十二条及び第七十四条（第四項を除く。）の規定は、社団たる医療法人及び財団たる医療法人の役員の選任及び解任について準用する。この場合において、社団たる医療法人の役員の選任及び解任について準用する同条第三項中「及び第三十八条第一項第一号に掲げる事項」とあるのは「並びに当該社員総会の日時及び場所」と読み替えるものとし、財団たる医療法人の役員の選任及び解任について準用する同法第七十二条及び第七十四条第一項から第三項までの規定中「社員総会」とあるのは「評議員会」と、同項中「及び第三十八条第一項第一号に掲げる事項」とあるのは「並びに当該評議員会の日時及び場所」と読み替えるものとする。

Article 46-5-4 The provisions of Article 72 and Article 74 (excluding paragraph (4)) of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to the election and dismissal of officers of a medical corporation as an association and a medical corporation as a foundation. In this case, the term "and the particulars listed in Article 38, paragraph (1), item (i)" in paragraph (3) of the same Article as applied mutatis mutandis to the election and dismissal of officers of a medical corporation as an association is replaced with "and the date, time and place of the relevant general meeting of members", the term "general meeting of members" in Article 72 and Article 74, paragraphs (1) through (3) of the same Act as applied mutatis mutandis to the election and dismissal of officers of a medical corporation as a foundation is replaced with "meeting of the board of councillors", and the term "and the particulars listed in Article 38, paragraph (1), item (i)" in the same paragraphs is replaced with "and the date, time and place of the relevant meeting of the board of councillors".

第五款　理事

Subsection 5 Directors

第四十六条の六　医療法人（次項に規定する医療法人を除く。）の理事のうち一人は、理事長とし、医師又は歯科医師である理事のうちから選出する。ただし、都道府県知事の認可を受けた場合は、医師又は歯科医師でない理事のうちから選出することができる。

Article 46-6 (1) One of the directors of a medical corporation (excluding a medical corporation prescribed in the following paragraph) is the president, who is to be elected from among the directors who are physicians or dentists; provided, however, that in the case where approval has been obtained from the prefectural governor, the president may be elected from among the directors who are neither physicians nor dentists.

２　第四十六条の五第一項ただし書の認可を受けて一人の理事を置く医療法人にあつては、この章（次条第三項を除く。）の規定の適用については、当該理事を理事長とみなす。

(2) In the case of a medical corporation that has one director with approval under the proviso of Article 46-5, paragraph (1), the relevant director is deemed to be the president with regard to the application of the provisions of this Chapter (excluding paragraph (3) of the following Article).

第四十六条の六の二　理事長は、医療法人を代表し、医療法人の業務に関する一切の裁判上又は裁判外の行為をする権限を有する。

Article 46-6-2 (1) The president has the authority to represent the medical corporation and to perform any and all judicial or extrajudicial acts concerning the business of the medical corporation.

２　前項の権限に加えた制限は、善意の第三者に対抗することができない。

(2) The restrictions placed on the authority set forth in the preceding paragraph can not be asserted against a bona fide third party.

３　第四十六条の五の三第一項及び第二項の規定は、理事長が欠けた場合について準用する。

(3) The provisions of Article 46-5-3, paragraphs (1) and (2) apply mutatis mutandis to the case where the position of the president is vacant.

第四十六条の六の三　理事は、医療法人に著しい損害を及ぼすおそれのある事実があることを発見したときは、直ちに、当該事実を監事に報告しなければならない。

Article 46-6-3 A director who discovers that there is a fact that is likely to cause significant damage to the medical corporation must immediately report the relevant fact to the auditor.

第四十六条の六の四　一般社団法人及び一般財団法人に関する法律第七十八条、第八十条、第八十二条から第八十四条まで、第八十八条（第二項を除く。）及び第八十九条の規定は、社団たる医療法人及び財団たる医療法人の理事について準用する。この場合において、当該理事について準用する同法第八十四条第一項中「社員総会」とあるのは「理事会」と、同法第八十八条第一項中「著しい」とあるのは「回復することができない」と読み替えるものとし、財団たる医療法人の理事について準用する同法第八十三条中「定款」とあるのは「寄附行為」と、「社員総会」とあるのは「評議員会」と、同法第八十八条の見出し及び同条第一項中「社員」とあるのは「評議員」と、同項及び同法第八十九条中「定款」とあるのは「寄附行為」と、同条中「社員総会」とあるのは「評議員会」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

Article 46-6-4 The provisions of Article 78, Article 80, Articles 82 through 84, Article 88 (excluding paragraph (2)) and Article 89 of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to the directors of a medical corporation as an association and a medical corporation as a foundation. In this case, the term "general meeting of members" in Article 84, paragraph (1) of the same Act as applied mutatis mutandis to the relevant directors is replaced with "board of directors", the term "significant" in Article 88, paragraph (1) of the same Act is replaced with "irrecoverable", the term "articles of incorporation" in Article 83 of the same Act as applied mutatis mutandis to the directors of a medical corporation as a foundation is replaced with "act of endowment", the term "general meeting of members" is replaced with "meeting of the board of councillors", the term "members" in the heading of Article 88 of the same Act and paragraph (1) of the same Article is replaced with "councillors", the term "articles of incorporation" in the same paragraph and Article 89 of the same Act is replaced with "act of endowment", the term "general meeting of members" in the same Article is replaced with "meeting of the board of councillors", and any other necessary technical replacement of terms are to be prescribed by a Cabinet Order.

第六款　理事会

Subsection 6 Board of Directors

第四十六条の七　理事会は、全ての理事で組織する。

Article 46-7 (1) The board of directors is composed of all directors.

２　理事会は、次に掲げる職務を行う。

(2) The board of directors performs the following duties:

一　医療法人の業務執行の決定

(i) deciding the execution of business of the medical corporation;

二　理事の職務の執行の監督

(ii) supervising the execution of the duties by the directors; and

三　理事長の選出及び解職

(iii) electing and dismissing the president.

３　理事会は、次に掲げる事項その他の重要な業務執行の決定を理事に委任することができない。

(3) The board of directors may not delegate the following particulars and other important decisions on the execution of business to the directors:

一　重要な資産の処分及び譲受け

(i) disposal and acceptance of important assets;

二　多額の借財

(ii) borrowing a large amount of money;

三　重要な役割を担う職員の選任及び解任

(iii) selection and dismissal of employees with important roles;

四　従たる事務所その他の重要な組織の設置、変更及び廃止

(iv) establishment, change and abolition of secondary offices and other important organizations;

五　社団たる医療法人にあつては、第四十七条の二第一項において準用する一般社団法人及び一般財団法人に関する法律第百十四条第一項の規定による定款の定めに基づく第四十七条第一項の責任の免除

(v) in the case of a medical corporation as an association, exemption from liability under Article 47, paragraph (1) based on the provisions of the articles of incorporation pursuant to the provisions of Article 114, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations as applied mutatis mutandis pursuant to Article 47-2, paragraph (1); or

六　財団たる医療法人にあつては、第四十七条の二第一項において準用する一般社団法人及び一般財団法人に関する法律第百十四条第一項の規定による寄附行為の定めに基づく第四十七条第四項において準用する同条第一項の責任の免除

(vi) in the case of a medical corporation as a foundation, exemption from liability under Article 47, paragraph (1) as applied mutatis mutandis pursuant to Article 47, paragraph (4) based on the provisions of the act of endowment pursuant to the provisions of Article 114, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations as applied mutatis mutandis pursuant to Article 47-2, paragraph (1).

第四十六条の七の二　一般社団法人及び一般財団法人に関する法律第九十一条から第九十八条まで（第九十一条第一項各号及び第九十二条第一項を除く。）の規定は、社団たる医療法人及び財団たる医療法人の理事会について準用する。この場合において、当該理事会について準用する同法第九十一条第一項中「次に掲げる理事」とあり、及び同条第二項中「前項各号に掲げる理事」とあるのは「理事長」と、同法第九十五条第三項及び第四項並びに第九十七条第二項第二号中「法務省令」とあるのは「厚生労働省令」と読み替えるものとし、財団たる医療法人の理事会について準用する同法第九十一条第二項、第九十三条第一項、第九十四条第一項、第九十五条第一項及び第三項並びに第九十六条中「定款」とあるのは「寄附行為」と、同法第九十七条第二項中「社員は、その権利を行使するため必要があるときは、裁判所の許可を得て」とあるのは「評議員は、財団たる医療法人の業務時間内は、いつでも」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

Article 46-7-2 (1) The provisions of Articles 91 through 98 (excluding the items of Article 91, paragraph (1) and Article 92, paragraph (1)) of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to the board of directors of a medical corporation as an association and a medical corporation as a foundation. In this case, the terms "the following directors" in Article 91, paragraph (1) of the same Act as applied mutatis mutandis to the relevant board of directors and "the directors listed in the items of the preceding paragraph" in paragraph (2) of the same Article is replaced with "the president", and the term " Ministry of Justice Order" in Article 95, paragraphs (3) and (4) and Article 97, paragraph (2), item (ii) of the same Act is replaced with "Order of the Ministry of Health, Labour and Welfare", while the term "articles of incorporation" in Article 91, paragraph (2), Article 93, paragraph (1), Article 94, paragraph (1), Article 95, paragraphs (1) and (3), and Article 96 of the same Act as applied mutatis mutandis to the board of directors of a medical corporation as a foundation is replaced with "act of endowment", the term "members, when necessary to exercise their rights, with the permission of the court" in Article 97, paragraph (2) of the same Act is replaced with "councillors, at any time during the business hours of the medical corporation as a foundation", and any other necessary technical replacement of terms are prescribed by a Cabinet Order.

２　前項において読み替えて準用する一般社団法人及び一般財団法人に関する法律第九十七条第二項及び第三項の許可については、同法第二百八十七条第一項、第二百八十八条、第二百八十九条（第一号に係る部分に限る。）、第二百九十条本文、第二百九十一条（第二号に係る部分に限る。）、第二百九十二条本文、第二百九十四条及び第二百九十五条の規定を準用する。

(2) With regard to the permission set forth in Article 97, paragraphs (2) and (3) of the Act on General Incorporated Associations and General Incorporated Foundations as applied mutatis mutandis by replacing the terms under the preceding paragraph, the provisions of Article 287, paragraph (1), Article 288, Article 289 (limited to the part pertaining to item (i)), the main clause of Article 290, Article 291 (limited to the part pertaining to item (ii)), the main clause of Article 292, Article 294 and Article 295 of the same Act apply mutatis mutandis.

第七款　監事

Subsection 7 Auditors

第四十六条の八　監事の職務は、次のとおりとする。

Article 46-8 The duties of the auditors are as follows:

一　医療法人の業務を監査すること。

(i) to audit the business of the medical corporation;

二　医療法人の財産の状況を監査すること。

(ii) to audit the status of the property of the medical corporation;

三　医療法人の業務又は財産の状況について、毎会計年度、監査報告書を作成し、当該会計年度終了後三月以内に社員総会又は評議員会及び理事会に提出すること。

(iii) to prepare an audit report on the status of the business or property of the medical corporation for each fiscal year and submit it to the general meeting of members or the board of councillors and the board of directors within three months after the end of the relevant fiscal year;

四　第一号又は第二号の規定による監査の結果、医療法人の業務又は財産に関し不正の行為又は法令若しくは定款若しくは寄附行為に違反する重大な事実があることを発見したときは、これを都道府県知事、社員総会若しくは評議員会又は理事会に報告すること。

(iv) to report to the prefectural governor, the general meeting of members or the board of councillors, or the board of directors, if, as a result of the audit prescribed in item (i) or (ii), it is found that there is any wrongful act concerning the business or property of the medical corporation or any material fact in violation of laws and regulations, or the articles of incorporation or act of endowment;

五　社団たる医療法人の監事にあつては、前号の規定による報告をするために必要があるときは、社員総会を招集すること。

(v) in the case of an auditor of a medical corporation as an association, to convene a general meeting of members when it is necessary to make a report under the provisions of the preceding item;

六　財団たる医療法人の監事にあつては、第四号の規定による報告をするために必要があるときは、理事長に対して評議員会の招集を請求すること。

(vi) in the case of an auditor of a medical corporation as a foundation, to request the president to convene a meeting of the board of councillors when it is necessary to make a report under the provisions of item (iv);

七　社団たる医療法人の監事にあつては、理事が社員総会に提出しようとする議案、書類その他厚生労働省令で定めるもの（次号において「議案等」という。）を調査すること。この場合において、法令若しくは定款に違反し、又は著しく不当な事項があると認めるときは、その調査の結果を社員総会に報告すること。

(vii) in the case of an auditor of a medical corporation as an association, to investigate proposals, documents and other items specified by an Order of the Ministry of Health, Labour and Welfare (referred to as "proposals, etc." in the following item) that the directors intend to submit to the general meeting of members. In this case, if it is found that there is a violation of laws and regulations or the articles of incorporation, or that there are extremely unjust particulars, to report the results of the investigation to the general meeting of members; and

八　財団たる医療法人の監事にあつては、理事が評議員会に提出しようとする議案等を調査すること。この場合において、法令若しくは寄附行為に違反し、又は著しく不当な事項があると認めるときは、その調査の結果を評議員会に報告すること。

(viii) in the case of an auditor of a medical corporation as a foundation, to investigate proposals, etc. that the directors intend to submit to the board of councillors. In this case, if it is found that there is a violation of laws and regulations or the act of endowment, or that there are extremely unjust particulars, to report the results of the investigation to the board of councillors.

第四十六条の八の二　監事は理事会に出席し、必要があると認めるときは、意見を述べなければならない。

Article 46-8-2 (1) The auditor must attend the meeting of the board of directors and state their opinion when the auditor finds it necessary.

２　監事は、前条第四号に規定する場合において、必要があると認めるときは、理事（第四十六条の七の二第一項において準用する一般社団法人及び一般財団法人に関する法律第九十三条第一項ただし書に規定する場合にあつては、同条第二項に規定する招集権者）に対し、理事会の招集を請求することができる。

(2) In the case prescribed in item (iv) of the preceding Article, when the auditor finds it necessary, the auditor may request the directors (in the case prescribed in the proviso of Article 93, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations as applied mutatis mutandis under Article 46-7-2, paragraph (1), the person with the authority to convene the meeting as prescribed in paragraph (2) of the same Article) to convene a meeting of the board of directors.

３　前項の規定による請求があつた日から五日以内に、その請求があつた日から二週間以内の日を理事会の日とする理事会の招集の通知が発せられない場合は、その請求をした監事は、理事会を招集することができる。

(3) If a notice of convocation of a meeting of the board of directors is not issued within five days from the date of the request under the preceding paragraph setting the date of the meeting within two weeks from the date of the request, the auditor who made the request may convene a meeting of the board of directors.

第四十六条の八の三　一般社団法人及び一般財団法人に関する法律第百三条から第百六条までの規定は、社団たる医療法人及び財団たる医療法人の監事について準用する。この場合において、財団たる医療法人の監事について準用する同法第百三条第一項中「定款」とあるのは「寄附行為」と、同法第百五条第一項及び第二項中「定款」とあるのは「寄附行為」と、「社員総会」とあるのは「評議員会」と、同条第三項中「社員総会」とあるのは「評議員会」と読み替えるものとする。

Article 46-8-3 The provisions of Articles 103 through 106 of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to the auditors of a medical corporation as an association and a medical corporation as a foundation. In this case, the term "articles of incorporation" in Article 103, paragraph (1) of the same Act as applied mutatis mutandis to the auditors of a medical corporation as a foundation is to be replaced with "act of endowment", the terms "articles of incorporation" and "general meeting of members" in Article 105, paragraphs (1) and (2) of the same Act is replaced with "act of endowment" and "meeting of the board of councillors", respectively, and the term "general meeting of members" in paragraph (3) of the same Article is replaced with "meeting of the board of councillors".

第八款　役員等の損害賠償責任

Subsection 8 Liability for Damages of Officers

第四十七条　社団たる医療法人の理事又は監事は、その任務を怠つたときは、当該医療法人に対し、これによつて生じた損害を賠償する責任を負う。

Article 47 (1) A director or auditor of a medical corporation as an association, if they neglected their duties, are liable to compensate the relevant medical corporation for damages caused thereby.

２　社団たる医療法人の理事が第四十六条の六の四において読み替えて準用する一般社団法人及び一般財団法人に関する法律第八十四条第一項の規定に違反して同項第一号の取引をしたときは、当該取引によつて理事又は第三者が得た利益の額は、前項の損害の額と推定する。

(2) When a director of a medical corporation as an association has conducted a transaction set forth in item (i) of Article 84, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations in violation of the same paragraph as applied mutatis mutandis by replacing the terms pursuant to Article 46-6-4, the amount of profit obtained by the director or a third party from the relevant transaction is presumed to be the amount of damage set forth in the preceding paragraph.

３　第四十六条の六の四において読み替えて準用する一般社団法人及び一般財団法人に関する法律第八十四条第一項第二号又は第三号の取引によつて社団たる医療法人に損害が生じたときは、次に掲げる理事は、その任務を怠つたものと推定する。

(3) When a medical corporation as an association has suffered damage due to a transaction set forth in Article 84, paragraph (1) item (ii) or (iii) of the Act on General Incorporated Associations and General Incorporated Foundations as applied mutatis mutandis by replacing the terms pursuant to Article 46-6-4, any of the directors listed below is presumed to have neglected their duties:

一　第四十六条の六の四において読み替えて準用する一般社団法人及び一般財団法人に関する法律第八十四条第一項の理事

(i) a director set forth in Article 84, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations as applied mutatis mutandis by replacing the terms pursuant to Article 46-6-4;

二　社団たる医療法人が当該取引をすることを決定した理事

(ii) a director who has decided that the medical corporation as an association is to conduct the relevant transaction; and

三　当該取引に関する理事会の承認の決議に賛成した理事

(iii) a director who voted in favor of the resolution for approval of the relevant transaction by the board of directors.

４　前三項の規定は、財団たる医療法人の評議員又は理事若しくは監事について準用する。

(4) The provisions of the preceding three paragraphs apply mutatis mutandis to councillors or directors, or auditors of a medical corporation as a foundation.

第四十七条の二　一般社団法人及び一般財団法人に関する法律第百十二条から第百十六条までの規定は、前条第一項の社団たる医療法人の理事又は監事の責任及び同条第四項において準用する同条第一項の財団たる医療法人の評議員又は理事若しくは監事の責任について準用する。この場合において、これらの者の責任について準用する同法第百十三条第一項第二号及び第四項中「法務省令」とあるのは「厚生労働省令」と読み替えるものとし、財団たる医療法人の評議員又は理事若しくは監事の責任について準用する同法第百十二条中「総社員」とあるのは「総評議員」と、同法第百十三条中「社員総会」とあるのは「評議員会」と、同法第百十四条の見出し並びに同条第一項及び第二項中「定款」とあるのは「寄附行為」と、同項中「社員総会」とあるのは「評議員会」と、同条第三項中「定款」とあるのは「寄附行為」と、「社員」とあるのは「評議員」と、同条第四項中「総社員」とあるのは「総評議員」と、「定款」とあるのは「寄附行為」と、「社員が」とあるのは「評議員が」と、同条第五項並びに同法第百十五条第一項及び第三項中「定款」とあるのは「寄附行為」と、同項及び同条第四項中「社員総会」とあるのは「評議員会」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

Article 47-2 (1) The provisions of Articles 112 through 116 of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to the liability of directors or auditors of a medical corporation as an association set forth in paragraph (1) of the preceding Article and the liability of councillors or directors or auditors of a medical corporation as a foundation set forth in paragraph (1) of the same Article as applied mutatis mutandis pursuant to paragraph (4) of the same Article. In this case, the term " Ministry of Justice Order" in Article 113, paragraph (1) item (ii) and paragraph (4) of the same Act as applied mutatis mutandis to the liability of these persons is replaced with "Order of the Ministry of Health, Labour and Welfare", the term "all members" in Article 112 of the same Act as applied mutatis mutandis to the liability of councillors or directors or auditors of a medical corporation as a foundation is replaced with "all councillors", the term "general meeting of members" in Article 113 of the same Act is replaced with "meeting of the board of councillors", the term "articles of incorporation" in the heading of Article 114 of the same Act and paragraphs (1) and (2) of the same Article is replaced with "act of endowment", the term "general meeting of members" in the same paragraph is replaced with "meeting of the board of councillors", the term "articles of incorporation" in paragraph (3) of the same Article is replaced with "act of endowment", the term "members" is replaced with "councillors", the terms "all members", "articles of incorporation" and "members" in paragraph (4) of the same Article is replaced with "all councillors", "act of endowment" and "councillors", respectively, the term "articles of incorporation" in paragraph (5) of the same Article and paragraphs (1) and (3) of Article 115 of the same Act is replaced with "act of endowment", the term "general meeting of members" in the same paragraph and paragraph (4) of the same Article is replaced with "meeting of the board of councillors", and any other necessary technical replacement of terms are prescribed by a Cabinet Order.

２　社団たる医療法人は、出席者の三分の二（これを上回る割合を定款で定めた場合にあつては、その割合）以上の賛成がなければ、前項において読み替えて準用する一般社団法人及び一般財団法人に関する法律第百十三条第一項の社員総会の決議をすることができない。

(2) A medical corporation as an association may not adopt a resolution at a general meeting of members set forth in Article 113, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations as applied mutatis mutandis by replacing the terms under the preceding paragraph, unless two-thirds or more (in the case where a higher ratio is specified in the articles of incorporation, that ratio) of those present approve the resolution.

３　財団たる医療法人は、出席者の三分の二（これを上回る割合を寄附行為で定めた場合にあつては、その割合）以上の賛成がなければ、第一項において読み替えて準用する一般社団法人及び一般財団法人に関する法律第百十三条第一項の評議員会の決議をすることができない。

(3) A medical corporation as a foundation may not adopt a resolution at a meeting of the board of councillors set forth in Article 113, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations as applied mutatis mutandis by replacing the terms under paragraph (1), unless two-thirds or more (in the case where a higher ratio is specified in the act of endowment, that ratio) of those present approve the resolution.

第四十八条　医療法人の評議員又は理事若しくは監事（以下この項、次条及び第四十九条の三において「役員等」という。）がその職務を行うについて悪意又は重大な過失があつたときは、当該役員等は、これによつて第三者に生じた損害を賠償する責任を負う。

Article 48 (1) When a councillor, director or auditor (hereinafter referred to as "officer, etc." in this paragraph, the following Article and Article 49-3) of a medical corporation acted in bad faith or were grossly negligent in performing their duties, the relevant officer, etc. is liable to compensate for any damage caused to a third party thereby.

２　次の各号に掲げる者が、当該各号に定める行為をしたときも、前項と同様とする。ただし、その者が当該行為をすることについて注意を怠らなかつたことを証明したときは、この限りでない。

(2) The provisions of the preceding paragraph apply when a person listed in each of the following items commits an act specified in the respective items; provided, however, that this does not apply in the case where the person proves that they have exercised due care in committing the relevant act:

一　理事　次に掲げる行為

(i) director: Any of the following acts:

イ　第五十一条第一項の規定により作成すべきものに記載すべき重要な事項についての虚偽の記載

(a) false statement about important particulars to be stated in documents to be prepared pursuant to the provisions of Article 51, paragraph (1);

ロ　虚偽の登記

(b) false registration;

ハ　虚偽の公告

(c) false public notice; and

二　監事　監査報告に記載すべき重要な事項についての虚偽の記載

(ii) auditor: False statement of material particulars to be stated in an audit report.

第四十九条　役員等が医療法人又は第三者に生じた損害を賠償する責任を負う場合において、他の役員等も当該損害を賠償する責任を負うときは、これらの者は、連帯債務者とする。

Article 49 If an officer, etc. is liable to compensate for damage caused to the medical corporation or a third party, and other officers, etc. are also liable to compensate for the relevant damage, they are to be jointly and severally liable.

第四十九条の二　一般社団法人及び一般財団法人に関する法律第六章第二節第二款の規定は、社団たる医療法人について準用する。この場合において、同法第二百七十八条第一項中「法務省令」とあるのは「厚生労働省令」と、「設立時社員、設立時理事、役員等（第百十一条第一項に規定する役員等をいう。第三項において同じ。）又は清算人」とあるのは「理事又は監事」と、同条第三項中「設立時社員、設立時理事、役員等若しくは清算人」とあるのは「理事又は監事」と、「法務省令」とあるのは「厚生労働省令」と、同法第二百八十条第二項中「清算人並びにこれらの者」とあるのは「理事」と読み替えるものとする。

Article 49-2 The provisions of Chapter VI, Section 2, Subsection 2 of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to a medical corporation as an association. In this case, the term " Ministry of Justice Order" in Article 278, paragraph (1) of the same Act is replaced with "Order of the Ministry of Health, Labour and Welfare", and the term "members at the time of incorporation, directors at the time of incorporation, officers, etc. (meaning officers, etc. prescribed in Article 111, paragraph (1); the same apply in paragraph (3)) or liquidators" is deemed to be replaced with "directors or auditors", the terms "members at the time of incorporation, directors at the time of incorporation, officers, etc. or liquidators" and " Ministry of Justice Order" in paragraph (3) of the same Article is replaced with "directors or auditors" and "Order of the Ministry of Health, Labour and Welfare", respectively, and the term "liquidators and these persons" in Article 280, paragraph (2) of the same Act is replaced with "directors".

第四十九条の三　一般社団法人及び一般財団法人に関する法律第六章第二節第三款の規定は、医療法人の役員等の解任の訴えについて準用する。この場合において、同法第二百八十四条中「定款」とあるのは、「定款若しくは寄附行為」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

Article 49-3 The provisions of Chapter VI, Section 2, Subsection 3 of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to an action for dismissal of an officer, etc. of a medical corporation. In this case, the term "articles of incorporation" in Article 284 of the same Act is replaced with "articles of incorporation or act of endowment", and any other necessary technical replacement of terms are specified by a Cabinet Order.

第四節　計算

Section 4 Accounting

第五十条　医療法人の会計は、この法律及びこの法律に基づく厚生労働省令の規定によるほか、一般に公正妥当と認められる会計の慣行に従うものとする。

Article 50 The accounting of a medical corporation is to be in accordance with accounting practices that are generally accepted as fair and appropriate, beyond the provisions of this Act and an Order of the Ministry of Health, Labour and Welfare under this Act.

第五十条の二　医療法人は、厚生労働省令で定めるところにより、適時に、正確な会計帳簿を作成しなければならない。

Article 50-2 (1) A medical corporation must prepare accurate accounting books in a timely manner pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

２　医療法人は、会計帳簿の閉鎖の時から十年間、その会計帳簿及びその事業に関する重要な資料を保存しなければならない。

(2) A medical corporation must preserve its accounting books and important materials concerning its business for ten years from the time of closure of the accounting books.

第五十一条　医療法人は、毎会計年度終了後二月以内に、事業報告書、財産目録、貸借対照表、損益計算書、関係事業者（理事長の配偶者がその代表者であることその他の当該医療法人又はその役員と厚生労働省令で定める特殊の関係がある者をいう。）との取引の状況に関する報告書その他厚生労働省令で定める書類（以下「事業報告書等」という。）を作成しなければならない。

Article 51 (1) A medical corporation, within two months after the end of each fiscal year, must prepare a business report, an inventory of property, a balance sheet, a profit and loss statement, a report on the status of transactions with related business operators (meaning a person who has a special relationship with the medical corporation or its officers specified by an Order of the Ministry of Health, Labour and Welfare, such as the spouse of the president being its representative), and other documents specified by an Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as "business report, etc.").

２　医療法人（その事業活動の規模その他の事情を勘案して厚生労働省令で定める基準に該当する者に限る。）は、厚生労働省令で定めるところにより、前項の貸借対照表及び損益計算書を作成しなければならない。

(2) A medical corporation (limited to those that meet the standards specified by an Order of the Ministry of Health, Labour and Welfare in consideration of the scale of their business activities and other circumstances) must prepare the balance sheet and profit and loss statement set forth in the preceding paragraph pursuant to an Order of the Ministry of Health, Labour and Welfare.

３　医療法人は、貸借対照表及び損益計算書を作成した時から十年間、当該貸借対照表及び損益計算書を保存しなければならない。

(3) A medical corporation must preserve the balance sheet and profit and loss statement for ten years from the time of preparation of the relevant balance sheet and profit and loss statement.

４　医療法人は、事業報告書等について、厚生労働省令で定めるところにより、監事の監査を受けなければならない。

(4) A medical corporation must have its business report, etc. audited by an auditor pursuant to an Order of the Ministry of Health, Labour and Welfare.

５　第二項の医療法人は、財産目録、貸借対照表及び損益計算書について、厚生労働省令で定めるところにより、公認会計士又は監査法人の監査を受けなければならない。

(5) A medical corporation set forth in paragraph (2) must have its inventory of property, balance sheet and profit and loss statement audited by a certified public accountant or an audit corporation, pursuant to an Order of the Ministry of Health, Labour and Welfare.

６　医療法人は、前二項の監事又は公認会計士若しくは監査法人の監査を受けた事業報告書等について、理事会の承認を受けなければならない。

(6) A medical corporation must obtain the approval of the board of directors for the business report, etc. audited by the auditor or certified public accountant or audit corporation set forth in the preceding two paragraphs.

第五十一条の二　社団たる医療法人の理事は、前条第六項の承認を受けた事業報告書等を社員総会に提出しなければならない。

Article 51-2 (1) The directors of a medical corporation as an association must submit the business report, etc. approved under paragraph (6) of the preceding Article to the general meeting of members.

２　理事は、前項の社員総会の招集の通知に際して、厚生労働省令で定めるところにより、社員に対し、前条第六項の承認を受けた事業報告書等を提供しなければならない。

(2) Upon the notice of convocation of the general meeting of members set forth in the preceding paragraph, the directors must provide the members with the business report, etc. approved under paragraph (6) of the preceding Article pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

３　第一項の規定により提出された事業報告書等（貸借対照表及び損益計算書に限る。）は、社員総会の承認を受けなければならない。

(3) The business report, etc. (limited to the balance sheet and profit and loss statement) submitted pursuant to the provisions of paragraph (1) must be approved by the general meeting of members.

４　理事は、第一項の規定により提出された事業報告書等（貸借対照表及び損益計算書を除く。）の内容を社員総会に報告しなければならない。

(4) The directors must report the contents of the business report, etc. (excluding the balance sheet and profit and loss statement) submitted pursuant to the provisions of paragraph (1) to the general meeting of members.

５　前各項の規定は、財団たる医療法人について準用する。この場合において、前各項中「社員総会」とあるのは「評議員会」と、第二項中「社員」とあるのは「評議員」と読み替えるものとする。

(5) The provisions of the preceding paragraphs apply mutatis mutandis to a medical corporation as a foundation. In this case, the term "general meeting of members" in the preceding paragraphs is replaced with "meeting of the board of councillors", and the term "members" in paragraph (2) is replaced with "councillors".

第五十一条の三　医療法人（その事業活動の規模その他の事情を勘案して厚生労働省令で定める基準に該当する者に限る。）は、厚生労働省令で定めるところにより、前条第三項（同条第五項において読み替えて準用する場合を含む。）の承認を受けた事業報告書等（貸借対照表及び損益計算書に限る。）を公告しなければならない。

Article 51-3 A medical corporation (limited to those that meet the standards specified by an Order of the Ministry of Health, Labour and Welfare in consideration of the scale of their business activities and other circumstances), pursuant to an Order of the Ministry of Health, Labour and Welfare, must publicize the business report, etc. (limited to the balance sheet and profit and loss statement) approved under paragraph (3) of the preceding Article (including cases where it is applied mutatis mutandis by replacing the terms pursuant to paragraph (5) of the same Article).

第五十一条の四　医療法人（次項に規定する者を除く。）は、次に掲げる書類をその主たる事務所に備えて置き、その社員若しくは評議員又は債権者から請求があつた場合には、正当な理由がある場合を除いて、厚生労働省令で定めるところにより、これを閲覧に供しなければならない。

Article 51-4 (1) A medical corporation (excluding those prescribed in the following paragraph) must keep the following documents at its principal office and make them available for inspection upon request from its members, councillors or creditors, except in cases where there are justifiable grounds, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare:

一　事業報告書等

(i) the business report, etc.;

二　第四十六条の八第三号の監査報告書（以下「監事の監査報告書」という。）

(ii) the audit report set forth in Article 46-8, item (iii) (hereinafter referred to as "auditor's audit report");and

三　定款又は寄附行為

(iii) the articles of incorporation or act of endowment.

２　社会医療法人及び第五十一条第二項の医療法人（社会医療法人を除く。）は、次に掲げる書類（第二号に掲げる書類にあつては、第五十一条第二項の医療法人に限る。）をその主たる事務所に備えて置き、請求があつた場合には、正当な理由がある場合を除いて、厚生労働省令で定めるところにより、これを閲覧に供しなければならない。

(2) A social medical corporation and a medical corporation set forth in Article 51, paragraph (2) (excluding social medical corporations) must keep the following documents (in the case of documents listed in item (ii), limited to medical corporations set forth in Article 51, paragraph (2)) at its principal office and make them available for inspection upon request, except in cases where there are justifiable grounds, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare:

一　前項各号に掲げる書類

(i) documents listed in each item of the preceding paragraph; and

二　公認会計士又は監査法人の監査報告書（以下「公認会計士等の監査報告書」という。）

(ii) audit reports of certified public accountants or audit corporations (hereinafter referred to as "audit report of a certified public accountant, etc.").

３　医療法人は、第五十一条の二第一項の社員総会の日（財団たる医療法人にあつては、同条第五項において読み替えて準用する同条第一項の評議員会の日）の一週間前の日から五年間、事業報告書等、監事の監査報告書及び公認会計士等の監査報告書をその主たる事務所に備え置かなければならない。

(3) A medical corporation must keep the business report, etc., the auditor's audit report and the audit report of a certified public accountant, etc. at its principal office for five years from one week prior to the date of the general meeting of members set forth in Article 51-2, paragraph (1) (in the case of a medical corporation as a foundation, the date of the meeting of the board of councillors set forth in paragraph (1) of the same Article as applied mutatis mutandis by replacing the terms pursuant to paragraph (5) of the same Article).

４　前三項の規定は、医療法人の従たる事務所における書類の備置き及び閲覧について準用する。この場合において、第一項中「書類」とあるのは「書類の写し」と、第二項中「限る。）」とあるのは「限る。）の写し」と、前項中「五年間」とあるのは「三年間」と、「事業報告書等」とあるのは「事業報告書等の写し」と、「監査報告書」とあるのは「監査報告書の写し」と読み替えるものとする。

(4) The provisions of the preceding three paragraphs apply mutatis mutandis to the keeping and inspection of documents at the secondary office of a medical corporation. In this case, the term "documents" in paragraph (1) is replaced with "copies of documents", and the term "documents (limited to" in paragraph (2) is replaced with "copies of documents (limited to", the term "five years" in the preceding paragraph is replaced with "three years", the term "business report, etc." is replaced with "copies of business report, etc.", and the term "audit report" is replaced with "copies of audit report".

第五十二条　医療法人は、厚生労働省令で定めるところにより、毎会計年度終了後三月以内に、次に掲げる書類を都道府県知事に届け出なければならない。

Article 52 (1) A medical corporation, pursuant to an Order of the Ministry of Health, Labour and Welfare, must submit the following documents to the prefectural governor within three months after the end of each fiscal year:

一　事業報告書等

(i) the business report, etc.;

二　監事の監査報告書

(ii) the auditor's audit report.; and

三　第五十一条第二項の医療法人にあつては、公認会計士等の監査報告書

(iii) in the case of a medical corporation set forth in Article 51, paragraph (2), the audit report of a certified public accountant, etc.

２　都道府県知事は、定款若しくは寄附行為又は前項の届出に係る書類について請求があつた場合には、厚生労働省令で定めるところにより、これを閲覧に供しなければならない。

(2) The prefectural governor, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, must make the articles of incorporation, act of endowment, or documents submitted under the preceding paragraph available for inspection upon request.

第五十三条　医療法人の会計年度は、四月一日に始まり、翌年三月三十一日に終るものとする。ただし、定款又は寄附行為に別段の定めがある場合は、この限りでない。

Article 53 The fiscal year of a medical corporation is to begin on April 1 and end on March 31 of the following year; provided, however, that this does not apply when it is otherwise specified in the articles of incorporation or act of endowment.

第五十四条　医療法人は、剰余金の配当をしてはならない。

Article 54 A medical corporation must not distribute dividends of surplus.

第五節　社会医療法人債

Section 5 Social Medical Corporation Bonds

第五十四条の二　社会医療法人は、救急医療等確保事業の実施に資するため、社員総会において議決された額又は寄附行為の定めるところにより評議員会において議決された額を限度として、社会医療法人債（第五十四条の七において準用する会社法（平成十七年法律第八十六号）の規定により社会医療法人が行う割当てにより発生する当該社会医療法人を債務者とする金銭債権であつて、次条第一項各号に掲げる事項についての定めに従い償還されるものをいう。以下同じ。）を発行することができる。

Article 54-2 (1) A social medical corporation may issue social medical corporation bonds (monetary claims against a social medical corporation that arise as a result of allotments carried out pursuant to the provisions of the Companies Act (Act No. 86 of 2005) as applied mutatis mutandis pursuant to Article 54-7, and which are redeemed in accordance with the provisions on the particulars listed in each item of paragraph (1) of the following Article; the same apply hereinafter) in an amount not exceeding the limit decided at a general meeting or by the board of councillors pursuant to the provisions of the act of endowment, in order to contribute to the implementation of activities to ensure emergency medical care.

２　前項の社会医療法人債を発行したときは、社会医療法人は、当該社会医療法人債の発行収入金に相当する金額を第四十二条の二第三項に規定する特別の会計に繰り入れてはならない。

(2) When a social medical corporation has issued social medical corporation bonds pursuant to the preceding paragraph, it must not transfer funds equivalent to the proceeds from the issuance of the relevant social medical corporation bonds to a special account as provided for in Article 42-2, paragraph (3).

第五十四条の三　社会医療法人は、その発行する社会医療法人債を引き受ける者の募集をしようとするときは、その都度、募集社会医療法人債（当該募集に応じて当該社会医療法人債の引受けの申込みをした者に対して割り当てる社会医療法人債をいう。以下同じ。）について次に掲げる事項を定めなければならない。

Article 54-3 (1) A social medical corporation, whenever it wishes to solicit subscribers for social medical corporation bonds it is issuing, must specify the following particulars regarding its social medical corporation bonds for subscription (meaning social medical corporation bonds that will be allocated to the persons who subscribe for the relevant social medical corporation bonds in response to the relevant solicitation; the same applies hereinafter):

一　募集社会医療法人債の発行により調達する資金の使途

(i) the use of funds provided by the issuance of social medical corporation bonds for subscription;

二　募集社会医療法人債の総額

(ii) the total amount of social medical corporation bonds for subscription;

三　各募集社会医療法人債の金額

(iii) the amount of each social medical corporation bond for subscription;

四　募集社会医療法人債の利率

(iv) the coupon rate for the social medical corporation bonds for subscription;

五　募集社会医療法人債の償還の方法及び期限

(v) the method and due date for the redemption of social medical corporation bonds for subscription;

六　利息支払の方法及び期限

(vi) the method and due date for payment of interest;

七　社会医療法人債券（社会医療法人債を表示する証券をいう。以下同じ。）を発行するときは、その旨

(vii) when social medical corporation bond certificates (meaning securities that represent the social medical corporation bonds; the same applies hereinafter) will be issued, a statement to that effect;

八　社会医療法人債に係る債権者（以下「社会医療法人債権者」という。）が第五十四条の七において準用する会社法第六百九十八条の規定による請求の全部又は一部をすることができないこととするときは、その旨

(viii) when it will be arranged that the bondholder of a social medical corporation bond (hereinafter referred to as a "social medical corporation bondholder") may not make a claim, in whole or in part, pursuant to the provisions of Article 698 of the Companies Act as applied mutatis mutandis pursuant to Article 54-7, a statement to that effect;

九　社会医療法人債管理者が社会医療法人債権者集会の決議によらずに第五十四条の七において準用する会社法第七百六条第一項第二号に掲げる行為をすることができることとするときは、その旨

(ix) when it will be arranged that a social medical corporation bond administrator may carry out the act listed in Article 706, paragraph (1), item (ii) of the Companies Act as applied mutatis mutandis pursuant to Article 54-7, in the absence of a social medical corporation bondholders meeting resolution, a statement to that effect;

十　各募集社会医療法人債の払込金額（各募集社会医療法人債と引換えに払い込む金銭の額をいう。）若しくはその最低金額又はこれらの算定方法

(x) the amount to be paid in for each social medical corporation bond for subscription (meaning the amount of monies to be paid in, in exchange for each social medical corporation bond for subscription), or the minimum amount thereof, or the method for calculating such amounts;

十一　募集社会医療法人債と引換えにする金銭の払込みの期日

(xi) the due date for payment of the monies in exchange for the social medical corporation bonds for subscription;

十二　一定の日までに募集社会医療法人債の総額について割当てを受ける者を定めていない場合において、募集社会医療法人債の全部を発行しないこととするときは、その旨及びその一定の日

(xii) when it will be arranged that the issuance of social medical corporation bonds for subscription will not be carried out in its entirety where the persons to whom the social medical corporation bonds for subscription will be allotted have not been established for the total amount of the social medical corporation bonds by a certain day, a statement to that effect and that certain day; and

十三　前各号に掲げるもののほか、厚生労働省令で定める事項

(xiii) beyond what is listed in each of the preceding items, the particulars prescribed by an Order of the Ministry of Health, Labour and Welfare.

２　前項第二号に掲げる事項その他の社会医療法人債を引き受ける者の募集に関する重要な事項として厚生労働省令で定める事項は、理事の過半数で決しなければならない。

(2) The particulars listed in item (ii) of the preceding paragraph and other particulars prescribed by an Order of the Ministry of Health, Labour and Welfare as important particulars that concern the solicitation of subscribers for social medical corporation bonds are decided by a majority of the directors.

第五十四条の四　社会医療法人は、社会医療法人債を発行した日以後遅滞なく、社会医療法人債原簿を作成し、これに次に掲げる事項を記載し、又は記録しなければならない。

Article 54-4 A social medical corporation must prepare its social medical corporation bond registry and enter or record the following particulars in that registry, without delay after the date social medical corporation bonds are issued:

一　前条第一項第四号から第九号までに掲げる事項その他の社会医療法人債の内容を特定するものとして厚生労働省令で定める事項（以下「種類」という。）

(i) the particulars listed in paragraph (1), item (iv) through (ix) of the preceding Article, and other particulars prescribed by an Order of the Ministry of Health, Labour and Welfare as particulars that specify the features of social medical corporation bonds (hereinafter referred to as a "class");

二　種類ごとの社会医療法人債の総額及び各社会医療法人債の金額

(ii) the total amount of social medical corporation bonds and the amount of each social medical corporation bond for each class;

三　各社会医療法人債と引換えに払い込まれた金銭の額及び払込みの日

(iii) the amount of monies paid in, in exchange for each social medical corporation bond and the date of payment;

四　社会医療法人債権者（無記名社会医療法人債（無記名式の社会医療法人債券が発行されている社会医療法人債をいう。）の社会医療法人債権者を除く。）の氏名又は名称及び住所

(iv) the name and address of social medical corporation bondholders (excluding social medical corporation bondholders of social medical corporation bearer bonds (social medical corporation bonds for which social medical corporation bond certificates are issued in bearer form));

五　前号の社会医療法人債権者が各社会医療法人債を取得した日

(v) the dates when the social medical corporation bondholders set forth in the preceding item acquired each social medical corporation bond;

六　社会医療法人債券を発行したときは、社会医療法人債券の番号、発行の日、社会医療法人債券が記名式か、又は無記名式かの別及び無記名式の社会医療法人債券の数

(vi) when social medical corporation bond certificates have been issued, the serial numbers of the social medical corporation bond certificates, the dates of their issuance, whether the social medical corporation bond certificates are registered or in bearer form, and the number of social medical corporation bearer bond certificates; and

七　前各号に掲げるもののほか、厚生労働省令で定める事項

(vii) beyond what is listed in each of the preceding items, the particulars prescribed by an Order of the Ministry of Health, Labour and Welfare.

第五十四条の五　社会医療法人は、社会医療法人債を発行する場合には、社会医療法人債管理者を定め、社会医療法人債権者のために、弁済の受領、債権の保全その他の社会医療法人債の管理を行うことを委託しなければならない。ただし、各社会医療法人債の金額が一億円以上である場合その他社会医療法人債権者の保護に欠けるおそれがないものとして厚生労働省令で定める場合は、この限りでない。

Article 54-5 A social medical corporation, where it issues social medical corporation bonds, must appoint a social medical corporation bond administrator, and entrust the receipt of payments, the preservation of rights of claim on behalf of the social medical corporation bondholders, and other administration of the social medical corporation bonds to that administrator; provided, however, that this does not apply where the amount of each social medical corporation bond is 100,000,000 yen or more, and in other cases prescribed by an Order of the Ministry of Health, Labour and Welfare as cases where it is unlikely that the protection of social medical corporation bondholders will be compromised.

第五十四条の六　社会医療法人債権者は、社会医療法人債の種類ごとに社会医療法人債権者集会を組織する。

Article 54-6 (1) Social medical corporation bondholders are to be the framework for social medical corporation bondholders meetings for each class of social medical corporation bonds.

２　社会医療法人債権者集会は、この法律又は次条において準用する会社法に規定する事項及び社会医療法人債権者の利害に関する事項について決議をすることができる。

(2) A social medical corporation bondholders meeting may adopt resolutions on particulars provided for in this Act or the Companies Act as applied mutatis mutandis pursuant to the following Article, and particulars related to the interests of the social medical corporation bondholders.

第五十四条の七　会社法第六百七十七条から第六百八十条まで、第六百八十二条、第六百八十三条、第六百八十四条（第四項及び第五項を除く。）、第六百八十五条から第七百一条まで、第七百三条から第七百十四条まで、第七百十七条から第七百四十二条まで、第七編第二章第七節、第八百六十八条第四項、第八百六十九条、第八百七十条第一項（第二号及び第七号から第九号までに係る部分に限る。）、第八百七十一条（第二号に係る部分に限る。）、第八百七十二条（第四号に係る部分に限る。）、第八百七十三条、第八百七十四条（第一号及び第四号に係る部分に限る。）、第八百七十五条及び第八百七十六条の規定は、社会医療法人が社会医療法人債を発行する場合における社会医療法人債、募集社会医療法人債、社会医療法人債券、社会医療法人債権者、社会医療法人債管理者、社会医療法人債権者集会又は社会医療法人債原簿について準用する。この場合において、必要な技術的読替えは、政令で定める。

Article 54-7 Where a social medical corporation issues social medical corporation bonds, the provisions set forth in Article 677 through Article 680, Article 682, Article 683, Article 684 (excluding paragraph (4) and paragraph (5)), Article 685 through Article 701, Article 703 through Article 714, Article 717 through Article 742, Part VII, Chapter II, Section 7, Article 868, paragraph (4), Article 869, Article 870, paragraph (1) (limited to the parts pertaining to item (ii) and item (xii) through item (ix)), Article 871 (limited to the parts pertaining to item (ii)), Article 872 (limited to the parts pertaining to item (iv)), Article 873, Article 874 (limited to the parts pertaining to item (i) and item (iv)), Article 875, and Article 876 of the Companies Act apply mutatis mutandis to social medical corporation bonds, social medical corporation bonds for subscription, social medical corporation bond certificates, social medical corporation bondholders, social medical corporation bond administrators, social medical corporation bondholders meetings, and social medical corporation bond registers. Where this is the case, any necessary replacement of terms are prescribed by Cabinet Order.

第五十四条の八　社会医療法人債は、担保付社債信託法（明治三十八年法律第五十二号）その他の政令で定める法令の適用については、政令で定めるところにより、社債とみなす。

Article 54-8 A social medical corporation bond is deemed to be a bond in regard to the application of the Secured Bonds Trust Act (Act No. 52 of 1905) and other laws and regulations as prescribed by Cabinet Order, pursuant to the provisions of a Cabinet Order.

第六節　定款及び寄附行為の変更

Section 6 Changes to Articles of Incorporation and Act of Endowment

第五十四条の九　社団たる医療法人が定款を変更するには、社員総会の決議によらなければならない。

Article 54-9 (1) In order for a medical corporation as an association to change its articles of incorporation, a resolution of the general meeting of members must be adopted.

２　財団たる医療法人が寄附行為を変更するには、あらかじめ、評議員会の意見を聴かなければならない。

(2) In order for a medical corporation as a foundation to change its act of endowment, it must hear the opinion of the board of councillors in advance.

３　定款又は寄附行為の変更（厚生労働省令で定める事項に係るものを除く。）は、都道府県知事の認可を受けなければ、その効力を生じない。

(3) Changes to the articles of incorporation or act of endowment (excluding those pertaining to particulars specified by an Order of the Ministry of Health, Labour and Welfare) must not take effect unless approved by the prefectural governor.

４　都道府県知事は、前項の規定による認可の申請があつた場合には、第四十五条第一項に規定する事項及び定款又は寄附行為の変更の手続が法令又は定款若しくは寄附行為に違反していないかどうかを審査した上で、その認可を決定しなければならない。

(4) In the case where an application for approval has been filed pursuant to the provisions of the preceding paragraph, the prefectural governor must decide on the approval after examining the particulars prescribed in Article 45, paragraph (1) and whether the procedures for the change of the articles of incorporation or act of endowment are not in violation of laws and regulations or the articles of incorporation or act of endowment.

５　医療法人は、第三項の厚生労働省令で定める事項に係る定款又は寄附行為の変更をしたときは、遅滞なく、その変更した定款又は寄附行為を都道府県知事に届け出なければならない。

(5) When a medical corporation has changed its articles of incorporation or act of endowment pertaining to the particulars specified by an Order of the Ministry of Health, Labour and Welfare as set forth in paragraph (3), it must notify the prefectural governor of the changed articles of incorporation or act of endowment without delay.

６　第四十四条第五項の規定は、定款又は寄附行為の変更により、残余財産の帰属すべき者に関する規定を設け、又は変更する場合について準用する。

(6) The provisions of Article 44, paragraph (5) apply mutatis mutandis to the case where provisions concerning the person to whom the residual property is to belong are established or changed as a result of changing the articles of incorporation or act of endowment.

第七節　解散及び清算

Section 7 Dissolution and Liquidation

第五十五条　社団たる医療法人は、次の事由によつて解散する。

Article 55 (1) An association of medical corporations is to be dissolved on the following grounds:

一　定款をもつて定めた解散事由の発生

(i) occurrence of grounds for dissolution that are specified by the articles of incorporation;

二　目的たる業務の成功の不能

(ii) the inability to successfully carry out the intended operations;

三　社員総会の決議

(iii) a general meeting resolution;

四　他の医療法人との合併（合併により当該医療法人が消滅する場合に限る。次条第一項及び第五十六条の三において同じ。）

(iv) merger with another medical corporation (limited to the case where the relevant medical corporation ceases to exist as a result of the merger; the same applies in paragraph (1) of the following Article and Article 56-3);

五　社員の欠亡

(v) a lack of members;

六　破産手続開始の決定

(vi) a decision to commence bankruptcy proceedings; or

七　設立認可の取消し

(vii) rescission of authorization for establishment.

２　社団たる医療法人は、総社員の四分の三以上の賛成がなければ、前項第三号の社員総会の決議をすることができない。ただし、定款に別段の定めがあるときは、この限りでない。

(2) An association of medical corporations may not adopt a general meeting resolution as set forth in item (iii) of the preceding paragraph without the support of a three-quarters majority of all members; provided, however, that this does not apply when it is otherwise specified in the articles of incorporation.

３　財団たる医療法人は、次に掲げる事由によつて解散する。

(3) A medical corporation foundation is to be dissolved for the following reasons:

一　寄附行為をもつて定めた解散事由の発生

(i) occurrence of reasons for dissolution that are specified by the act of endowment; or

二　第一項第二号、第四号、第六号又は第七号に掲げる事由

(ii) reasons listed in paragraph (1), item (ii), (iv), (vi), or (vii).

４　医療法人がその債務につきその財産をもつて完済することができなくなつた場合には、裁判所は、理事若しくは債権者の申立てにより又は職権で、破産手続開始の決定をする。

(4) Where a medical corporation can no longer perform on its obligations by means of its assets, a court, in response to a petition from the directors or obligees or sua sponte, is to issue a decision for the commencement of bankruptcy procedures.

５　前項に規定する場合には、理事は、直ちに破産手続開始の申立てをしなければならない。

(5) In the case prescribed in the preceding paragraph, the directors must immediately file a petition for the commencement of bankruptcy procedures.

６　第一項第二号又は第三号に掲げる事由による解散は、都道府県知事の認可を受けなければ、その効力を生じない。

(6) Dissolution resulting from the grounds listed in paragraph (1), item (ii) or (iii) must not be effective without the authorization of the prefectural governor.

７　都道府県知事は、前項の認可をし、又は認可をしない処分をするに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(7) In granting or refusing the authorization set forth in the preceding paragraph, a prefectural governor must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

８　清算人は、第一項第一号若しくは第五号又は第三項第一号に掲げる事由によつて医療法人が解散した場合には、都道府県知事にその旨を届け出なければならない。

(8) A liquidator, where a medical corporation has been dissolved based on the grounds listed in paragraph (1), items (i) or (v), or paragraph (3), item (i), must notify the prefectural governor to that effect.

第五十六条　解散した医療法人の残余財産は、合併及び破産手続開始の決定による解散の場合を除くほか、定款又は寄附行為の定めるところにより、その帰属すべき者に帰属する。

Article 56 (1) The residual assets of a dissolved medical corporation are to belong to persons to whom it should belong pursuant to the provisions of the articles of incorporation or act of endowment, except in the case of dissolution due to a decision to merge or to commence bankruptcy proceedings.

２　前項の規定により処分されない財産は、国庫に帰属する。

(2) Assets not disposed of pursuant to the provisions of the preceding paragraph is to belong to the national treasury.

第五十六条の二　解散した医療法人は、清算の目的の範囲内において、その清算の結了に至るまではなお存続するものとみなす。

Article 56-2 A dissolved medical corporation is deemed to remain in existence until the liquidation is completed, to the extent of the purpose of liquidation.

第五十六条の三　医療法人が解散したときは、合併及び破産手続開始の決定による解散の場合を除き、理事がその清算人となる。ただし、定款若しくは寄附行為に別段の定めがあるとき、又は社員総会において理事以外の者を選任したときは、この限りでない。

Article 56-3 When a medical corporation has been dissolved, a director becomes its liquidator, except in the case of dissolution due to a decision to merge or to commence bankruptcy proceedings; provided, however, that this does not apply when it is otherwise specified in the articles of incorporation or act of endowment, or when a person other than a director is appointed at a general meeting.

第五十六条の四　前条の規定により清算人となる者がないとき、又は清算人が欠けたため損害を生ずるおそれがあるときは、裁判所は、利害関係人若しくは検察官の請求により又は職権で、清算人を選任することができる。

Article 56-4 In the absence of a liquidator pursuant to the provisions of the preceding Article or when damages are likely to be incurred due to the absence of a liquidator, a court may appoint the liquidator in response to a petition by an interested party or the public prosecutor, or sua sponte.

第五十六条の五　重要な事由があるときは、裁判所は、利害関係人若しくは検察官の請求により又は職権で、清算人を解任することができる。

Article 56-5 When there are material grounds for doing so, a court may dismiss a liquidator in response to a petition by an interested party or the public prosecutor, or sua sponte.

第五十六条の六　清算中に就職した清算人は、その氏名及び住所を都道府県知事に届け出なければならない。

Article 56-6 A liquidator appointed during liquidation must notify the prefectural governor of their name and address.

第五十六条の七　清算人の職務は、次のとおりとする。

Article 56-7 (1) A liquidator is to perform the following duties:

一　現務の結了

(i) conclude current business;

二　債権の取立て及び債務の弁済

(ii) collect debts and the performance of obligations; and

三　残余財産の引渡し

(iii) deliver residual assets.

２　清算人は、前項各号に掲げる職務を行うために必要な一切の行為をすることができる。

(2) A liquidator may engage in any and all acts that are necessary to the performance of the duties listed in each of the items of the preceding paragraph.

第五十六条の八　清算人は、その就職の日から二月以内に、少なくとも三回の公告をもつて、債権者に対し、一定の期間内にその債権の申出をすべき旨の催告をしなければならない。この場合において、その期間は、二月を下ることができない。

Article 56-8 (1) A liquidator is to provide public notice on at least three occasions, requiring obligees to submit their claims within a stated period, within two months of the date that the relevant liquidator takes office. In this case, the period for filing claims must not be less than two months.

２　前項の公告には、債権者がその期間内に申出をしないときは清算から除斥されるべき旨を付記しなければならない。ただし、清算人は、判明している債権者を除斥することができない。

(2) The public notice set forth in the preceding paragraph must note that if an obligee fails to submit their claim within the stated period, their claim will be excluded from the liquidation proceedings; provided, however, that the liquidator may not exclude any known obligee.

３　清算人は、判明している債権者には、各別にその申出の催告をしなければならない。

(3) The liquidator must notify each known obligee separately of the requirement for them to submit their claim.

４　第一項の公告は、官報に掲載してする。

(4) The public notice set forth in paragraph (1) is be carried out via publication in the Official Gazette.

第五十六条の九　前条第一項の期間の経過後に申出をした債権者は、医療法人の債務が完済された後まだ権利の帰属すべき者に引き渡されていない財産に対してのみ、請求をすることができる。

Article 56-9 A obligee who submits their claim after the expiry of the period set forth in paragraph (1) of the preceding Article may claim only the assets which, after all debts of the medical corporation have been fully paid, have not yet been delivered to persons with vested rights.

第五十六条の十　清算中に医療法人の財産がその債務を完済するのに足りないことが明らかになつたときは、清算人は、直ちに破産手続開始の申立てをし、その旨を公告しなければならない。

Article 56-10 (1) When it has become clear that the assets of a medical corporation in liquidation are insufficient to perform on its obligations, the liquidator must immediately file to commence bankruptcy proceedings and provide public notice to that effect.

２　清算人は、清算中の医療法人が破産手続開始の決定を受けた場合において、破産管財人にその事務を引き継いだときは、その任務を終了したものとする。

(2) Where a medical corporation in liquidation is subject to a ruling for the commencement of bankruptcy proceedings, the liquidator is deemed to have completed their duties when the administration of the relevant proceedings has been transferred to the bankruptcy trustee.

３　前項に規定する場合において、清算中の医療法人が既に債権者に支払い、又は権利の帰属すべき者に引き渡したものがあるときは、破産管財人は、これを取り戻すことができる。

(3) In the case provided for in the preceding paragraph, when a medical corporation in liquidation has already made payment to an obligee or delivered assets to persons with vested interests, the bankruptcy trustee may retrieve such monies or assets.

４　第一項の規定による公告は、官報に掲載してする。

(4) Public notice pursuant to the provisions of paragraph (1) is carried out via publication in the Official Gazette.

第五十六条の十一　清算が結了したときは、清算人は、その旨を都道府県知事に届け出なければならない。

Article 56-11 When liquidation proceedings are completed, the liquidator must notify the prefectural governor to that effect.

第五十六条の十二　医療法人の解散及び清算は、裁判所の監督に属する。

Article 56-12 (1) The dissolution and liquidation of a medical corporation is to be subject to court supervision.

２　裁判所は、職権で、いつでも前項の監督に必要な検査をすることができる。

(2) A court may conduct the necessary investigations for the supervision set forth in the preceding paragraph at any time, sua sponte.

３　医療法人の解散及び清算を監督する裁判所は、都道府県知事に対し、意見を求め、又は調査を嘱託することができる。

(3) A court supervising the dissolution and liquidation of a medical corporation may seek the opinion of the prefectural governor, or may commission an investigation thereby.

４　前項に規定する都道府県知事は、同項に規定する裁判所に対し、意見を述べることができる。

(4) The prefectural governor provided for in the preceding paragraph may state their opinion to the court provided for in the same paragraph.

第五十六条の十三　医療法人の解散及び清算の監督並びに清算人に関する事件は、その主たる事務所の所在地を管轄する地方裁判所の管轄に属する。

Article 56-13 Cases related to the supervision of the dissolution and liquidation of a medical corporation or to the liquidator is subject to the jurisdiction of the district court with jurisdiction over the location of the principal office thereof.

第五十六条の十四　清算人の選任の裁判に対しては、不服を申し立てることができない。

Article 56-14 No appeal may be entered against a judicial decision on the appointment of the liquidators.

第五十六条の十五　裁判所は、第五十六条の四の規定により清算人を選任した場合には、医療法人が当該清算人に対して支払う報酬の額を定めることができる。この場合においては、裁判所は、当該清算人及び監事の陳述を聴かなければならない。

Article 56-15 A court, where a liquidator has been appointed pursuant to the provisions of Article 56-4, may specify the amount in fees to be paid to the relevant liquidator by the medical corporation. In this case, the court must hear the statements of the relevant liquidator and the auditor.

第五十六条の十六　裁判所は、医療法人の解散及び清算の監督に必要な調査をさせるため、検査役を選任することができる。

Article 56-16 (1) A court may appoint an inspector so as to have them carry out the necessary investigations for the supervision of the dissolution and liquidation of a medical corporation.

２　前二条の規定は、前項の規定により裁判所が検査役を選任した場合について準用する。この場合において、前条中「清算人及び監事」とあるのは、「医療法人及び検査役」と読み替えるものとする。

(2) The provisions of the preceding two Articles apply mutatis mutandis to where the court has appointed an inspector as prescribed in the preceding paragraph. In this case, the term "liquidator and the auditor" in the preceding Article is replaced with "medical corporation and the inspector".

第八節　合併及び分割

Section 8 Merger and Split

第一款　合併

Subsection 1 Merger

第一目　通則

Division 1 General Rules

第五十七条　医療法人は、他の医療法人と合併をすることができる。この場合においては、合併をする医療法人は、合併契約を締結しなければならない。

Article 57 A medical corporation may merge with another medical corporation. In this case, the medical corporation to be merged must conclude a merger agreement.

第二目　吸収合併

Division 2 Absorption-Type Merger

第五十八条　医療法人が吸収合併（医療法人が他の医療法人とする合併であつて、合併により消滅する医療法人の権利義務の全部を合併後存続する医療法人に承継させるものをいう。以下この目において同じ。）をする場合には、吸収合併契約において、吸収合併後存続する医療法人（以下この目において「吸収合併存続医療法人」という。）及び吸収合併により消滅する医療法人（以下この目において「吸収合併消滅医療法人」という。）の名称及び主たる事務所の所在地その他厚生労働省令で定める事項を定めなければならない。

Article 58 When a medical corporation conducts an absorption-type merger (meaning a merger by a medical corporation with another medical corporation whereby all of the rights and obligations of the medical corporation to be dissolved as a result of the merger are to be succeeded to by the medical corporation to survive the merger; hereinafter the same applies in this Division), the absorption-type merger agreement must stipulate the names and locations of the principal offices of the medical corporation that will survive the absorption-type merger (hereinafter referred to as the "surviving medical corporation in the absorption-type merger" in this Division) and the medical corporation that will dissolve as a result of the absorption-type merger (hereinafter referred to as the "dissolving medical corporation in the absorption-type merger" in this Division), and other particulars specified by an Order of the Ministry of Health, Labour and Welfare.

第五十八条の二　社団たる医療法人は、吸収合併契約について当該医療法人の総社員の同意を得なければならない。

Article 58-2 (1) A medical corporation as an association must obtain the consent of all members of the relevant medical corporation for an absorption-type merger agreement.

２　財団たる医療法人は、寄附行為に吸収合併をすることができる旨の定めがある場合に限り、吸収合併をすることができる。

(2) A medical corporation as a foundation may conduct an absorption-type merger only when its act of endowment provides that it may do so.

３　財団たる医療法人は、吸収合併契約について理事の三分の二以上の同意を得なければならない。ただし、寄附行為に別段の定めがある場合は、この限りでない。

(3) A medical corporation as a foundation must obtain the consent of two-thirds or more of its directors for an absorption-type merger agreement, unless otherwise provided for in its act of endowment.

４　吸収合併は、都道府県知事（吸収合併存続医療法人の主たる事務所の所在地の都道府県知事をいう。）の認可を受けなければ、その効力を生じない。

(4) An absorption-type merger must not take effect unless approved by the prefectural governor (meaning the prefectural governor of the location of the principal office of the surviving medical corporation in the absorption-type merger).

５　第五十五条第七項の規定は、前項の認可について準用する。

(5) The provisions of Article 55, paragraph (7) apply mutatis mutandis to the approval set forth in the preceding paragraph.

第五十八条の三　医療法人は、前条第四項の認可があつたときは、その認可の通知のあつた日から二週間以内に、財産目録及び貸借対照表を作成しなければならない。

Article 58-3 (1) When a medical corporation has obtained the approval set forth in paragraph (4) of the preceding Article, the corporation must prepare an inventory of property and a balance sheet within two weeks from the date of the notice of the approval.

２　医療法人は、前条第四項の認可を受けた吸収合併に係る合併の登記がされるまでの間、前項の規定により作成した財産目録及び貸借対照表を主たる事務所に備え置き、その債権者から請求があつた場合には、厚生労働省令で定めるところにより、これを閲覧に供しなければならない。

(2) Until the merger pertaining to an absorption-type merger approved under paragraph (4) of the preceding Article is registered, a medical corporation must keep the inventory of property and balance sheet prepared pursuant to the provisions of the preceding paragraph at its principal office and make them available for inspection upon request from its creditors, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

第五十八条の四　医療法人は、前条第一項の期間内に、その債権者に対し、異議があれば一定の期間内に述べるべき旨を公告し、かつ、判明している債権者に対しては、各別にこれを催告しなければならない。ただし、その期間は、二月を下ることができない。

Article 58-4 (1) A medical corporation, within the period set forth in paragraph (1) of the preceding Article, is to make a public notice to its creditors to the effect that any objection, if any, should be stated within a certain period of time, and must notify each known creditor separately. However, such period is not to be less than two months.

２　債権者が前項の期間内に吸収合併に対して異議を述べなかつたときは、吸収合併を承認したものとみなす。

(2) If creditors do not object to the absorption-type merger within the period set forth in the preceding paragraph, it is to be deemed that they have approved the absorption-type merger.

３　債権者が異議を述べたときは、医療法人は、これに弁済をし、若しくは相当の担保を提供し、又はその債権者に弁済を受けさせることを目的として信託会社等（信託会社及び信託業務を営む金融機関（金融機関の信託業務の兼営等に関する法律（昭和十八年法律第四十三号）第一条第一項の認可を受けた金融機関をいう。）をいう。以下同じ。）に相当の財産を信託しなければならない。ただし、吸収合併をしてもその債権者を害するおそれがないときは、この限りでない。

(3) When a creditor has made an objection, the medical corporation must pay or provide reasonable security to the creditor or place reasonable property with a trust company, etc. (meaning a trust company and a financial institution (meaning a financial institution authorized under Article 1, paragraph (1) of the Act on Engagement in Trust Business by Financial Institutions (Act No. 43 of 1943) engaged in trust business; the same applies hereinafter) for the purpose of having the creditor receive payment; provided, however, that this does not apply when the absorption-type merger is unlikely to harm the creditor.

第五十八条の五　吸収合併存続医療法人は、吸収合併消滅医療法人の権利義務（当該医療法人がその行う事業に関し行政庁の許可その他の処分に基づいて有する権利義務を含む。）を承継する。

Article 58-5 The surviving medical corporation in the absorption-type merger is to succeed to the rights and obligations of the dissolving medical corporation in the absorption-type merger (including the rights and obligations that the relevant medical corporation has based on the permission or other disposition of the administrative agency with respect to the business it conducts).

第五十八条の六　吸収合併は、吸収合併存続医療法人が、その主たる事務所の所在地において政令で定めるところにより合併の登記をすることによつて、その効力を生ずる。

Article 58-6 An absorption-type merger becomes effective when the surviving medical corporation in the absorption-type merger registers the merger at the location of its principal office pursuant to the provisions of a Cabinet Order.

第三目　新設合併

Division 3 Consolidation-Type Merger

第五十九条　二以上の医療法人が新設合併（二以上の医療法人がする合併であつて、合併により消滅する医療法人の権利義務の全部を合併により設立する医療法人に承継させるものをいう。以下この目において同じ。）をする場合には、新設合併契約において、次に掲げる事項を定めなければならない。

Article 59 When two or more medical corporations conduct a consolidation-type merger (meaning a merger between two or more medical corporations in which all of the rights and obligations of the medical corporation to be dissolved as a result of the merger must be succeeded to by the medical corporation to be established as a result of the merger; hereinafter the same applies in this Division), the following information are to be stipulated in the consolidation-type merger agreement:

一　新設合併により消滅する医療法人（以下この目において「新設合併消滅医療法人」という。）の名称及び主たる事務所の所在地

(i) the name and location of the principal office of the medical corporation to be dissolved as a result of the consolidation-type merger (hereinafter referred to as the "medical corporation dissolved in the consolidation-type merger" in this Division);

二　新設合併により設立する医療法人（以下この目において「新設合併設立医療法人」という。）の目的、名称及び主たる事務所の所在地

(ii) the purpose, name and location of the principal office of the medical corporation to be established as a result of the consolidation-type merger (hereinafter referred to as the "medical corporation established in the consolidation-type merger" in this Division);

三　新設合併設立医療法人の定款又は寄附行為で定める事項

(iii) particulars specified in the articles of incorporation or act of endowment of the medical corporation established in the consolidation-type merger; and

四　前三号に掲げる事項のほか、厚生労働省令で定める事項

(iv) beyond the particulars listed in the preceding three items, particulars specified by an Order of the Ministry of Health, Labour and Welfare.

第五十九条の二　第五十八条の二から第五十八条の四までの規定は、医療法人が新設合併をする場合について準用する。この場合において、第五十八条の二第一項及び第三項中「吸収合併契約」とあるのは「新設合併契約」と、同条第四項中「吸収合併存続医療法人」とあるのは「新設合併設立医療法人」と読み替えるものとする。

Article 59-2 The provisions of Article 58-2 through Article 58-4 apply mutatis mutandis to the case where a medical corporation conducts a consolidation-type merger. In this case, the term "absorption-type merger agreement" in Article 58-2, paragraphs (1) and (3) is replaced with "consolidation-type merger agreement", and the term "surviving medical corporation in the absorption-type merger" in paragraph (4) of the same Article is replaced with "medical corporation established in the consolidation-type merger".

第五十九条の三　新設合併設立医療法人は、新設合併消滅医療法人の権利義務（当該医療法人がその行う事業に関し行政庁の許可その他の処分に基づいて有する権利義務を含む。）を承継する。

Article 59-3 A medical corporation established in the consolidation-type merger is to succeed to the rights and obligations of the medical corporation dissolved in the consolidation-type merger (including the rights and obligations that the relevant medical corporation has based on the permission or other disposition of the administrative agency with respect to the business it conducts).

第五十九条の四　新設合併は、新設合併設立医療法人が、その主たる事務所の所在地において政令で定めるところにより合併の登記をすることによつて、その効力を生ずる。

Article 59-4 A consolidation-type merger is to become effective when the medical corporation established in the consolidation-type merger registers the merger at the location of its principal office pursuant to the provisions of a Cabinet Order.

第五十九条の五　第二節（第四十四条第二項、第四項及び第五項並びに第四十六条第二項を除く。）の規定は、新設合併設立医療法人の設立については、適用しない。

Article 59-5 The provisions of Section 2 (excluding Article 44, paragraphs (2), (4) and (5) and Article 46, paragraph (2)) does not apply to the establishment of a medical corporation established in the consolidation-type merger.

第二款　分割

Subsection 2 Split

第一目　吸収分割

Division 1 Absorption-Type Split

第六十条　医療法人（社会医療法人その他の厚生労働省令で定める者を除く。以下この款において同じ。）は、吸収分割（医療法人がその事業に関して有する権利義務の全部又は一部を分割後他の医療法人に承継させることをいう。以下この目において同じ。）をすることができる。この場合においては、当該医療法人がその事業に関して有する権利義務の全部又は一部を当該医療法人から承継する医療法人（以下この目において「吸収分割承継医療法人」という。）との間で、吸収分割契約を締結しなければならない。

Article 60 A medical corporation (excluding social medical corporations and those specified by an Order of the Ministry of Health, Labour and Welfare; hereinafter the same applies in this Subsection) may conduct an absorption-type split (meaning that all or part of the rights and obligations which a medical corporation has with respect to its business are succeeded to by another medical corporation after the split; hereinafter the same applies in this Division). In this case, an absorption-type split agreement is concluded with the medical corporation that succeeds to all or part of the rights and obligations (hereinafter referred to as the "succeeding medical corporation in the absorption-type split" in this Division) held by the relevant medical corporation with respect to its business.

第六十条の二　医療法人が吸収分割をする場合には、吸収分割契約において、次に掲げる事項を定めなければならない。

Article 60-2 When a medical corporation conducts an absorption-type split, the following particulars must be stipulated in the absorption-type split agreement:

一　吸収分割をする医療法人（以下この目において「吸収分割医療法人」という。）及び吸収分割承継医療法人の名称及び主たる事務所の所在地

(i) the names and locations of the principal offices of the medical corporation that conducts the absorption-type split (hereinafter referred to as the "medical corporation conducting the absorption-type split" in this Division) and the succeeding medical corporation in the absorption-type split;

二　吸収分割承継医療法人が吸収分割により吸収分割医療法人から承継する資産、債務、雇用契約その他の権利義務に関する事項

(ii) assets, liabilities, employment contracts and other particulars concerning rights and obligations to be succeeded to by the succeeding medical corporation in the absorption-type split from the medical corporation conducting the absorption-type split as a result of the absorption-type split; and

三　前二号に掲げる事項のほか、厚生労働省令で定める事項

(iii) beyond the particulars listed in the preceding two items, particulars specified by an Order of the Ministry of Health, Labour and Welfare.

第六十条の三　社団たる医療法人は、吸収分割契約について当該医療法人の総社員の同意を得なければならない。

Article 60-3 (1) A medical corporation as an association must obtain the consent of all members of the relevant medical corporation for an absorption-type split agreement.

２　財団たる医療法人は、寄附行為に吸収分割をすることができる旨の定めがある場合に限り、吸収分割をすることができる。

(2) A medical corporation as a foundation may conduct an absorption-type split only when its act of endowment provides that it may do so.

３　財団たる医療法人は、吸収分割契約について理事の三分の二以上の同意を得なければならない。ただし、寄附行為に別段の定めがある場合は、この限りでない。

(3) A medical corporation as a foundation must obtain the consent of two-thirds or more of its directors for an absorption-type split agreement, unless otherwise provided for in its act of endowment.

４　吸収分割は、都道府県知事（吸収分割医療法人及び吸収分割承継医療法人の主たる事務所の所在地が二以上の都道府県の区域内に所在する場合にあつては、当該吸収分割医療法人及び吸収分割承継医療法人の主たる事務所の所在地の全ての都道府県知事）の認可を受けなければ、その効力を生じない。

(4) An absorption-type split is not take effect unless approved by the prefectural governor (in the case where the principal offices of the medical corporation conducting the absorption-type split and the succeeding medical corporation in the absorption-type split are located within the area of two or more prefectures, the governors of all the prefectures where the principal offices of the relevant medical corporation conducting the absorption-type split and the relevant succeeding medical corporation in the absorption-type split are located).

５　第五十五条第七項の規定は、前項の認可について準用する。

(5) The provisions of Article 55, paragraph (7) apply mutatis mutandis to the approval set forth in the preceding paragraph.

第六十条の四　医療法人は、前条第四項の認可があつたときは、その認可の通知のあつた日から二週間以内に、財産目録及び貸借対照表を作成しなければならない。

Article 60-4 (1) When a medical corporation has obtained the approval set forth in paragraph (4) of the preceding Article, it must prepare an inventory of property and a balance sheet within two weeks from the date of the notice of the approval.

２　医療法人は、前条第四項の認可を受けた吸収分割に係る分割の登記がされるまでの間、前項の規定により作成した財産目録及び貸借対照表を主たる事務所に備え置き、その債権者から請求があつた場合には、厚生労働省令で定めるところにより、これを閲覧に供しなければならない。

(2) Until the split pertaining to an absorption-type split approved under paragraph (4) of the preceding Article is registered, a medical corporation must keep the inventory of property and balance sheet prepared pursuant to the provisions of the preceding paragraph at its principal office and make them available for inspection upon request from its creditors, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

第六十条の五　医療法人は、前条第一項の期間内に、その債権者に対し、異議があれば一定の期間内に述べるべき旨を公告し、かつ、判明している債権者に対しては、各別にこれを催告しなければならない。ただし、その期間は、二月を下ることができない。

Article 60-5 (1) A medical corporation, within the period set forth in paragraph (1) of the preceding Article, is to make a public notice to its creditors to the effect that any objection, if any, should be stated within a certain period of time, and must notify each known creditor separately. However, such period is not to be less than two months.

２　債権者が前項の期間内に吸収分割に対して異議を述べなかつたときは、吸収分割を承認したものとみなす。

(2) If creditors do not object to the absorption-type split within the period set forth in the preceding paragraph, it is deemed that they have approved the absorption-type split.

３　債権者が異議を述べたときは、医療法人は、これに弁済をし、若しくは相当の担保を提供し、又はその債権者に弁済を受けさせることを目的として信託会社等に相当の財産を信託しなければならない。ただし、吸収分割をしてもその債権者を害するおそれがないときは、この限りでない。

(3) When a creditor has made an objection, the medical corporation is to pay or provide reasonable security to the creditor or place reasonable property with a trust company, etc. for the purpose of having the creditor receive payment; provided, however, that this does not apply when the absorption-type split is unlikely to harm the creditor.

第六十条の六　吸収分割承継医療法人は、吸収分割契約の定めに従い、吸収分割医療法人の権利義務（当該医療法人がその行う事業の用に供する施設に関しこの法律の規定による許可その他の処分に基づいて有する権利義務を含む。）を承継する。

Article 60-6 (1) The succeeding medical corporation in the absorption-type split, in accordance with the provisions of the absorption-type split agreement, is to succeed to the rights and obligations of the medical corporation conducting the absorption-type split (including the rights and obligations the relevant medical corporation holds with respect to the facilities used for its business under the permission and other dispositions prescribed in this Act).

２　前項の規定にかかわらず、吸収分割医療法人の債権者であつて、前条第一項の各別の催告を受けなかつたものは、吸収分割契約において吸収分割後に吸収分割医療法人に対して債務の履行を請求することができないものとされているときであつても、吸収分割医療法人に対して、吸収分割医療法人が次条の分割の登記のあつた日に有していた財産の価額を限度として、当該債務の履行を請求することができる。

(2) Notwithstanding the provisions of the preceding paragraph, any creditor of the medical corporation conducting the absorption-type split who has not received the separate notification set forth in paragraph (1) of the preceding Article may demand performance of the obligation from the medical corporation conducting the absorption-type split within the limit of the value of the property that the medical corporation conducting the absorption-type split possessed on the date of registration of the split set forth in the following Article, even if the absorption-type split agreement stipulates that the creditor may not demand performance of the relevant obligation from the medical corporation conducting the absorption-type split after the absorption-type split.

３　第一項の規定にかかわらず、吸収分割医療法人の債権者であつて、前条第一項の各別の催告を受けなかつたものは、吸収分割契約において吸収分割後に吸収分割承継医療法人に対して債務の履行を請求することができないものとされているときであつても、吸収分割承継医療法人に対して、その承継した財産の価額を限度として、当該債務の履行を請求することができる。

(3) Notwithstanding the provisions of paragraph (1), any creditor of the medical corporation conducting the absorption-type split who has not received the separate notification set forth in paragraph (1) of the preceding Article may demand performance of the obligation from the succeeding medical corporation in the absorption-type split within the limit of the value of the property that it has succeeded to, even if the absorption-type split agreement stipulates that the creditor may not demand performance of the relevant obligation from the succeeding medical corporation in the absorption-type split after the absorption-type split.

第六十条の七　吸収分割は、吸収分割承継医療法人が、その主たる事務所の所在地において政令で定めるところにより分割の登記をすることによつて、その効力を生ずる。

Article 60-7 An absorption-type split becomes effective when the succeeding medical corporation in the absorption-type split registers the split at the location of its principal office pursuant to the provisions of a Cabinet Order.

第二目　新設分割

Division 2 Incorporation-Type Split

第六十一条　一又は二以上の医療法人は、新設分割（一又は二以上の医療法人がその事業に関して有する権利義務の全部又は一部を分割により設立する医療法人に承継させることをいう。以下この目において同じ。）をすることができる。この場合においては、新設分割計画を作成しなければならない。

Article 61 (1) One or two or more medical corporations may conduct an incorporation-type split (meaning that all or part of the rights and obligations which one or two or more medical corporations have with respect to their business are succeeded to by a medical corporation to be established through a split; the same applies hereinafter in this Division). In this case, an incorporation-type split plan must be prepared.

２　二以上の医療法人が共同して新設分割をする場合には、当該二以上の医療法人は、共同して新設分割計画を作成しなければならない。

(2) In the case where two or more medical corporations jointly conduct an incorporation-type split, the relevant two or more medical corporations must jointly prepare an incorporation-type split plan.

第六十一条の二　一又は二以上の医療法人が新設分割をする場合には、新設分割計画において、次に掲げる事項を定めなければならない。

Article 61-2 When one or two or more medical corporations conduct an incorporation-type split, the following particulars must be specified in the incorporation-type split plan:

一　新設分割により設立する医療法人（以下この目において「新設分割設立医療法人」という。）の目的、名称及び主たる事務所の所在地

(i) the purpose, name and location of the principal office of the medical corporation to be established as a result of the incorporation-type split (hereinafter referred to as the "medical corporation established in the incorporation-type split" in this Division);

二　新設分割設立医療法人の定款又は寄附行為で定める事項

(ii) particulars specified in the articles of incorporation or act of endowment of the medical corporation established in the incorporation-type split;

三　新設分割設立医療法人が新設分割により新設分割をする医療法人（以下この目において「新設分割医療法人」という。）から承継する資産、債務、雇用契約その他の権利義務に関する事項

(iii) assets, liabilities, employment contracts and other particulars concerning rights and obligations to be succeeded to by the medical corporation established in the incorporation-type split from the medical corporation that conducts the incorporation-type split (hereinafter referred to as the "medical corporation conducting the incorporation-type split" in this Division) as a result of the incorporation-type split; and

四　前三号に掲げる事項のほか、厚生労働省令で定める事項

(iv) beyond the particulars listed in the preceding three items, particulars specified by an Order of the Ministry of Health, Labour and Welfare.

第六十一条の三　第六十条の三から第六十条の五までの規定は、医療法人が新設分割をする場合について準用する。この場合において、第六十条の三第一項及び第三項中「吸収分割契約」とあるのは「新設分割計画」と、同条第四項中「吸収分割医療法人」とあるのは「新設分割医療法人」と、「吸収分割承継医療法人」とあるのは「新設分割設立医療法人」と読み替えるものとする。

Article 61-3 The provisions of Article 60-3 through Article 60-5 apply mutatis mutandis to the case where a medical corporation conducts an incorporation-type split. In this case, the term "absorption-type split agreement" in Article 60-3, paragraphs (1) and (3) is to be replaced with "incorporation-type split plan", the term "medical corporation conducting the absorption-type split" in paragraph (4) of the same Article is to be replaced with "medical corporation conducting the incorporation-type split", and the term "succeeding medical corporation in the absorption-type split" is to be replaced with "medical corporation established in the incorporation-type split".

第六十一条の四　新設分割設立医療法人は、新設分割計画の定めに従い、新設分割医療法人の権利義務（当該医療法人がその行う事業の用に供する施設に関しこの法律の規定による許可その他の処分に基づいて有する権利義務を含む。）を承継する。

Article 61-4 (1) The medical corporation established in the incorporation-type split, in accordance with the provisions of the incorporation-type split plan, is to succeed to the rights and obligations of the medical corporation conducting the incorporation-type split (including the rights and obligations the relevant medical corporation holds with respect to the facilities used for its business under the permission and other dispositions prescribed in this Act).

２　前項の規定にかかわらず、新設分割医療法人の債権者であつて、前条において準用する第六十条の五第一項の各別の催告を受けなかつたものは、新設分割計画において新設分割後に新設分割医療法人に対して債務の履行を請求することができないものとされているときであつても、新設分割医療法人に対して、新設分割医療法人が次条の分割の登記のあつた日に有していた財産の価額を限度として、当該債務の履行を請求することができる。

(2) Notwithstanding the provisions of the preceding paragraph, any creditor of the medical corporation conducting the incorporation-type split who has not received the separate notification set forth in Article 60-5, paragraph (1) as applied mutatis mutandis pursuant to the preceding Article may demand performance of the obligation from the medical corporation conducting the incorporation-type split within the limit of the value of the property that the medical corporation conducting the incorporation-type split possessed on the date of registration of the split set forth in the following Article, even if the incorporation-type split plan stipulates that the creditor may not demand performance of the relevant obligation from the medical corporation conducting the incorporation-type split after the incorporation-type split.

３　第一項の規定にかかわらず、新設分割医療法人の債権者であつて、前条において準用する第六十条の五第一項の各別の催告を受けなかつたものは、新設分割計画において新設分割後に新設分割設立医療法人に対して債務の履行を請求することができないものとされているときであつても、新設分割設立医療法人に対して、その承継した財産の価額を限度として、当該債務の履行を請求することができる。

(3) Notwithstanding the provisions of paragraph (1), any creditor of the medical corporation conducting the incorporation-type split who has not received the separate notification set forth in Article 60-5, paragraph (1) as applied mutatis mutandis pursuant to the preceding Article may demand performance of the obligation from the medical corporation established in the incorporation-type split within the limit of the value of the property that it has succeeded to, even if the incorporation-type split plan stipulates that the creditor may not demand performance of the relevant obligation from the medical corporation established in the incorporation-type split after the incorporation-type split.

第六十一条の五　新設分割は、新設分割設立医療法人が、その主たる事務所の所在地において政令で定めるところにより分割の登記をすることによつて、その効力を生ずる。

Article 61-5 An incorporation-type split becomes effective when the medical corporation established in the incorporation-type split registers the split at the location of its principal office pursuant to the provisions of a Cabinet Order.

第六十一条の六　第二節（第四十四条第二項、第四項及び第五項並びに第四十六条第二項を除く。）の規定は、新設分割設立医療法人の設立については、適用しない。

Article 61-6 The provisions of Section 2 (excluding Article 44, paragraphs (2), (4) and (5) and Article 46, paragraph (2)) does not apply to the establishment of a medical corporation established in the incorporation-type split.

第三目　雑則

Division 3 Miscellaneous Provisions

第六十二条　会社分割に伴う労働契約の承継等に関する法律（平成十二年法律第百三号）第二条から第八条まで（第二条第三項各号及び第四条第三項各号を除く。）及び商法等の一部を改正する法律（平成十二年法律第九十号）附則第五条第一項の規定は、この款の規定により医療法人が分割をする場合について準用する。この場合において、会社分割に伴う労働契約の承継等に関する法律第二条第一項及び第二項中「承継会社等」とあるのは「承継医療法人等」と、同項中「分割会社」とあるのは「分割医療法人」と、同条第三項中「次の各号に掲げる場合に応じ、当該各号に定める」とあるのは「医療法（昭和二十三年法律第二百五号）第六十条の三第四項の認可の通知又は同法第六十一条の三において読み替えて準用する同法第六十条の三第四項の認可の通知のあった日から起算して、二週間を経過する」と、同法第三条から第八条まで（第四条第三項を除く。）の規定中「分割会社」とあるのは「分割医療法人」と、「承継会社等」とあるのは「承継医療法人等」と、同法第四条第三項中「次の各号に掲げる場合に応じ、当該各号に」とあるのは「医療法第六十条の三第四項の認可を受けた吸収分割又は同法第六十一条の三において読み替えて準用する同法第六十条の三第四項の認可を受けた新設分割に係る分割の登記のあった日の前日までの日で分割医療法人が」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

Article 62 The provisions of Article 2 through Article 8 (excluding the items of Article 2, paragraph (3) and the items of Article 4, paragraph (3)) of the Act on the Succession to Labor Contracts upon Company Split (Act No. 103 of 2000) and Article 5, paragraph (1) of the Supplementary Provisions of the Act for Partial Revision of the Commercial Code (Act No. 90 of 2000) apply mutatis mutandis to the case where a medical corporation conducts a split pursuant to the provisions of this Subsection. In this case, the term "succeeding company, etc." in Article 2, paragraphs (1) and (2) of the Act on the Succession to Labor Contracts upon Company Split is replaced with "succeeding medical corporation, etc.", the term "split company" in the same paragraph is replaced with "split medical corporation", the term "according to the cases listed in the following items, specified in the relevant items" in paragraph (3) of the same Article is replaced with "two weeks from the day on which a notice of approval under Article 60-3, paragraph (4) of the Medical Care Act (Act No. 205 of 1948) or a notice of approval under Article 60-3, paragraph (4) of the same Act as applied mutatis mutandis by replacing the terms pursuant to Article 61-3 of the same Act is given", the term "split company" in Article 3 through Article 8 (excluding Article 4, paragraph (3)) of the same Act is to be replaced with "split medical corporation", the term "succeeding company, etc." is to be replaced with "succeeding medical corporation, etc.", the term "according to the cases listed in the following items, in the relevant items" in Article 4, paragraph (3) of the same Act is replaced with "the split medical corporation, on the day until the day before the day of registration of the split pertaining to an absorption-type split approved under Article 60-3, paragraph (4) of the Medical Care Act or an incorporation-type split approved under Article 60-3, paragraph (4) of the same Act as applied mutatis mutandis by replacing the terms pursuant to Article 61-3 of the same Act", and the necessary technical replacement of terms is specified by a Cabinet Order.

第六十二条の二　民法（明治二十九年法律第八十九号）第三百九十八条の九第三項から第五項まで並びに第三百九十八条の十第一項及び第二項の規定は、この款の規定により医療法人が分割をする場合について準用する。この場合において、同法第三百九十八条の九第三項中「前二項」とあるのは「医療法（昭和二十三年法律第二百五号）第六十二条の二において準用する次条第一項又は第二項」と、「前項」とあるのは「同項」と読み替えるものとする。

Article 62-2 The provisions of Article 398-9, paragraphs (3) through (5) and Article 398-10, paragraphs (1) and (2) of the Civil Code (Act No. 89 of 1896) apply mutatis mutandis to the case where a medical corporation conducts a split pursuant to the provisions of this Subsection. In this case, the term "the preceding two paragraphs" in Article 398-9, paragraph (3) of the same Act is replaced with "paragraph (1) or (2) of the following Article as applied mutatis mutandis pursuant to Article 62-2 of the Medical Care Act (Act No. 205 of 1948)", and the term "the preceding paragraph" is replaced with "the same paragraph".

第三款　雑則

Subsection 3 Miscellaneous Provisions

第六十二条の三　この節に特に定めるもののほか、医療法人の合併及び分割に関し必要な事項は、政令で定める。

Article 62-3 Beyond what is specifically provided for in this Section, necessary particulars concerning mergers and splits of medical corporations is specified by a Cabinet Order.

第九節　監督

Section 9 Supervision

第六十三条　都道府県知事は、医療法人の業務若しくは会計が法令、法令に基づく都道府県知事の処分、定款若しくは寄附行為に違反している疑いがあり、又はその運営が著しく適正を欠く疑いがあると認めるときは、当該医療法人に対し、その業務若しくは会計の状況に関し報告を求め、又は当該職員に、その事務所に立ち入り、業務若しくは会計の状況を検査させることができる。

Article 63 (1) When a prefectural governor suspects the operations or accounting of a medical corporation to be in violation of laws and regulations, a disposition by the prefectural governor based on laws and regulations, the articles of incorporation, or the act of endowment, or suspects its administration to be significantly inappropriate, the prefectural governor may request the relevant medical corporation to report on the status of its operations or accounting, or may have the relevant officials enter its offices and inspect the status of its operations or accounting.

２　第六条の八第三項及び第四項の規定は、前項の規定による立入検査について準用する。

(2) The provisions set forth in Article 6-8, paragraphs (3) and (4) apply mutatis mutandis to any entry and inspection pursuant to the provisions of the preceding paragraph.

第六十四条　都道府県知事は、医療法人の業務若しくは会計が法令、法令に基づく都道府県知事の処分、定款若しくは寄附行為に違反し、又はその運営が著しく適正を欠くと認めるときは、当該医療法人に対し、期限を定めて、必要な措置をとるべき旨を命ずることができる。

Article 64 (1) When a prefectural governor finds the operations or accounting of a medical corporation to be in violation of laws and regulations, a disposition of the prefectural governor based on laws and regulations, the articles of incorporation, or the act of endowment, or finds its administration to be significantly inappropriate, the prefectural governor may order the relevant medical corporation to take any necessary measures by a set deadline.

２　医療法人が前項の命令に従わないときは、都道府県知事は、当該医療法人に対し、期間を定めて業務の全部若しくは一部の停止を命じ、又は役員の解任を勧告することができる。

(2) When a medical corporation fails to abide by an order as set forth in the preceding paragraph, the prefectural governor may order the relevant medical corporation to suspend all or a part of its operations for a period that the prefectural governor prescribes, or may recommend the dismissal of its officers.

３　都道府県知事は、前項の規定により、業務の停止を命じ、又は役員の解任を勧告するに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(3) In ordering the suspension of operations or recommending the dismissal of officers pursuant to the provisions of the preceding paragraph, the prefectural governor must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

第六十四条の二　都道府県知事は、社会医療法人が、次の各号のいずれかに該当する場合においては、社会医療法人の認定を取り消し、又は期間を定めて収益業務の全部若しくは一部の停止を命ずることができる。

Article 64-2 (1) A prefectural governor, where a social medical corporation falls under any of the following items, may rescind the social medical corporation's authorization, or order all or a part of the profit-making activities to be suspended for a period that the prefectural governor prescribes:

一　第四十二条の二第一項各号に掲げる要件を欠くに至つたとき。

(i) when the requirements listed in each item of Article 42-2, paragraph (1) are no longer being met;

二　定款又は寄附行為で定められた業務以外の業務を行つたとき。

(ii) when operations other than those stipulated in the articles of incorporation or act of endowment have been carried out;

三　収益業務から生じた収益を当該社会医療法人が開設する病院、診療所、介護老人保健施設又は介護医療院の経営に充てないとき。

(iii) when profits from the profit-making activities are not set aside for the administration of a hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care established by the relevant social medical corporation;

四　収益業務の継続が、社会医療法人が開設する病院、診療所、介護老人保健施設又は介護医療院（指定管理者として管理する病院等を含む。）の業務に支障があると認めるとき。

(iv) when the continuation of profit-making activities is found to be a hindrance to the operation of a hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care established by a social medical corporation (including a hospital, etc. managed by a designated administrator);

五　不正の手段により第四十二条の二第一項の認定を受けたとき。

(v) when authorization as set forth in Article 42-2, paragraph (1) has been received by unlawful means; or

六　この法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したとき。

(vi) when the social medical corporation has violated this Act, any order based on this Act, or any disposition based on these.

２　都道府県知事は、前項の規定により認定を取り消すに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(2) In rescinding authorization pursuant to the provisions of the preceding paragraph, the prefectural governor must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

第六十五条　都道府県知事は、医療法人が、成立した後又は全ての病院、診療所、介護老人保健施設及び介護医療院を休止若しくは廃止した後一年以内に正当な理由がなく病院、診療所、介護老人保健施設又は介護医療院を開設しないとき、又は再開しないときは、設立の認可を取り消すことができる。

Article 65 A prefectural governor, when a medical corporation fails to establish or re-open a hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care without justifiable grounds, within one year of the establishment of the relevant medical corporation or within one year of the suspension or abolition of all of its hospitals, clinics, long-term care health facilities, and integrated facilities for medical and long-term care, may rescind its authorization for establishment.

第六十六条　都道府県知事は、医療法人が法令の規定に違反し、又は法令の規定に基く都道府県知事の命令に違反した場合においては、他の方法により監督の目的を達することができないときに限り、設立の認可を取り消すことができる。

Article 66 (1) A prefectural governor, where a medical corporation has violated the provisions of laws and regulations or an order by the prefectural governor based on the provisions of laws and regulations, may rescind its authorization for establishment, provided that the purpose of supervision cannot be achieved by any other means.

２　都道府県知事は、前項の規定により設立の認可を取り消すに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(2) In rescinding authorization for establishment pursuant to the provisions of the preceding paragraph, the prefectural governor must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

第六十六条の二　厚生労働大臣は、第六十四条第一項及び第二項、第六十四条の二第一項、第六十五条並びに前条第一項の規定による処分を行わないことが著しく公益を害するおそれがあると認めるときは、都道府県知事に対し、これらの規定による処分を行うべきことを指示することができる。

Article 66-2 When the Minister of Health, Labour and Welfare finds there to be a risk of significant harm to the public interest due to a failure to undertake disposition pursuant to the provisions of Article 64, paragraphs (1) and (2), Article 64-2, paragraph (1), Article 65, or paragraph (1) of the preceding Article, the minister may instruct the prefectural governor to undertake disposition pursuant to the relevant provisions.

第六十六条の三　関係都道府県知事（医療法人が開設する病院、診療所、介護老人保健施設又は介護医療院の所在地の都道府県知事であつて、当該医療法人の主たる事務所の所在地の都道府県知事以外の者をいう。）は、当該医療法人に対して適当な措置をとることが必要であると認めるときは、当該医療法人の主たる事務所の所在地の都道府県知事に対し、その旨の意見を述べることができる。

Article 66-3 The prefectural governor concerned (meaning the prefectural governor of the location of a hospital, clinic, long-term care health facility or integrated facility for medical and long-term care established by a medical corporation, who is not the prefectural governor of the location of the principal office of the relevant medical corporation) may, when the prefectural governor finds it necessary, express the opinion to the prefectural governor of the location of the principal office of the relevant medical corporation that appropriate measures should be taken against the relevant medical corporation.

第六十七条　都道府県知事は、第四十四条第一項、第五十五条第六項、第五十八条の二第四項（第五十九条の二において読み替えて準用する場合を含む。）若しくは第六十条の三第四項（第六十一条の三において読み替えて準用する場合を含む。）の規定による認可をしない処分をし、又は第六十四条第二項の規定により役員の解任を勧告するに当たつては、当該処分の名宛人又は当該勧告の相手方に対し、その指名した職員又はその他の者に対して弁明する機会を与えなければならない。この場合においては、都道府県知事は、当該処分の名宛人又は当該勧告の相手方に対し、あらかじめ、書面をもつて、弁明をするべき日時、場所及び当該処分又は当該勧告をするべき事由を通知しなければならない。

Article 67 (1) In issuing a disposition refusing authorization pursuant to the provisions of Article 44, paragraph (1), Article 55, paragraph (6), Article 58-2, paragraph (4) (including the cases where it is applied mutatis mutandis by replacing the terms pursuant to Article 59-2), or Article 60-3, paragraph (4) (including the cases where it is applied mutatis mutandis by replacing the terms pursuant to Article 61-3) or recommending the dismissal of an officer pursuant to the provisions of Article 64, paragraph (2), the prefectural governor is to grant the person named in the relevant disposition or the party under the relevant recommendation the opportunity to give an explanation to a designated official or to another party. In this case, the prefectural governor must give written notice in advance to the person named in the relevant ruling or the party under the relevant recommendation of the date and time and location of the explanation and the grounds for the relevant disposition or the relevant recommendation.

２　前項の通知を受けた者は、代理人を出頭させ、かつ、自己に有利な証拠を提出することができる。

(2) A person who receives a notice as set forth in the preceding paragraph may have a representative appear, and may submit their own supporting evidence.

３　第一項の規定による弁明の聴取をした者は、聴取書を作り、これを保存するとともに、報告書を作成し、かつ、当該処分又は当該勧告をする必要があるかどうかについて都道府県知事に意見を述べなければならない。

(3) A person who has given a hearing to an explanation pursuant to the provisions of paragraph (1) must create and retain a hearing record, prepare a written report, and state their opinion to the prefectural governor concerning whether the relevant disposition or recommendation is necessary.

第六十八条　一般社団法人及び一般財団法人に関する法律第四条、第百五十八条及び第百六十四条並びに会社法第六百六十二条、第六百六十四条、第八百六十八条第一項、第八百七十一条、第八百七十四条（第一号に係る部分に限る。）、第八百七十五条及び第八百七十六条の規定は、医療法人について準用する。この場合において、同法第六百六十四条中「社員に分配する」とあるのは「残余財産の帰属すべき者又は国庫に帰属させる」と、同法第八百六十八条第一項中「本店」とあるのは「主たる事務所」と読み替えるものとする。

Article 68 The provisions set forth in Article 4, Article 158, and Article 164 of the Act on General Incorporated Associations and General Incorporated Foundations, and Article 662, Article 664, Article 868, paragraph (1), Article 871, Article 874 (limited to parts pertaining to item (i)), Article 875, and Article 876 of the Companies Act apply mutatis mutandis to medical corporations. In this case, the term "distribute its assets to its partners" in Article 664 of the Companies Act is replaced with "assign its assets to persons with vested interests in residual assets or to the national treasury", and the term "head office" in Article 868, paragraph (1) of the same Act is replaced with "principal office".

第六十九条　この章に特に定めるもののほか、医療法人の監督に関し必要な事項は、政令で定める。

Article 69 Beyond what is specifically provided for in this Chapter, particulars necessary for the supervision of medical corporations is specified by a Cabinet Order.

第七章　地域医療連携推進法人

Chapter VII Regional Medical Coordination Promotion Corporation

第一節　認定

Section 1 Approval

第七十条　次に掲げる法人（営利を目的とする法人を除く。以下この章において「参加法人」という。）及び地域において良質かつ適切な医療を効率的に提供するために必要な者として厚生労働省令で定める者を社員とし、かつ、病院、診療所、介護老人保健施設又は介護医療院（以下この章において「病院等」という。）に係る業務の連携を推進するための方針（以下この章において「医療連携推進方針」という。）を定め、医療連携推進業務を行うことを目的とする一般社団法人は、定款において定める当該連携を推進する区域（以下「医療連携推進区域」という。）の属する都道府県（当該医療連携推進区域が二以上の都道府県にわたる場合にあつては、これらの都道府県のいずれか一の都道府県）の知事の認定を受けることができる。

Article 70 (1) The following corporations (excluding profit-oriented corporations; hereinafter referred to as "participating corporations" in this Chapter), and general incorporated associations that have members specified by an Order of the Ministry of Health, Labour and Welfare as persons necessary for efficiently providing high-quality and appropriate medical care in the region and have policies in place for promoting coordination of operations (hereinafter referred to as the "medical coordination promotion policy" in this Chapter) pertaining to a hospital, clinic, long-term care health facility, or integrated facility for medical and long-term care (hereinafter referred to as "hospital, etc." in this Chapter) with the purpose of performing medical coordination promotion operations may obtain approval from the governor of the prefecture to which the area to promote the relevant coordination specified in the articles of incorporation belongs (hereinafter referred to as "medical coordination promotion area") (in the case where the relevant medical coordination promotion area extends over two or more prefectures, any one of these prefectures):

一　医療連携推進区域において、病院等を開設する法人

(i) a corporation that establishes a hospital, etc. in the medical coordination promotion area; or

二　医療連携推進区域において、介護事業（身体上又は精神上の障害があることにより日常生活を営むのに支障がある者に対し、入浴、排せつ、食事等の介護、機能訓練、看護及び療養上の管理その他のその者の能力に応じ自立した日常生活を営むことができるようにするための福祉サービス又は保健医療サービスを提供する事業をいう。）その他の地域包括ケアシステム（地域における医療及び介護の総合的な確保の促進に関する法律第二条第一項に規定する地域包括ケアシステムをいう。第七十条の七において同じ。）の構築に資する事業（以下この章において「介護事業等」という。）に係る施設又は事業所を開設し、又は管理する法人

(ii) a corporation that establishes or manages in the medical coordination promotion area a facility or office related to nursing care business (meaning business that provides welfare services or health and medical services to persons with physical or mental disabilities that hinder them from performing daily activities, including care for bathing, excretion, meals, etc., functional training, nursing care and medical treatment management, and other services, to enable them to lead self-reliant daily lives according to their abilities) and other businesses that contribute to the establishment of a community-based integrated care system (referring to the community-based integrated care system prescribed in Article 2, paragraph (1) of the Act on Promotion of Comprehensive Securing of Medical Care and Nursing Care in the Region; the same applies in Article 70-7) (hereinafter referred to as "nursing care business, etc." in this Chapter).

２　前項の医療連携推進業務は、病院等に係る業務について、医療連携推進方針に沿つた連携の推進を図ることを目的として行う次に掲げる業務その他の業務をいう。

(2) The medical coordination promotion operations set forth in the preceding paragraph means the following operations and other operations performed for the purpose of promoting coordination of operations pertaining to a hospital, etc. in accordance with the medical coordination promotion policy:

一　医療従事者の資質の向上を図るための研修

(i) training to improve the qualities of medical care professionals;

二　病院等に係る業務に必要な医薬品、医療機器その他の物資の供給

(ii) supplying medicines, medical equipment and other supplies necessary for operations pertaining to a hospital, etc.; and

三　資金の貸付けその他の参加法人が病院等に係る業務を行うのに必要な資金を調達するための支援として厚生労働省令で定めるもの

(iii) fund lending and other support specified by an Order of the Ministry of Health, Labour and Welfare as support for raising funds necessary for a participating corporation to perform operations pertaining to a hospital, etc.

第七十条の二　前条第一項の認定（以下この章において「医療連携推進認定」という。）を受けようとする一般社団法人は、政令で定めるところにより、医療連携推進方針を添えて、都道府県知事に申請をしなければならない。

Article 70-2 (1) A general incorporated association that intends to obtain the approval set forth in paragraph (1) of the preceding Article (hereinafter referred to as "approval for medical coordination promotion" in this Chapter), pursuant to the provisions of a Cabinet Order, must apply to the prefectural governor with a medical coordination promotion policy.

２　医療連携推進方針には、次に掲げる事項を記載しなければならない。

(2) The medical coordination promotion policy must contain the following particulars:

一　医療連携推進区域

(i) the medical coordination promotion area;

二　参加法人が医療連携推進区域において開設する病院等（第四項及び第七十条の十一において「参加病院等」という。）相互間の機能の分担及び業務の連携に関する事項

(ii) particulars concerning the sharing of functions and the coordination of operations among hospitals, etc. established by the participating corporations (referred to as "participating hospitals, etc." in paragraph (4) and Article 70-11) in the medical coordination promotion area;

三　前号に掲げる事項の目標に関する事項

(iii) particulars concerning the targets of the particulars listed in the preceding item; and

四　その他厚生労働省令で定める事項

(iv) other particulars specified by an Order of the Ministry of Health, Labour and Welfare.

３　医療連携推進区域は、当該医療連携推進区域の属する都道府県の医療計画において定める構想区域を考慮して定めなければならない。

(3) A medical coordination promotion area is established by taking into consideration the vision area specified in the medical care plan of the prefecture to which the relevant medical coordination promotion area belongs.

４　医療連携推進方針には、第二項各号に掲げる事項のほか、参加病院等及び参加介護施設等（参加法人が医療連携推進区域において開設し、又は管理する介護事業等に係る施設又は事業所をいう。第七十条の十一において同じ。）相互間の業務の連携に関する事項を記載することができる。

(4) Beyond the particulars listed in each item of paragraph (2), the medical coordination promotion policy may contain particulars concerning the coordination of operations among participating hospitals, etc. and participating nursing care facilities, etc. (referring to facilities or offices pertaining to nursing care business, etc. established or managed by a participating corporation in a medical coordination promotion area; the same applies in Article 70-11).

５　医療連携推進認定の申請に係る医療連携推進区域が二以上の都道府県にわたるときは、当該医療連携推進区域の属する都道府県の知事の協議により、医療連携推進認定に関する事務を行うべき都道府県知事を定めなければならない。この場合において、医療連携推進認定の申請を受けた都道府県知事は、医療連携推進認定の申請をした一般社団法人に対し、医療連携推進認定に関する事務を行う都道府県知事を通知するものとする。

(5) When the medical coordination promotion area pertaining to an application for approval for medical coordination promotion extends over two or more prefectures, the prefectural governor who conducts the affairs concerning the approval for medical coordination promotion must be determined through consultation among the governors of the prefectures to which the relevant medical coordination promotion area belongs. In this case, the prefectural governor who has received the application for approval for medical coordination promotion is to notify the general incorporated association that has applied for approval for medical coordination promotion of the prefectural governor who is to conduct the affairs concerning the approval for medical coordination promotion.

第七十条の三　都道府県知事は、医療連携推進認定の申請をした一般社団法人が次に掲げる基準に適合すると認めるときは、当該一般社団法人について医療連携推進認定をすることができる。

Article 70-3 (1) When the prefectural governor finds that a general incorporated association that has applied for approval for medical coordination promotion conforms to the following standards, the prefectural governor may grant approval for medical coordination promotion to the relevant general incorporated association:

一　医療連携推進業務（第七十条第二項に規定する医療連携推進業務をいう。以下この章において同じ。）を行うことを主たる目的とするものであること。

(i) the main purpose of the general incorporated association is to perform medical coordination promotion operations (which means the medical coordination promotion operations prescribed in Article 70, paragraph (2); the same applies hereinafter in this Chapter);

二　医療連携推進業務を行うのに必要な経理的基礎及び技術的能力を有するものであること。

(ii) the general incorporated association has the financial basis and technical capability necessary to perform medical coordination promotion operations;

三　医療連携推進業務を行うに当たり、当該一般社団法人の社員、理事、監事、職員その他の政令で定める関係者に対し特別の利益を与えないものであること。

(iii) in the performance of medical coordination promotion operations, the general incorporated association does not provide any special benefits to its members, directors, auditors, employees or any other related parties specified by Cabinet Order;

四　医療連携推進業務以外の業務を行う場合には、医療連携推進業務以外の業務を行うことによつて医療連携推進業務の実施に支障を及ぼすおそれがないものであること。

(iv) when the general incorporated association conducts any operations other than medical coordination promotion operations, there is no risk that the implementation of medical coordination promotion operations will be hindered by conducting any operations other than medical coordination promotion operations;

五　医療連携推進方針が前条第二項及び第三項の規定に違反していないものであること。

(v) the medical coordination promotion policy does not violate the provisions of paragraphs (2) and (3) of the preceding Article;

六　医療連携推進区域を定款で定めているものであること。

(vi) the medical coordination promotion area is specified in the articles of incorporation;

七　社員は、参加法人及び医療連携推進区域において良質かつ適切な医療を効率的に提供するために必要な者として厚生労働省令で定める者に限る旨を定款で定めているものであること。

(vii) the articles of incorporation stipulate that the members should be limited to participating corporations and persons specified by an Order of the Ministry of Health, Labour and Welfare as necessary for efficiently providing high-quality and appropriate medical care in the medical coordination promotion area;

八　病院等を開設する参加法人の数が二以上であるものであることその他の参加法人の構成が第七十条第一項に規定する目的（次号及び第十号イにおいて「医療連携推進目的」という。）に照らし、適当と認められるものとして厚生労働省令で定める要件を満たすものであること。

(viii) the number of participating corporations establishing a hospital, etc. is two or more and other requirements for the composition of the participating corporations specified by an Order of the Ministry of Health, Labour and Welfare as appropriate in light of the purpose prescribed in Article 70, paragraph (1) (referred to as the "purpose of medical coordination promotion" in the following item and item (x), (a)) are met;

九　社員の資格の得喪に関して、医療連携推進目的に照らし、不当に差別的な取扱いをする条件その他の不当な条件を付していないものであること。

(ix) no unfairly discriminatory conditions or other unreasonable conditions are attached to the member's acquisition or loss of qualification in light of the purpose of medical coordination promotion;

十　社員は、各一個の議決権を有するものであること。ただし、社員総会において行使できる議決権の数、議決権を行使することができる事項、議決権の行使の条件その他の社員の議決権に関する定款の定めが次のいずれにも該当する場合は、この限りでない。

(x) each member has one voting right. However, this does not apply if provisions of the articles of incorporation concerning voting rights of members, such as the number of voting rights that may be exercised at a general meeting of members, particulars on which voting rights may be exercised, conditions for exercising voting rights, fall under all of the following:

イ　社員の議決権に関して、医療連携推進目的に照らし、不当に差別的な取扱いをしないものであること。

(a) the voting rights of members are not treated in an unfairly discriminatory manner in light of the purpose of medical coordination promotion;

ロ　社員の議決権に関して、社員が当該一般社団法人に対して提供した金銭その他の財産の価額に応じて異なる取扱いをしないものであること。

(b) the voting rights of members are not treated differently according to the value of money or other property that the members have provided to the general incorporated association;

十一　参加法人の有する議決権の合計が総社員の議決権の過半を占めているものであること。

(xi) the total number of voting rights held by the participating corporations accounts for a majority of the voting rights of all members;

十二　営利を目的とする団体又はその役員と利害関係を有することその他の事情により社員総会の決議に不当な影響を及ぼすおそれがある者として厚生労働省令で定めるものを社員並びに理事及び監事（次号において「役員」という。）としない旨を定款で定めているものであること。

(xii) the articles of incorporation stipulate that persons specified by an Order of the Ministry of Health, Labour and Welfare as those who are likely to have an undue influence on the resolution of a general meeting of members due to their interest in a profit-oriented organization or its officers or other circumstances should not be designated as members, directors or auditors (referred to as "officers" in the following item);

十三　役員について、次のいずれにも該当するものであること。

(xiii) the general incorporated association falls under all of the following with regard to its officers:

イ　役員として、理事三人以上及び監事一人以上を置くものであること。

(a) the general incorporated association has three or more directors and one or more auditors as its officers;

ロ　役員のうちには、各役員について、その役員、その配偶者及び三親等以内の親族その他各役員と厚生労働省令で定める特殊の関係がある者が役員の総数の三分の一を超えて含まれることがないものであること。

(b) no more than one-third of the total number of officers consist of an officer, their spouse, their relatives within the third degree of kinship, or other persons who have a special relationship with the officer as specified by an Order of the Ministry of Health, Labour and Welfare;

ハ　理事のうち少なくとも一人は、診療に関する学識経験者の団体の代表者その他の医療連携推進業務の効果的な実施のために必要な者として厚生労働省令で定める者であるものであること。

(c) at least one of the directors is a representative of an organization of academic experts on medical treatment or other persons specified by an Order of the Ministry of Health, Labour and Welfare as necessary for the effective implementation of medical coordination promotion operations;

十四　代表理事を一人置いているものであること。

(xiv) the general incorporated association has one representative director;

十五　理事会を置いているものであること。

(xv) the general incorporated association has a board of directors;

十六　次に掲げる要件を満たす評議会（第七十条の十三第二項において「地域医療連携推進評議会」という。）を置く旨を定款で定めているものであること。

(xvi) the articles of incorporation stipulate that the general incorporated association should have a council that meets the following requirements (referred to as the "council for regional medical coordination promotion" in Article 70-13, paragraph (2)):

イ　医療又は介護を受ける立場にある者、診療に関する学識経験者の団体その他の関係団体、学識経験を有する者その他の関係者をもつて構成するものであること。

(a) the council consists of recipients of medical care or nursing care, organizations of academic experts on medical treatment and other related organizations, persons with academic background, and other related persons;

ロ　当該一般社団法人が次号の意見を述べるに当たり、当該一般社団法人に対し、必要な意見を述べることができるものであること。

(b) the council is able to provide necessary opinions to the general incorporated association when the relevant general incorporated association expresses the opinions prescribed in the following item;

ハ　前条第二項第三号の目標に照らし、当該一般社団法人の業務の実施の状況について評価を行い、必要があると認めるときは、社員総会及び理事会において意見を述べることができるものであること。

(c) the council is able to evaluate the status of the implementation of the operations of the general incorporated association in light of the targets set forth in paragraph (2), item (iii) of the preceding Article, and to state its opinions at a general meeting of members and board of directors meeting when it finds it necessary;

十七　参加法人が次に掲げる事項その他の重要な事項を決定するに当たつては、あらかじめ、当該一般社団法人に意見を求めなければならないものとする旨を定款で定めているものであること。

(xvii) the articles of incorporation stipulate that the participating corporations should, prior to making decisions on the following particulars and other important particulars, seek the opinions of the general incorporated association:

イ　予算の決定又は変更

(a) decision or change of the budget;

ロ　借入金（当該会計年度内の収入をもつて償還する一時の借入金を除く。）の借入れ

(b) borrowings (excluding temporary borrowings to be redeemed with income within the fiscal year);

ハ　重要な資産の処分

(c) disposal of important assets;

ニ　事業計画の決定又は変更

(d) decision or change of the business plan;

ホ　定款又は寄附行為の変更

(e) change of the articles of incorporation or act of endowment;

ヘ　合併又は分割

(f) merger or split;

ト　目的たる事業の成功の不能その他の厚生労働省令で定める事由による解散

(g) dissolution due to inability to succeed in the intended business or other reasons specified by an Order of the Ministry of Health, Labour and Welfare;

十八　第七十条の二十一第一項又は第二項の規定による医療連携推進認定の取消しの処分を受けた場合において、第七十条の二十二において読み替えて準用する公益社団法人及び公益財団法人の認定等に関する法律（平成十八年法律第四十九号）第三十条第二項に規定する医療連携推進目的取得財産残額があるときは、これに相当する額の財産を当該医療連携推進認定の取消しの処分の日から一月以内に国若しくは地方公共団体又は医療法人その他の医療を提供する者であつて厚生労働省令で定めるもの（次号において「国等」という。）に贈与する旨を定款で定めているものであること。

(xviii) the articles of incorporation stipulate that in the event that a disposition of rescission of the approval for medical coordination promotion is made pursuant to the provisions of Article 70-21, paragraph (1) or (2), when there is a residual amount of property acquired for the purpose of medical coordination promotion set forth in Article 30. paragraph (2) of the Act on Authorization of Public Interest Incorporated Associations and Public Interest Incorporated Foundations (Act No. 49 of 2006) as applied mutatis mutandis by replacing the terms under Article 70-22, the equivalent amount of property should be donated to the national government, local governments, medical corporations or other medical care providers specified by an Order of the Ministry of Health, Labour and Welfare (referred to as "the state, etc." in the following item) within one month from the day of the relevant disposition of rescission of the approval for medical coordination promotion;

十九　清算をする場合において残余財産を国等に帰属させる旨を定款で定めているものであること。

(xix) the articles of incorporation stipulate that in the case of liquidation, the residual property is to be attributed to the state, etc.; and

二十　前各号に掲げるもののほか、医療連携推進業務を適切に行うために必要なものとして厚生労働省令で定める要件に該当するものであること。

(xx) beyond what is listed in each of the preceding items, the general incorporated association meets the requirements specified by an Order of the Ministry of Health, Labour and Welfare as necessary for the appropriate performance of medical coordination promotion operations.

２　都道府県知事は、医療連携推進認定をするに当たつては、当該都道府県の医療計画において定める地域医療構想との整合性に配慮するとともに、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(2) In granting approval for medical coordination promotion, the prefectural governor must give consideration to consistency with the regional medical care vision specified in the medical care plan of the prefecture and hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

第七十条の四　次のいずれかに該当する一般社団法人は、医療連携推進認定を受けることができない。

Article 70-4 A general incorporated association that falls under any of the following is not eligible to receive approval for medical coordination promotion:

一　その理事及び監事のうちに、次のいずれかに該当する者があるもの

(i) any of its directors and auditors falls under any of the following:

イ　地域医療連携推進法人（次条第一項に規定する地域医療連携推進法人をいう。）が第七十条の二十一第一項又は第二項の規定により医療連携推進認定を取り消された場合において、その取消しの原因となつた事実があつた日以前一年内に当該地域医療連携推進法人の業務を行う理事であつた者でその取消しの日から五年を経過しないもの

(a) in the case where a regional medical coordination promotion corporation (which means a regional medical coordination promotion corporation prescribed in paragraph (1) of the following Article) has had its approval for medical coordination promotion rescinded pursuant to the provisions of Article 70-21, paragraph (1) or (2), a person who was a director engaged in the operations of the relevant regional medical coordination promotion corporation within one year prior to the day on which the fact that caused the rescission occurred and for whom five years have not yet elapsed from the day of the rescission;

ロ　この法律その他保健医療又は社会福祉に関する法律で政令で定めるものの規定により罰金以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して五年を経過しない者

(b) a person sentenced to a fine or severer punishment pursuant to the provisions of this Act or other laws concerning healthcare or social welfare that are specified by a Cabinet Order for whom five years have not passed from the day on which the execution of the sentence was completed or the sentence became no longer applicable;

ハ　禁錮以上の刑に処せられ、その刑の執行を終わり、又は刑の執行を受けることがなくなつた日から五年を経過しない者

(c) a person sentenced to imprisonment or severer punishment for whom five years have not passed from the day on which the execution of the sentence was completed or the sentence became no longer applicable;

ニ　暴力団員による不当な行為の防止等に関する法律（平成三年法律第七十七号）第二条第六号に規定する暴力団員（以下この号において「暴力団員」という。）又は暴力団員でなくなつた日から五年を経過しない者（第三号において「暴力団員等」という。）

(d) a person who is a member of an organized crime group prescribed in item (vi) of Article 2 of the Act on Prevention of Unjust Acts by Organized Crime Group Members (Act No. 77 of 1991) (hereinafter referred to as an "organized crime group member" in this item) or a person for whom five years have not passed from the day on which the person ceased to be an organized crime group member (referred to as an "organized crime group member, etc." in item (iii));

二　第七十条の二十一第一項又は第二項の規定により医療連携推進認定を取り消され、その取消しの日から五年を経過しないもの

(ii) a general incorporated association which has had its approval for medical coordination promotion rescinded pursuant to the provisions of Article 70-21, paragraph (1) or (2) and for which five years have not passed from the date of such rescission; or

三　暴力団員等がその事業活動を支配するもの

(iii) a general incorporated association whose business activities are controlled by an organized crime group member, etc.

第七十条の五　医療連携推進認定を受けた一般社団法人（以下「地域医療連携推進法人」という。）は、その名称中に地域医療連携推進法人という文字を用いなければならない。

Article 70-5 (1) A general incorporated association that has obtained approval for medical coordination promotion (hereinafter referred to as a "regional medical coordination promotion corporation") must use the words "regional medical coordination promotion corporation" in its name.

２　地域医療連携推進法人は、その名称中の一般社団法人の文字を地域医療連携推進法人と変更する定款の変更をしたものとみなす。

(2) A regional medical coordination promotion corporation is deemed to have amended its articles of incorporation to change the words "general incorporated association" in its name to "regional medical coordination promotion corporation".

３　前項の規定による名称の変更の登記の申請書には、医療連携推進認定を受けたことを証する書面を添付しなければならない。

(3) A written application for registration of the change of name pursuant to the provisions of the preceding paragraph is accompanied by a document certifying that the corporation has obtained approval for medical coordination promotion.

４　地域医療連携推進法人でない者は、その名称又は商号中に、地域医療連携推進法人であると誤認されるおそれのある文字を用いてはならない。

(4) A person who is not a regional medical coordination promotion corporation must not use the words in its name or trade name that may be misunderstood as a regional medical coordination promotion corporation.

５　地域医療連携推進法人は、不正の目的をもつて、他の地域医療連携推進法人であると誤認されるおそれのある名称又は商号を使用してはならない。

(5) A regional medical coordination promotion corporation must not use a name or trade name that may be misunderstood as another regional medical coordination promotion corporation for wrongful purposes.

第七十条の六　都道府県知事は、医療連携推進認定をしたときは、厚生労働省令で定めるところにより、その旨を公示しなければならない。

Article 70-6 When a prefectural governor has granted approval for medical coordination promotion, the prefectural governor must make a public announcement to that effect pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

第二節　業務等

Section 2 Business

第七十条の七　地域医療連携推進法人は、自主的にその運営基盤の強化を図るとともに、その医療連携推進区域において病院等を開設し、又は介護事業等に係る施設若しくは事業所を開設し、若しくは管理する参加法人の業務の連携の推進及びその運営の透明性の確保を図り、地域医療構想の達成及び地域包括ケアシステムの構築に資する役割を積極的に果たすよう努めなければならない。

Article 70-7 A regional medical coordination promotion corporation must voluntarily strengthen its operational base, promote coordination of operations of participating corporations that establish hospitals, etc. or establish or manage facilities or offices pertaining to nursing care business, etc. in the medical coordination promotion area, and ensure transparency of the management thereof, thereby endeavoring to play an active role that contributes to the achievement of the regional medical care vision and the establishment of the community-based integrated care system.

第七十条の八　地域医療連携推進法人は、医療連携推進方針において、第七十条の二第四項に規定する事項を記載した場合に限り、参加法人が開設する病院等及び参加法人が開設し、又は管理する介護事業等に係る施設又は事業所に係る業務について、医療連携推進方針に沿つた連携の推進を図ることを目的とする業務を行うことができる。

Article 70-8 (1) A regional medical coordination promotion corporation, only when the particulars prescribed in Article 70-2, paragraph (4) are stated in the medical coordination promotion policy, in accordance with the medical coordination promotion policy, may conduct business aimed at promoting coordination of operations of hospitals, etc. established by participating corporations and those of facilities or offices established or managed by participating corporations and engaged in nursing care business, etc.

２　地域医療連携推進法人は、次に掲げる要件に該当する場合に限り、出資を行うことができる。

(2) A regional medical coordination promotion corporation may make an investment only when the following requirements are met:

一　出資を受ける事業者が医療連携推進区域における医療連携推進業務と関連する事業を行うものであること。

(i) the business operator receiving the investment is engaged in a business related to the medical coordination promotion operations in the medical coordination promotion area;

二　出資に係る収益を医療連携推進業務に充てるものであること。

(ii) the investment profit is to be used in the medical coordination promotion operations; and

三　その他医療連携推進業務の実施に支障を及ぼすおそれがないものとして厚生労働省令で定める要件に該当するものであること。

(iii) other requirements specified by an Order of the Ministry of Health, Labour and Welfare as unlikely to hinder the implementation of the medical coordination promotion operations are met.

３　地域医療連携推進法人が、病院等を開設（地方自治法第二百四十四条の二第三項に規定する指定管理者として行う公の施設である病院等の管理を含む。）し、又は介護事業等に係る施設若しくは事業所であつて厚生労働省令で定めるものを開設し、若しくは管理しようとするときは、あらかじめ、医療連携推進業務の実施に支障のないことについて、医療連携推進認定をした都道府県知事（以下この章において「認定都道府県知事」という。）の確認を受けなければならない。

(3) When a regional medical coordination promotion corporation intending to establish a hospital, etc. (including management of a public hospital, etc. conducted as a designated administrator as set forth in Article 244-2, paragraph (3) of the Local Autonomy Act), or establish or manage a facility or office specified by an Order of the Ministry of Health, Labour and Welfare and engaged in nursing care business, etc., must receive prior confirmation from the prefectural governor who has granted approval for medical coordination promotion (hereinafter referred to as the "prefectural governor having granted approval" in this Chapter) that it will pose no obstacle to the implementation of the medical coordination promotion operations.

４　地域医療連携推進法人は、前項の確認を受けなければ、病院の開設の許可の申請、社会福祉法第六十二条第二項の許可（厚生労働省令で定める施設の設置に係るものに限る。）の申請その他の厚生労働省令で定める申請をすることができない。

(4) A regional medical coordination promotion corporation may not apply for permission to establish a hospital, permission under Article 62, paragraph (2) of the Social Welfare Act (limited to that pertaining to the establishment of facilities specified by an Order of the Ministry of Health, Labour and Welfare), or any other permission specified by an Order of the Ministry of Health, Labour and Welfare without receiving the confirmation set forth in the preceding paragraph.

５　認定都道府県知事は、第三項の確認をし、又は確認をしない処分をするに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(5) Prior to making a disposition with regards to making the confirmation or not under paragraph (3), the prefectural governor must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

第七十条の九　公益社団法人及び公益財団法人の認定等に関する法律第十八条の規定は、地域医療連携推進法人について準用する。この場合において、同条中「公益目的事業財産」とあるのは「医療連携推進目的事業財産」と、「公益目的事業を」とあるのは「医療法（昭和二十三年法律第二百五号）第七十条第二項に規定する医療連携推進業務（以下この条において「医療連携推進業務」という。）を」と、「、内閣府令」とあるのは「、厚生労働省令」と、同条第一号中「公益認定」とあるのは「医療法第七十条の二第一項に規定する医療連携推進認定（以下この条において「医療連携推進認定」という。）」と、「公益目的事業」とあるのは「医療連携推進業務」と、同条第二号及び第三号中「公益認定」とあるのは「医療連携推進認定」と、「公益目的事業」とあるのは「医療連携推進業務」と、同条第四号中「公益認定」とあるのは「医療連携推進認定」と、「収益事業等」とあるのは「医療連携推進業務以外の業務」と、「内閣府令」とあるのは「厚生労働省令」と、同条第七号中「公益認定」とあるのは「医療連携推進認定」と、「内閣府令」とあるのは「厚生労働省令」と、「公益目的事業」とあるのは「医療連携推進業務」と、同条第八号中「公益目的事業」とあるのは「医療連携推進業務」と、「内閣府令」とあるのは「厚生労働省令」と読み替えるものとする。

Article 70-9 The provisions of Article 18 of the Act on Authorization of Public Interest Incorporated Associations and Public Interest Incorporated Foundations apply mutatis mutandis to a regional medical coordination promotion corporation. In this case, the term "business property for public interest purposes" in the same Article is replaced with "business property for the purpose of medical coordination promotion", the term "business for public interest purposes" is replaced with "medical coordination promotion operations set forth in Article 70, paragraph (2) of the Medical Care Act (Act No. 205 of 1948) (hereinafter referred to as "medical coordination promotion operations" in this Article)", the term "Cabinet Office Order" is replaced with "Order of the Ministry of Health, Labour and Welfare", the term "approval for public interest" in item (i) of the same Article is replaced with "approval for medical coordination promotion set forth in Article 70-2, paragraph (1) of the Medical Care Act (hereinafter referred to as "approval for medical coordination promotion" in this Article)", the term "business for public interest purposes" is replaced with "medical coordination promotion operations", the term "approval for public interest" in items (ii) and (iii) of the same Article is replaced with "approval for medical coordination promotion", the term "business for public interest purposes" is replaced with "medical coordination promotion operations", the term "approval for public interest" in item (iv) of the same Article is replaced with "approval for medical coordination promotion", the term "profit-making businesses, etc." is replaced with "businesses other than medical coordination promotion operations", the term "Cabinet Office Order" is replaced with "Order of the Ministry of Health, Labour and Welfare", the term "approval for public interest" in item (vii) of the same Article is replaced with "approval for medical coordination promotion", the term "Cabinet Office Order" is replaced with "Order of the Ministry of Health, Labour and Welfare", the term "business for public interest purposes" is replaced with "medical coordination promotion operations", the term "business for public interest purposes" in item (viii) of the same Article is replaced with "medical coordination promotion operations", and the term "Cabinet Office Order" is replaced with "Order of the Ministry of Health, Labour and Welfare".

第七十条の十　第四十一条の規定は、地域医療連携推進法人について準用する。この場合において、同条第二項中「医療法人の開設する医療機関の規模等」とあるのは、「第七十条の五第一項に規定する地域医療連携推進法人が行う第七十条第二項に規定する医療連携推進業務」と読み替えるものとする。

Article 70-10 The provisions of Article 41 apply mutatis mutandis to a regional medical coordination promotion corporation. In this case, the term "scale, etc. of the medical institutions established by the medical corporation" in paragraph (2) of the same Article is replaced with "medical coordination promotion operations prescribed in Article 70, paragraph (2) conducted by a regional medical coordination promotion corporation prescribed in Article 70-5, paragraph (1)".

第七十条の十一　参加法人は、その開設する参加病院等及び参加介護施設等に係る業務について、医療連携推進方針に沿つた連携の推進が図られることを示すための標章を当該参加病院等及び参加介護施設等に掲示しなければならない。

Article 70-11 A participating corporation must display a mark at participating hospitals, etc. and participating nursing care facilities, etc. it establishes to indicate that the coordination of operations of the relevant participating hospitals, etc. and participating nursing care facilities, etc. is being promoted in accordance with the medical coordination promotion policy.

第七十条の十二　第四十六条の五の三第三項の規定は、地域医療連携推進法人の理事について準用し、第四十六条の五第九項及び第四十六条の五の三第三項の規定は、地域医療連携推進法人の監事について準用する。

Article 70-12 (1) The provisions of Article 46-5-3, paragraph (3) apply mutatis mutandis to the directors of a regional medical coordination promotion corporation, and the provisions of Article 46-5, paragraph (9) and Article 46-5-3, paragraph (3) apply mutatis mutandis to the auditors of a regional medical coordination promotion corporation.

２　地域医療連携推進法人の監事に関する一般社団法人及び一般財団法人に関する法律第百条の規定の適用については、同条中「理事（理事会設置一般社団法人にあっては、理事会）」とあるのは、「認定都道府県知事（医療法（昭和二十三年法律第二百五号）第七十条の八第三項に規定する認定都道府県知事をいう。）、社員総会又は理事会」とする。

(2) When applying the provisions of Article 100 of the Act on General Incorporated Associations and General Incorporated Foundations to the auditors of a regional medical coordination promotion corporation, the term "directors (in the case of a general incorporated association with a board of directors, the board of directors)" in the same Article is replaced with "prefectural governor having granted approval (referred to the prefectural governor having granted approval prescribed in Article 70-8, paragraph (3) of the Medical Care Act (Act No. 205 of 1948)), the general meeting of members, or the board of directors".

第七十条の十三　地域医療連携推進法人は、第七十条の三第一項第十六号ハの評価の結果を公表しなければならない。

Article 70-13 (1) A regional medical coordination promotion corporation must publicize the results of the evaluation set forth in Article 70-3, paragraph (1), item (xvi), (c).

２　地域医療連携推進法人は、第七十条の三第一項第十六号ハの地域医療連携推進評議会の意見を尊重するものとする。

(2) A regional medical coordination promotion corporation is to respect the opinions of the council for regional medical coordination promotion set forth in Article 70-3. paragraph (1), item (xvi), (c).

第七十条の十四　前章第四節（第五十条、第五十条の二、第五十一条の二第五項及び第五十一条の四第一項を除く。）の規定は、地域医療連携推進法人の計算について準用する。この場合において、第五十一条第一項中「関する報告書」とあるのは「関する報告書、第七十条第二項第三号の支援及び第七十条の八第二項の出資の状況に関する報告書」と、同条第二項中「医療法人（その事業活動の規模その他の事情を勘案して厚生労働省令で定める基準に該当する者に限る。）」とあり、同条第五項中「第二項の医療法人」とあり、及び第五十一条の三中「医療法人（その事業活動の規模その他の事情を勘案して厚生労働省令で定める基準に該当する者に限る。）」とあるのは「地域医療連携推進法人」と、同条中「前条第三項（同条第五項において読み替えて準用する場合を含む。）」とあるのは「前条第三項」と、第五十一条の四第二項中「社会医療法人及び第五十一条第二項の医療法人（社会医療法人を除く。）」とあるのは「地域医療連携推進法人」と、「書類（第二号に掲げる書類にあつては、第五十一条第二項の医療法人に限る。）」とあるのは「書類」と、同項第一号中「前項各号に掲げる書類」とあるのは「事業報告書等、第四十六条の八第三号の監査報告書及び定款」と、同条第三項中「監事の監査報告書」とあるのは「第四十六条の八第三号の監査報告書」と、同条第四項中「前三項」とあるのは「前二項」と、第五十二条第一項第二号中「監事の監査報告書」とあるのは「第四十六条の八第三号の監査報告書」と、同項第三号中「第五十一条第二項の医療法人にあつては、公認会計士等」とあるのは「公認会計士等」と読み替えるものとする。

Article 70-14 The provisions of Section 4 of the preceding Chapter (excluding Article 50, Article 50-2, Article 51-2, paragraph (5) and Article 51-4, paragraph (1)) apply mutatis mutandis to the accounting of a regional medical coordination promotion corporation. In this case, the term "report on the status of transactions with related business operators" in Article 51, paragraph (1) is replaced with "report on the status of transactions with related business operators, a report on the status of support set forth in Article 70, paragraph (2), item (iii), and a report on the status of investment set forth in Article 70-8, paragraph (2)", the terms "medical corporation (limited to those that meet the standards specified by an Order of the Ministry of Health, Labour and Welfare in consideration of the scale of their business activities and other circumstances)" in paragraph (2) of the same Article, "medical corporation set forth in paragraph (2)" in paragraph (5) of the same Article, and "medical corporation (limited to those that meet the standards specified by an Order of the Ministry of Health, Labour and Welfare in consideration of the scale of their business activities and other circumstances)" in Article 51-3 is replaced with "regional medical coordination promotion corporation", the term "paragraph (3) of the preceding Article (including cases where it is applied mutatis mutandis by replacing the terms pursuant to paragraph (5) of the same Article)" in the same Article is replaced with "paragraph (3) of the preceding Article", the term "social medical corporation and a medical corporation set forth in Article 51, paragraph (2) (excluding a social medical corporation)" in Article 51-4, paragraph (2) is replaced with "regional medical coordination promotion corporation", the term "documents (limited to medical corporations set forth in Article 51, paragraph (2) in the case of documents listed in item (ii))" is replaced with "documents", the term "documents listed in each item of the preceding paragraph" in item (i) of the same paragraph is replaced with "business report, etc., audit report set forth in Article 46-8, item (iii) and the articles of incorporation", the term "auditor's audit report" in paragraph (3) of the same Article is replaced with "audit report set forth in Article 46-8, item (iii)", the term "preceding three paragraphs" in paragraph (4) of the same Article is replaced with "preceding two paragraphs", the term "auditor's audit report" in Article 52, paragraph (1), item (ii) is replaced with "audit report set forth in Article 46-8, item (iii)", and the term "in the case of a medical corporation set forth in Article 51, paragraph (2), the audit report of a certified public accountant, etc." in item (iii) of the same paragraph is replaced with "the audit report of a certified public accountant, etc.".

第七十条の十五　前章第七節（第五十五条第一項（第四号及び第七号に係る部分に限る。）及び第三項を除く。）の規定は、地域医療連携推進法人の解散及び清算について準用する。この場合において、同条第六項中「都道府県知事」とあるのは「認定都道府県知事（第七十条の八第三項に規定する認定都道府県知事をいう。以下この節において同じ。）」と、同条第七項及び第八項中「都道府県知事」とあるのは「認定都道府県知事」と、同項中「若しくは第五号又は第三項第一号」とあるのは「又は第五号」と、第五十六条第一項及び第五十六条の三中「合併及び破産手続開始」とあるのは「破産手続開始」と、第五十六条の六及び第五十六条の十一中「都道府県知事」とあるのは「認定都道府県知事」と、第五十六条の十二第一項中「清算」とあるのは「清算（第七十条の十五において読み替えて準用するこの節（第五十五条第一項（第四号及び第七号に係る部分に限る。）及び第三項を除く。）の規定による解散及び清算に係る部分に限る。）」と、同条第三項及び第四項中「都道府県知事」とあるのは「認定都道府県知事」と読み替えるものとする。

Article 70-15 The provisions of Section 7 of the preceding Chapter (excluding Article 55, paragraph (1) (limited to the part pertaining to items (iv) and (vii)) and Article 55, paragraph (3)) apply mutatis mutandis to the dissolution and liquidation of a regional medical coordination promotion corporation. In this case, the term "prefectural governor" in paragraph (6) of the same Article is replaced with "prefectural governor having granted approval (meaning the prefectural governor having granted approval prescribed in Article 70-8. paragraph (3); hereinafter the same applies in this Section)", the term "prefectural governor" in paragraphs (7) and (8) of the same Article is replaced with "prefectural governor having granted approval", the term "or (v), or paragraph (3), item (i)" in paragraph (8) of the same Article is replaced with "or (v)", the term "decision to merge or to commence bankruptcy proceedings" in Article 56, paragraph (1) and Article 56-3 is replaced with "decision to commence bankruptcy proceedings", the term "prefectural governor" in Article 56-6 and Article 56-11 is replaced with "prefectural governor having granted approval", the term "liquidation" in Article 56-12, paragraph (1) is replaced with "liquidation (limited to the part pertaining to dissolution and liquidation prescribed in this Section (excluding Article 55, paragraph (1) (limited to the part pertaining to items (iv) and (vii)) and Article 55, paragraph (3)) as applied mutatis mutandis by replacing the terms pursuant to Article 70-15)", and the term "prefectural governor" in paragraphs (3) and (4) of the same Article is replaced with "prefectural governor having granted approval".

第七十条の十六　地域医療連携推進法人については、一般社団法人及び一般財団法人に関する法律第五条第一項、第四十九条第二項（第六号に係る部分（同法第百四十八条第三号の社員総会に係る部分に限る。）に限る。）、第六十七条第一項及び第三項並びに第五章の規定は、適用しない。

Article 70-16 The provisions of Article 5, paragraph (1), Article 49, paragraph (2) (limited to the part pertaining to item (vi) (limited to the part pertaining to the general meeting of members set forth in item (iii) of Article 148)), Article 67, paragraphs (1) and (3), and Chapter V of the Act on General Incorporated Associations and General Incorporated Foundations do not apply to a regional medical coordination promotion corporation.

第三節　監督

Section 3 Supervision

第七十条の十七　一般社団法人及び一般財団法人に関する法律第十一条第一項各号に掲げる事項並びに第七十条の三第一項第六号、第七号、第十二号及び第十六号から第十九号までに規定する定款の定めのほか、地域医療連携推進法人は、その定款において、次に掲げる事項を定めなければならない。

Article 70-17 Beyond the particulars listed in each item of Article 11, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations and the provisions of the articles of incorporation prescribed in Article 70-3, paragraph (1), items (vi), (vii), (xii) and (xvi) through (xix), a regional medical coordination promotion corporation must provide for in the following particulars in its articles of incorporation:

一　資産及び会計に関する規定

(i) provisions concerning assets and accounting;

二　役員に関する規定

(ii) provisions concerning officers;

三　理事会に関する規定

(iii) provisions concerning the board of directors;

四　解散に関する規定

(iv) provisions concerning dissolution;

五　定款の変更に関する規定

(v) provisions concerning change of the articles of incorporation; and

六　開設している病院等（指定管理者として管理する病院等を含む。）又は開設し、若しくは管理している介護事業等に係る施設若しくは事業所であつて厚生労働省令で定めるものがある場合には、その名称及び所在地

(vi) names and locations of hospitals, etc. it has established (including hospitals, etc. it manages as a designated administrator) or facilities or offices engaged in nursing care business, etc. it has established or manages, which are specified by an Order of the Ministry of Health, Labour and Welfare, if any.

第七十条の十八　第五十四条の九（第一項及び第二項を除く。）の規定は、地域医療連携推進法人の定款の変更について準用する。この場合において、同条第三項中「都道府県知事」とあるのは「認定都道府県知事（第七十条の八第三項に規定する認定都道府県知事をいう。次項及び第五項において同じ。）」と、同条第四項中「都道府県知事」とあるのは「認定都道府県知事」と、「第四十五条第一項に規定する事項及び」とあるのは「当該申請に係る地域医療連携推進法人（第七十条の五第一項に規定する地域医療連携推進法人をいう。）の資産が第七十条の十において読み替えて準用する第四十一条の要件に該当しているかどうか及び変更後の定款の内容が法令の規定に違反していないかどうか並びに」と、同条第五項中「都道府県知事」とあるのは「認定都道府県知事」と読み替えるものとする。

Article 70-18 (1) The provisions of Article 54-9 (excluding paragraphs (1) and (2)) apply mutatis mutandis to the change of the articles of incorporation of a regional medical coordination promotion corporation. In this case, the term "prefectural governor" in paragraph (3) of the same Article is replaced with "prefectural governor having granted approval (meaning the prefectural governor having granted approval prescribed in Article 70-8, paragraph (3); the same applies in the following paragraph and paragraph (5))", the term "prefectural governor" in paragraph (4) of the same Article is replaced with "prefectural governor having granted approval", the term "particulars prescribed in Article 45, paragraph (1) and" is replaced with "whether the assets of the regional medical coordination promotion corporation (meaning the regional medical coordination promotion corporation prescribed in Article 70-5, paragraph (1)) pertaining to the relevant application meet the requirements set forth in Article 41 as applied mutatis mutandis by replacing the terms pursuant to Article 70-10, whether the content of the articles of incorporation after change does not violate the provisions of laws and regulations, and", and the term "prefectural governor" in paragraph (5) of the same Article is replaced with "prefectural governor having granted approval".

２　認定都道府県知事は、前項において読み替えて準用する第五十四条の九第三項の認可（前条第六号に掲げる事項その他の厚生労働省令で定める重要な事項に係るものに限る。以下この項において同じ。）をし、又は認可をしない処分をするに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(2) A prefectural governor having granted approval, when giving the approval set forth in Article 54-9, paragraph (3) (limited to the approval pertaining to the particulars listed in item (vi) of the preceding Article and other important particulars specified by an Order of the Ministry of Health, Labour and Welfare; hereinafter the same applies in this paragraph) as applied mutatis mutandis by replacing the terms in accordance with the preceding paragraph or making a disposition not to give the approval, must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

第七十条の十九　代表理事の選定及び解職は、認定都道府県知事の認可を受けなければ、その効力を生じない。

Article 70-19 (1) The selection and dismissal of a representative director is not take effect without the approval of an authorized prefectural governor.

２　認定都道府県知事は、前項の認可をし、又は認可をしない処分をするに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(2) An authorized prefectural governor, when giving the approval or making a disposition not to give the approval set forth in the preceding paragraph, must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

第七十条の二十　第六条の八第三項及び第四項、第六十三条第一項並びに第六十四条の規定は、地域医療連携推進法人について準用する。この場合において、第六条の八第三項及び第四項中「第一項」とあるのは「第七十条の二十において読み替えて準用する第六十三条第一項」と、第六十三条第一項中「都道府県知事は」とあるのは「認定都道府県知事（第七十条の八第三項に規定する認定都道府県知事をいう。以下この項及び次条において同じ。）は」と、「都道府県知事の」とあるのは「認定都道府県知事の」と、第六十四条中「都道府県知事」とあるのは「認定都道府県知事」と読み替えるものとする。

Article 70-20 The provisions of Article 6-8, paragraphs (3) and (4), Article 63, paragraph (1) and Article 64 apply mutatis mutandis to a regional medical coordination promotion corporation. In this case, the term "paragraph (1)" in Article 6-8, paragraphs (3) and (4) is replaced with "Article 63, paragraph (1) as applied mutatis mutandis by replacing the terms pursuant to Article 70-20", the term "prefectural governor" in Article 63, paragraph (1) is replaced with "prefectural governor having granted approval (meaning the prefectural governor having granted approval prescribed in Article 70-8, paragraph (3); hereinafter the same applies in this paragraph and the following Article) ", the term "by the prefectural governor" is replaced with "by the prefectural governor having granted approval", and the term "prefectural governor" in Article 64 is replaced with "prefectural governor having granted approval".

第七十条の二十一　認定都道府県知事は、地域医療連携推進法人が、次の各号のいずれかに該当する場合においては、その医療連携推進認定を取り消さなければならない。

Article 70-21 (1) In the case where a regional medical coordination promotion corporation falls under any of the following items, the prefectural governor having granted approval must rescind the approval for medical coordination promotion:

一　第七十条の四第一号又は第三号に該当するに至つたとき。

(i) when the regional medical coordination promotion corporation has come to fall under Article 70-4, item (i) or (iii); or

二　偽りその他不正の手段により医療連携推進認定を受けたとき。

(ii) when the regional medical coordination promotion corporation has received the approval for medical coordination promotion by deception or other wrongful means.

２　認定都道府県知事は、地域医療連携推進法人が、次の各号のいずれかに該当する場合においては、その医療連携推進認定を取り消すことができる。

(2) In the case where a regional medical coordination promotion corporation falls under any of the following items, the prefectural governor having granted approval may rescind the approval for medical coordination promotion:

一　第七十条の三第一項各号に掲げる基準のいずれかに適合しなくなつたとき。

(i) when the regional medical coordination promotion corporation no longer conforms to any of the standards listed in each item of Article 70-3, paragraph (1);

二　地域医療連携推進法人から医療連携推進認定の取消しの申請があつたとき。

(ii) when the regional medical coordination promotion corporation has filed an application for revocation of the approval for medical coordination promotion; or

三　この法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したとき。

(iii) when the regional medical coordination promotion corporation has violated this Act or any order under this Act or any disposition thereunder.

３　認定都道府県知事は、前二項の規定により医療連携推進認定を取り消すに当たつては、あらかじめ、都道府県医療審議会の意見を聴かなければならない。

(3) A prefectural governor having granted approval, when rescinding the approval for medical coordination promotion pursuant to the provisions of the preceding two paragraphs, must hear the opinions of the Prefectural Council on Medical Service Facilities in advance.

４　認定都道府県知事は、第一項又は第二項の規定により医療連携推進認定を取り消したときは、厚生労働省令で定めるところにより、その旨を公示しなければならない。

(4) A prefectural governor having granted approval who rescinded the approval for medical coordination promotion pursuant to the provisions of paragraph (1) or (2) must make a public announcement to that effect in accordance with an Order of the Ministry of Health, Labour and Welfare.

５　第一項又は第二項の規定による医療連携推進認定の取消しの処分を受けた地域医療連携推進法人は、その名称中の地域医療連携推進法人という文字を一般社団法人と変更する定款の変更をしたものとみなす。

(5) A reginal medical coordination promotion corporation that has received a disposition of rescission of the approval for medical coordination promotion pursuant to the provisions of paragraph (1) or paragraph (2) is deemed to have amended its articles of incorporation to change the words "regional medical coordination promotion corporation" in its name to "general incorporated association".

６　認定都道府県知事は、第一項又は第二項の規定による医療連携推進認定の取消しをしたときは、遅滞なく、当該地域医療連携推進法人の主たる事務所及び従たる事務所の所在地を管轄する登記所に当該地域医療連携推進法人の名称の変更の登記を嘱託しなければならない。

(6) A prefectural governor having granted approval who rescinded the approval for medical coordination promotion pursuant to the provisions of paragraph (1) or (2) must immediately commission the registration of the change of the name of the relevant regional medical coordination promotion corporation to the registration office having jurisdiction over the location of the principal office or secondary office of the relevant regional medical coordination promotion corporation.

７　前項の規定による名称の変更の登記の嘱託書には、当該登記の原因となる事由に係る処分を行つたことを証する書面を添付しなければならない。

(7) The written commission for registration of the change of the name pursuant to the provisions of the preceding paragraph must be accompanied by a document certifying that the disposition pertaining to the cause of the relevant registration has been made.

第七十条の二十二　公益社団法人及び公益財団法人の認定等に関する法律第三十条の規定は、認定都道府県知事が前条第一項又は第二項の規定により医療連携推進認定を取り消した場合について準用する。この場合において、同法第三十条中「公益目的取得財産残額」とあるのは「医療連携推進目的取得財産残額」と、同条第一項中「場合又は公益法人が合併により消滅する場合（その権利義務を承継する法人が公益法人であるときを除く。）」とあるのは「場合」と、「第五条第十七号」とあるのは「医療法（昭和二十三年法律第二百五号）第七十条の三第一項第十八号」と、「日又は当該合併の日から」とあるのは「日から」と、「内閣総理大臣が行政庁である場合にあっては国、都道府県知事が行政庁である場合にあっては当該」とあるのは「認定都道府県知事（同法第七十条の八第三項に規定する認定都道府県知事をいう。第四項において同じ。）の管轄する」と、「法人又は当該合併により消滅する公益法人の権利義務を承継する法人」とあるのは「法人」と、「認定取消法人等」とあるのは「認定取消法人」と、同条第二項第一号中「公益目的事業財産（第十八条第六号に掲げる財産にあっては、公益認定を受けた日前に取得したものを除く。）」とあるのは「医療連携推進目的事業財産（医療法第七十条の九において読み替えて準用する第十八条に規定する医療連携推進目的事業財産をいう。次号及び第三号において同じ。）」と、同項第二号及び第三号中「に公益目的事業」とあるのは「に医療連携推進業務」と、「公益目的事業財産」とあるのは「医療連携推進目的事業財産」と、同号及び同条第三項中「内閣府令」とあるのは「厚生労働省令」と、同条第四項中「認定取消法人等」とあるのは「認定取消法人」と、「国又は」とあるのは「認定都道府県知事の管轄する」と、同条第五項中「第五条第十七号」とあるのは「医療法第七十条の三第一項第十八号」と読み替えるものとする。

Article 70-22 The provisions of Article 30 of the Act on Authorization of Public Interest Incorporated Associations and Public Interest Incorporated Foundations apply mutatis mutandis to the case where a prefectural governor having granted approval rescinds the approval for medical coordination promotion pursuant to the provisions of paragraph (1) or (2) of the preceding Article. In this case, the term "the remaining amount of the public interest purposes acquired property" in Article 30 of the same Act is deemed to be replaced with "the remaining amount of the acquired property for the purpose of medical coordination promotion", the term "in the event that, or a public interest corporation ceases to exist as a result of a merger (excluding a case in which a corporation that succeeds its rights and obligations is a public interest corporation)" in paragraph (1) of the same Article is replaced with "in the event that", the term "item (xvii) of Article 5" is replaced with "Article 70-3, paragraph (1), item (xviii) of the Medical Care Act (Act No. 205 of 1948)", the term "after the day of, or such merger" is replaced with "after the day of", the term "the national government, in case the Prime Minister is the administrative agency, or the prefecture, in case the prefectural governor is the administrative agency" is replaced with "the prefecture governed by the prefectural governor having granted approval (meaning the prefectural governor having granted approval prescribed in Article 70-8, paragraph (3) of the same Act; the same applies in paragraph (4))", the term "the corporation, or the corporation that succeeds the rights and obligations of the public interest corporation that ceases to exist as a result of the merger" is replaced with "the corporation", the term "authorization cancelled corporation, etc." is replaced with "authorization cancelled corporation", the term "property for business for public interest purposes (excluding those acquired before the day on which public interest corporation authorization was granted, in case of the property listed in item (vi) of Article 18)" in paragraph (2), item (i) of the same Article is replaced with "property for business for the purpose of medical coordination promotion (which means property for business for the purpose of medical coordination promotion prescribed in Article 18 as applied mutatis mutandis by replacing the terms pursuant to Article 70-9 of the Medical Care Act; the same applies in the following item and item (iii)) ", the term "business for public interest purposes" in items (ii) and (iii) of the same paragraph is replaced with "medical coordination promotion operations", the term "property for business for public interest purposes" is replaced with "property for business for the purpose of medical coordination promotion", the term "Cabinet Office Order" in the same item and paragraph (3) of the same Article is replaced with "Order of the Ministry of Health, Labour and Welfare", the term "authorization cancelled corporation, etc." in paragraph (4) of the same Article is replaced with "authorization cancelled corporation", the term "the national government or the prefecture" is replaced with "the prefecture governed by the prefectural governor having granted approval", and the term "item (xvii) of Article 5" in paragraph (5) of the same Article is replaced with "Article 70-3, paragraph (1), item (xviii) of the Medical Care Act".

第七十条の二十三　第六十六条の二及び第六十七条の規定は、地域医療連携推進法人について準用する。この場合において、第六十六条の二中「第六十四条第一項及び第二項、第六十四条の二第一項、第六十五条並びに前条第一項」とあるのは「第七十条の二十において読み替えて準用する第六十四条第一項及び第二項並びに第七十条の二十一第一項及び第二項」と、「都道府県知事」とあるのは「認定都道府県知事（第七十条の八第三項に規定する認定都道府県知事をいう。第六十七条第一項及び第三項において同じ。）」と、第六十七条第一項中「都道府県知事」とあるのは「認定都道府県知事」と、「第四十四条第一項、第五十五条第六項、第五十八条の二第四項（第五十九条の二において読み替えて準用する場合を含む。）若しくは第六十条の三第四項（第六十一条の三において読み替えて準用する場合を含む。）」とあるのは「医療連携推進認定をしない処分若しくは第七十条の十五において読み替えて準用する第五十五条第六項」と、「第六十四条第二項」とあるのは「第七十条の二十において読み替えて準用する第六十四条第二項」と、同条第三項中「都道府県知事」とあるのは「認定都道府県知事」と読み替えるものとする。

Article 70-23 The provisions of Article 66-2 and Article 67 apply mutatis mutandis to a regional medical coordination promotion corporation. In this case, the term "Article 64, paragraphs (1) and (2), Article 64-2, paragraph (1), Article 65, and paragraph (1) of the preceding Article" in Article 66-2 is replaced with "Article 64, paragraphs (1) and (2) as applied mutatis mutandis by replacing the terms pursuant to Article 70-20 and Article 70-21, paragraphs (1) and (2) ", and the term "prefectural governor" is replaced with "prefectural governor having granted approval (meaning the prefectural governor having granted approval prescribed in Article 70-8, paragraph (3); the same applies in Article 67, paragraphs (1) and (3))", the term "prefectural governor" in Article 67, paragraph (1) is replaced with "prefectural governor having granted approval", the term "Article 44, paragraph (1), Article 55, paragraph (6), Article 58-2, paragraph (4) (including cases where it is applied mutatis mutandis by replacing the terms pursuant to Article 59-2), or Article 60-3, paragraph (4) (including the cases where it is applied mutatis mutandis by replacing the terms pursuant to Article 61-3)" is replaced with "disposition of not granting approval for medical coordination promotion or Article 55, paragraph (6) as applied mutatis mutandis by replacing the terms pursuant to Article 70-15", the term "Article 64, paragraph (2)" is replaced with "Article 64, paragraph (2) as applied mutatis mutandis by replacing the terms pursuant to Article 70-20", and the term "prefectural governor" in paragraph (3) of the same Article is replaced with "prefectural governor having granted approval".

第四節　雑則

Section 4 Miscellaneous Provisions

第七十一条　この章に特に定めるもののほか、医療連携推進区域が二以上の都道府県にわたる場合における医療連携推進認定及び地域医療連携推進法人の監督その他の医療連携推進認定及び地域医療連携推進法人の監督に関し必要な事項は政令で、その他この章の規定の施行に関し必要な事項は厚生労働省令で、それぞれ定める。

Article 71 Beyond what is specifically provided for in this Chapter, approval for medical coordination promotion and supervision of a regional medical coordination promotion corporation in the case where the medical coordination promotion area extends over two or more prefectures, and other necessary particulars concerning the approval for medical coordination promotion and supervision of a regional medical coordination promotion corporation is specified by a Cabinet Order, and other necessary particulars concerning the enforcement of the provisions of this Chapter is specified by an Order of the Ministry of Health, Labour and Welfare.

第八章　雑則

Chapter VIII Miscellaneous Provisions

第七十二条　この法律の規定によりその権限に属させられた事項を調査審議するほか、都道府県知事の諮問に応じ、当該都道府県における医療を提供する体制の確保に関する重要事項を調査審議するため、都道府県に、都道府県医療審議会を置く。

Article 72 (1) A prefectural council on medical service facilities is established in the prefectures in order to carry out investigations and deliberations on particulars placed under their jurisdiction by this Act, and in order to carry out investigations and deliberations on significant particulars related to ensuring the system for providing medical care in the relevant prefecture in response to consultations with the prefectural governor.

２　都道府県医療審議会の組織及び運営に関し必要な事項は、政令で定める。

(2) Any necessary particulars concerning the organization and operation of a prefectural council on medical service facilities is stipulated by Cabinet Order.

第七十三条　この法律中都道府県が処理することとされている事務で政令で定めるものは、地方自治法第二百五十二条の十九第一項の指定都市（以下この条において「指定都市」という。）においては、政令の定めるところにより、指定都市が処理するものとする。この場合においては、この法律中都道府県に関する規定は、指定都市に関する規定として、指定都市に適用があるものとする。

Article 73 Designated cities set forth in Article 252-19, paragraph (1) of the Local Autonomy Act (hereinafter referred to as "designated cities" in this Article), pursuant to the provisions of a Cabinet Order, are to handle affairs specified by a Cabinet Order to be handled by prefectures in this Act. In this case, provisions set forth in this Act concerning prefectures apply mutatis mutandis to designated cities as provisions concerning designated cities.

第七十四条　第五条第二項、第二十三条の二、第二十四条第一項、第二十四条の二並びに第二十五条第一項及び第二項の規定により都道府県知事、保健所を設置する市の市長又は特別区の区長の権限に属するものとされている事務は、国民の健康を守るため緊急の必要があると厚生労働大臣が認める場合にあつては、厚生労働大臣又は都道府県知事、保健所を設置する市の市長若しくは特別区の区長が行うものとする。この場合においては、この法律の規定中都道府県知事、保健所を設置する市の市長又は特別区の区長に関する規定（当該事務に係るものに限る。）は、厚生労働大臣に関する規定として厚生労働大臣に適用があるものとする。

Article 74 (1) Affairs placed under the jurisdiction of a prefectural governor, mayor of a city with a public health center, or mayor of a special ward of Tokyo pursuant to the provisions of Article 5, paragraph (2), Article 23-2, Article 24, paragraph (1), Article 24-2, and Article 25, paragraphs (1) and (2), where the Minister of Health, Labour and Welfare finds there to be an urgent necessity therefor in order to protect the health of the citizens, this is to be undertaken by the Minister of Health, Labour and Welfare, prefectural governor, mayor of a city with a public health center, or mayor of a special ward of Tokyo. In this case, provisions set forth in this Act concerning a prefectural governor, mayor of a city with a public health center, or mayor of a special ward of Tokyo (limited to those pertaining to the relevant affairs) apply mutatis mutandis to the Minister of Health, Labour and Welfare as provisions concerning the Minister of Health, Labour and Welfare.

２　前項の場合において、厚生労働大臣又は都道府県知事、保健所を設置する市の市長若しくは特別区の区長が当該事務を行うときは、相互に密接な連携の下に行うものとする。

(2) In the case set forth in the preceding paragraph, when the relevant affairs are undertaken by the Minister of Health, Labour and Welfare, a prefectural governor, mayor of a city with a public health center, or mayor of a special ward of Tokyo, they are to be undertaken under close mutual cooperation.

第七十五条　この法律に規定する厚生労働大臣の権限は、厚生労働省令で定めるところにより、地方厚生局長に委任することができる。

Article 75 (1) The authority of the Minister of Health, Labour and Welfare pursuant to the provisions of this Act may be delegated to the Director-General of a Regional Bureau of Health and Welfare, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

２　前項の規定により地方厚生局長に委任された権限は、厚生労働省令で定めるところにより、地方厚生支局長に委任することができる。

(2) The authority delegated to the Director-General of a regional bureau of health and welfare pursuant to the provisions of the preceding paragraph may be delegated to the Director-General of a regional branch bureau of health and welfare pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare.

第七十六条　この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 76 Where an order has been established, revised, or abolished based on the provisions of this Act, the relevant order may specify any necessary transitional measures (including transitional measures related to penal provisions) within the scope reasonably necessary in accordance with the relevant establishment, revision, or abolition.

第九章　罰則

Chapter IX Penal Provisions

第七十七条　社会医療法人の役員が、自己若しくは第三者の利益を図り又は社会医療法人に損害を加える目的で、その任務に背く行為をし、当該社会医療法人に財産上の損害を加えたときは、七年以下の懲役若しくは五百万円以下の罰金に処し、又はこれを併科する。

Article 77 When an officer of a social medical corporation has acted in a manner that is contrary to their duties for the purpose of promoting their own interest or the interest of a third party, or with the object of inflicting damage on the social medical corporation, and has inflicted financial damage on the relevant social medical corporation, the relevant officer is punished by imprisonment for up to seven years, a fine of up to five million yen, or both.

第七十八条　社会医療法人の代表社会医療法人債権者（第五十四条の七において準用する会社法第七百三十六条第一項の規定により選任された代表社会医療法人債権者をいう。第八十一条第一項及び第九十一条において同じ。）又は決議執行者（第五十四条の七において準用する同法第七百三十七条第二項に規定する決議執行者をいう。第八十一条第一項及び第九十一条において同じ。）が、自己若しくは第三者の利益を図り又は社会医療法人債権者に損害を加える目的で、その任務に背く行為をし、社会医療法人債権者に財産上の損害を加えたときは、五年以下の懲役若しくは五百万円以下の罰金に処し、又はこれを併科する。

Article 78 When a social medical corporation's representative bondholder (meaning a social medical corporation's representative bondholder appointed pursuant to the provisions of Article 736, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 54-7; the same applies in Article 81, paragraph (1) and Article 91) or resolution administrator (meaning a resolution administrator pursuant to the provisions of Article 737, paragraph (2) of the same Act as applied mutatis mutandis pursuant to Article 54-7; the same applies in Article 81, paragraph (1) and Article 91) has acted in a manner that is contrary to their duties for the purpose of promoting their own interest or the interest of a third party, or with the object of inflicting damage on the social medical corporation bondholders, and has inflicted financial damage on the relevant social medical corporation bondholders, the relevant person is punished by imprisonment for up to five years, a fine of up to five million yen, or both.

第七十九条　前二条の罪の未遂は、罰する。

Article 79 Any attempt to commit the crimes set forth in the preceding two Articles is punished.

第八十条　社会医療法人の役員又は社会医療法人債を引き受ける者の募集の委託を受けた者が、社会医療法人債を引き受ける者の募集をするに当たり、社会医療法人の事業その他の事項に関する説明を記載した資料若しくは当該募集の広告その他の当該募集に関する文書であつて重要な事項について虚偽の記載のあるものを行使し、又はこれらの書類の作成に代えて電磁的記録（電子的方式、磁気的方式その他人の知覚によつては認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるものとして厚生労働省令で定めるものをいう。以下同じ。）の作成がされている場合における当該電磁的記録であつて重要な事項について虚偽の記録のあるものをその募集の事務の用に供したときは、五年以下の懲役若しくは五百万円以下の罰金に処し、又はこれを併科する。

Article 80 (1) In soliciting subscribers for social medical corporation bonds, when an officer of a social medical corporation or a person entrusted with soliciting subscribers for social medical corporation bonds has used a prospectus related to the affairs of the social medical corporation and other particulars or has used advertisements or other documents related to the relevant subscription that include a false statement on an important particular or, where electronic or magnetic records (meaning records as prescribed by an Order of the Ministry of Health, Labour and Welfare that are prepared in an electronic form, a magnetic form, or any other form not recognizable to human perception, which are used in information processing by computers; the same applies hereinafter) have been created in lieu of the relevant documents, where such a person has supplied electromagnetic records that include a false statement on an important matter for use in the relevant solicitation, the relevant person is punished by imprisonment for up to five years, a fine of up to five million yen, or both.

２　社会医療法人債の売出しを行う者が、その売出しに関する文書であつて重要な事項について虚偽の記載のあるものを行使し、又は当該文書の作成に代えて電磁的記録の作成がされている場合における当該電磁的記録であつて重要な事項について虚偽の記録のあるものをその売出しの事務の用に供したときも、前項と同様とする。

(2) When a person undertaking the sale of social medical corporation bonds has used documents related to the relevant sale that include a false statement on an important particular, or, where electronic or magnetic records have been created in lieu of the relevant documents, when such a person has supplied electronic or magnetic records that include a false statement on an important particulars for use in the relevant sale, the provisions of the preceding paragraph apply.

第八十一条　社会医療法人の役員又は代表社会医療法人債権者若しくは決議執行者が、その職務に関し、不正の請託を受けて、財産上の利益を収受し、又はその要求若しくは約束をしたときは、五年以下の懲役又は五百万円以下の罰金に処する。

Article 81 (1) When an officer of a social medical corporation, a social medical corporation's representative bondholder, or a resolution administrator has accepted, solicited, or promised to accept a financial benefit in connection with a duty with agreement to perform an act in response to a wrongful request, the officer is punished by imprisonment for up to five years or a fine of up to five million yen.

２　前項の利益を供与し、又はその申込み若しくは約束をした者は、三年以下の懲役又は三百万円以下の罰金に処する。

(2) A person who has given, offered, or promised to give benefits as set forth in the preceding paragraph is punished by imprisonment for up to three years or a fine of up to three million yen.

第八十二条　次に掲げる事項に関し、不正の請託を受けて、財産上の利益を収受し、又はその要求若しくは約束をした者は、五年以下の懲役又は五百万円以下の罰金に処する。

Article 82 (1) A person who has accepted, solicited or promised to accept property benefits in relation to any one of the following matters, with agreement to perform an act in response to a wrongful request, is punished by imprisonment for not more than five years or a fine of not more than five million yen::

一　社会医療法人債権者集会における発言又は議決権の行使

(i) a statement of opinion or the exercise of a voting right at a social medical corporation bondholders meeting; or

二　社会医療法人債の総額（償還済みの額を除く。）の十分の一以上に当たる社会医療法人債を有する社会医療法人債権者の権利の行使

(ii) the exercise of the rights of a social medical corporation bondholder who holds one-tenth or more of the total amount of social medical corporation bonds (excluding bonds that have been redeemed).

２　前項の利益を供与し、又はその申込み若しくは約束をした者も、同項と同様とする。

(2) The provisions of the preceding paragraph also apply to a person who has given, offered, or promised to give the benefit set forth in that paragraph.

第八十三条　第八十一条第一項又は前条第一項の場合において、犯人の収受した利益は、没収する。その全部又は一部を没収することができないときは、その価額を追徴する。

Article 83 In cases as set forth in Article 81, paragraph (1) or paragraph (1) of the preceding Article, benefits accepted by the offender is confiscated. When it is not possible to confiscate all or part of such benefits, an equivalent value thereof is collected therefrom.

第八十四条　第七十七条から第七十九条まで、第八十一条第一項及び第八十二条第一項の罪は、日本国外においてこれらの罪を犯した者にも適用する。

Article 84 (1) The crimes set forth in Article 77 through Article 79, Article 81, paragraph (1), and Article 82, paragraph (1) also apply to persons who committed such crimes outside Japan.

２　第八十一条第二項及び第八十二条第二項の罪は、刑法（明治四十年法律第四十五号）第二条の例に従う。

(2) The crimes set forth in Article 81, paragraph (2), and Article 82, paragraph (2) is governed by Article 2 of the Penal Code (Act No. 45 of 1907).

第八十五条　第七十八条、第八十条又は第八十一条第一項に規定する者が法人であるときは、これらの規定及び第七十九条の規定は、その行為をした取締役、執行役その他業務を執行する役員又は支配人に対してそれぞれ適用する。

Article 85 When the person provided for in Article 78, Article 80, or Article 81, paragraph (1) is a corporation, these provisions and the provisions of Article 79 apply mutatis mutandis to the director, executive officer, or any other business-administering officer or manager who has committed such an act.

第八十六条　第五条第二項若しくは第二十五条第二項若しくは第四項の規定による診療録若しくは助産録の提出又は同条第一項若しくは第三項の規定による診療録若しくは助産録の検査に関する事務に従事した公務員又は公務員であつた者が、その職務の執行に関して知り得た医師、歯科医師若しくは助産師の業務上の秘密又は個人の秘密を正当な理由がなく漏らしたときは、一年以下の懲役又は五十万円以下の罰金に処する。

Article 86 (1) A person who is or was a public officer engaged in affairs related to the submission of medical records or birth records pursuant to the provisions of Article 5, paragraph (2), Article 25, paragraph (2) or (4), or the inspection of medical records or birth records pursuant to the provisions of paragraph (1) or paragraph (3) of the same Article, who has, without justifiable grounds, divulged any secret or personal confidential information in relation to the services of physicians, dentists, or midwives which has come to their knowledge through the execution of their duties, are punished by imprisonment for up to one year or a fine of up to 500,000 yen.

２　職務上前項の秘密を知り得た他の公務員又は公務員であつた者が、正当な理由がなくその秘密を漏らしたときも、同項と同様とする。

(2) The provisions of the preceding paragraph also apply to a person who is or was a public officer other than those who have come to have knowledge of a secret in the course of their duties as set forth in the preceding paragraph, who has divulged such a secret without justifiable grounds.

３　第六条の十三第四項、第六条の二十一、第六条の二十二第二項、第三十条の二十一第五項又は第三十条の二十五第六項の規定に違反した者は、一年以下の懲役又は五十万円以下の罰金に処する。

(3) A person who has violated the provisions of Article 6-13, paragraph (4), Article 6-21, Article 6-22, paragraph (2), Article 30-21, paragraph (5), or Article 30-25, paragraph (6) is punished by imprisonment for up to one year or a fine of up to 500,000 yen.

第八十七条　次の各号のいずれかに該当する者は、六月以下の懲役又は三十万円以下の罰金に処する。

Article 87 A person who falls under any of the following items is punished by imprisonment for up to six months or a fine of up to 300,000 yen:

一　第六条の五第一項、第六条の六第四項、第六条の七第一項又は第七条第一項の規定に違反した者

(i) a person who has violated the provisions of Article 6-5, paragraph (1), Article 6-6, paragraph (4), Article 6-7, paragraph (1), or Article 7, paragraph (1);

二　第十四条の規定に違反した者

(ii) a person who has violated the provisions of Article 14; or

三　第六条の八第二項、第七条の二第三項、第二十三条の二、第二十四条、第二十八条、第二十九条第一項又は第三十条の十五第六項の規定に基づく命令又は処分に違反した者

(iii) a person who has violated an order or disposition based on the provisions of Article 6-8, paragraph (2), Article 7-2, paragraph (3), Article 23-2, Article 24, Article 28, Article 29, paragraph (1), or Article 30-15, paragraph (6).

第八十八条　次の各号のいずれかに該当するときは、その違反行為をした医療事故調査・支援センターの役員又は職員は、三十万円以下の罰金に処する。

Article 88 In any of the cases listed in the following items, an officer or employee of the medical accident investigation and support center who has committed the violation is punished by a fine of up to 300,000 yen:

一　第六条の二十の許可を受けないで、調査等業務の全部を廃止したとき。

(i) when they have abolished all of the investigation services, etc. without obtaining the approval under Article 6-20;

二　第六条の二十三の規定による帳簿の記載をせず、虚偽の記載をし、又は帳簿を保存しなかつたとき。

(ii) when they have failed to make entries in the books, made false entries, or failed to preserve the books pursuant to the provisions of Article 6-23; or

三　第六条の二十四第一項の規定による報告を怠り、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したとき。

(iii) when they have failed to make a report or made a false report set forth in Article 6-24, paragraph (1), or refused, obstructed, or evaded an inspection set forth in the same paragraph.

第八十九条　次の各号のいずれかに該当する者は、二十万円以下の罰金に処する。

Article 89 A person who falls under any of the following items is punished by a fine of up to 200,000 yen:

一　第三条、第四条第三項、第四条の二第三項、第四条の三第三項、第八条、第八条の二第二項、第九条、第十条、第十一条、第十二条、第十六条、第十八条、第十九条第一項若しくは第二項、第二十一条第一項第二号から第十一号まで若しくは第二項第二号、第二十二条第一号若しくは第四号から第八号まで、第二十二条の二第二号若しくは第五号、第二十二条の三第二号若しくは第五号又は第二十七条の規定に違反した者

(i) a person who has violated the provisions of Article 3, Article 4, paragraph (3), Article 4-2, paragraph (3), Article 4-3, paragraph (3), Article 8, Article 8-2, paragraph (2), Article 9, Article 10, Article 11, Article 12, Article 16, Article 18, Article 19, paragraph (1) or (2), Article 21, paragraph (1), items (ii) through (xi) or , paragraph (2), item (ii), Article 22, items (i) or (iv) through (viii), Article 22-2, item (ii) or (v), Article 22-3, item (ii) or (v), or Article 27;

二　第五条第二項、第六条の八第一項若しくは第二十五条第一項から第四項までの規定による報告若しくは提出を怠り、若しくは虚偽の報告をし、又は第六条の八第一項若しくは第二十五条第一項から第三項までの規定による当該職員の検査を拒み、妨げ、若しくは忌避した者

(ii) a person who has failed to report or submit or has falsely reported pursuant to the provisions of Article 5, paragraph (2), Article 6-8, paragraph (1), or Article 25, paragraphs (1) through (4), or who has refused, obstructed, or evaded an inspection of their duties pursuant to the provisions of Article 6-8, paragraph (1) or Article 25, paragraphs (1) through (3); or

三　第十四条の二第一項又は第二項の規定による掲示を怠り、又は虚偽の掲示をした者

(iii) a person who has failed to post or falsely posted pursuant to the provisions of Article 14-2, paragraph (1) or (2).

第九十条　法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して第八十七条又は前条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても各本条の罰金刑を科する。

Article 90 When the representative of a corporation, or the agent, employee, or other worker of a corporation or individual commits any one of the violations set forth in Article 87 or the preceding Article with regard to the business of such corporation or individual, not only the offender, but the relevant corporation or individual, as well, is punished by the fine prescribed in the relevant Articles.

第九十一条　社会医療法人の役員、社会医療法人債原簿管理人（第五十四条の七において準用する会社法第六百八十三条に規定する者をいう。）、社会医療法人債管理者、事務を承継する社会医療法人債管理者（第五十四条の七において準用する会社法第七百十一条第一項又は第七百十四条第一項若しくは第三項の規定により社会医療法人債管理者の事務を承継する社会医療法人債管理者をいう。）、代表社会医療法人債権者又は決議執行者は、次の各号のいずれかに該当する場合には、百万円以下の過料に処する。ただし、その行為について刑を科すべきときは、この限りでない。

Article 91 Where the officer of a social medical corporation, the administrator of a social medical corporation bond registry (meaning a person pursuant to the provisions of Article 683 of the Companies Act as applied mutatis mutandis pursuant to Article 54-7), a social medical corporation bond administrator, the social medical corporation bond administrator who succeeds to the administration of social medical corporation bonds (meaning a social medical corporation bond administrator who succeeds to the affairs of a social medical corporation bond administrator pursuant to the provisions of Article 711, paragraph (1), or Article 714, paragraph (1) or (3) of the Companies Act as applied mutatis mutandis pursuant to Article 54-7), a social medical corporation's representative bondholder, or a resolution administrator falls under any one of the following items, the relevant person is subject to a civil fine of up to one million yen; provided, however, that this does not apply when such an act should be made subject to criminal punishment:

一　この法律において準用する会社法の規定による公告若しくは通知をすることを怠つたとき、又は不正の公告若しくは通知をしたとき。

(i) when the person has failed to give public notice or notice or has given improper public notice or notice under the provisions of the Companies Act as applied mutatis mutandis under this Act;

二　この法律において準用する会社法の規定に違反して、正当な理由がないのに、書類若しくは電磁的記録に記録された事項を厚生労働省令で定める方法により表示したものの閲覧若しくは謄写又は書類の謄本若しくは抄本の交付、電磁的記録に記録された事項を電磁的方法により提供すること若しくはその事項を記載した書面の交付を拒んだとき。

(ii) when, in violation of the provisions of the Companies Act as applied mutatis mutandis under this Act, the person has refused to allow the inspection or copying of documents or anything that shows the particulars recorded in electronic or magnetic records in a manner prescribed by an Order of the Ministry of Health, Labour and Welfare, or has refused to deliver a transcript or extract of documents, to provide particulars recorded in electronic or magnetic records by electronic or magnetic means, or to deliver a document that states such particulars, without justifiable grounds;

三　この法律において準用する会社法の規定による調査を拒み、妨げ、又は忌避したとき。

(iii) when the person has refused, obstructed, or evaded an inspection under the provisions of the Companies Act as applied mutatis mutandis under this Act;

四　社会医療法人債権者集会に対し、虚偽の申述を行い、又は事実を隠ぺいしたとき。

(iv) when the person has made a false statement or concealed facts at a social medical corporation bondholders meeting;

五　社会医療法人債原簿、議事録（第五十四条の七において準用する会社法第七百三十一条第一項の規定により作成する議事録をいう。次号において同じ。）、第五十四条の七において準用する同法第六百八十二条第一項若しくは第六百九十五条第一項の書面若しくは電磁的記録に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、又は虚偽の記載若しくは記録をしたとき。

(v) when the person has failed to enter or record particulars to be entered or recorded in the social medical corporation bond registry, the minutes (meaning minutes prepared pursuant to the provisions of Article 731, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 54-7; the same applies in the following item), or the documents or electronic or magnetic records set forth in Article 682, paragraph (1), or Article 695, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 54-7, or has entered or recorded false particulars therein;

六　第五十四条の七において準用する会社法第六百八十四条第一項又は第七百三十一条第二項の規定に違反して、社会医療法人債原簿又は議事録を備え置かなかつたとき。

(vi) when the person has failed to keep a social medical corporation bond registry or minutes, in violation of the provisions of Article 684, paragraph (1), or Article 731, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 54-7;

七　社会医療法人債の発行の日前に社会医療法人債券を発行したとき。

(vii) when the person has issued social medical corporation bond certificates prior to the date of issue of social medical corporation bonds;

八　第五十四条の七において準用する会社法第六百九十六条の規定に違反して、遅滞なく、社会医療法人債券を発行しなかつたとき。

(viii) when the person has failed to issue social medical corporation bond certificates without delay, in violation of the provisions of Article 696 of the Companies Act as applied mutatis mutandis pursuant to Article 54-7;

九　社会医療法人債券に記載すべき事項を記載せず、又は虚偽の記載をしたとき。

(ix) when the person has failed to enter or has falsely entered any particular that must be entered on a social medical corporation bond certificate; or

十　第五十四条の五の規定に違反して社会医療法人債を発行し、又は第五十四条の七において準用する会社法第七百十一条第一項の規定に違反して事務を承継する社会医療法人債管理者を定めなかつたとき。

(x) when the person has issued social medical corporation bonds in violation of the provisions of Article 54-5, or has failed to appoint a social medical corporation bond administrator to succeed to the administration of social medical corporation bonds, in violation of the provisions of Article 711, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 54-7.

第九十二条　第三十条の十三第五項の規定による命令に違反した者は、三十万円以下の過料に処する。

Article 92 A person who has violated an order set forth in Article 30-13, paragraph (5) is subject to a civil fine of up to 300,000 yen.

第九十三条　次の各号のいずれかに該当する場合においては、医療法人の理事、監事若しくは清算人又は地域医療連携推進法人の理事、監事若しくは清算人は、これを二十万円以下の過料に処する。ただし、その行為について刑を科すべきときは、この限りでない。

Article 93 In any of the cases under the each of the following items, the director, auditor, or liquidator of a medical corporation, or the director, auditor or liquidator of a regional medical coordination promotion corporation is subject to a civil fine of up to 200,000 yen; provided, however, that this does not apply when such an act should be made subject to criminal punishment:

一　この法律に基づく政令の規定による登記をすることを怠つたとき。

(i) when the person has failed to complete registration pursuant to the provisions of a Cabinet Order based on this Act;

二　第四十六条第二項の規定による財産目録の備付けを怠り、又はこれに記載すべき事項を記載せず、若しくは虚偽の記載をしたとき。

(ii) when the person has failed to keep an inventory of assets pursuant to the provisions of Article 46, paragraph (2), or has failed to enter or has falsely entered a particular that must be entered therein;

三　第四十六条の三の六において準用する一般社団法人及び一般財団法人に関する法律第五十七条第二項から第四項まで、第四十六条の四の七において準用する同法第百九十三条第二項から第四項まで若しくは第四十六条の七の二第一項において準用する同法第九十七条第一項から第三項までの規定による議事録の備付けを怠り、これに記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、又はこれらの規定による閲覧若しくは謄写を拒んだとき。

(iii) when the person has neglected to keep the minutes pursuant to the provisions of Article 57, paragraphs (2) through (4) of the Act on General Incorporated Associations and General Incorporated Foundations as applied mutatis mutandis pursuant to Article 46-3-6, Article 193, paragraphs (2) through (4) of the same Act as applied mutatis mutandis pursuant to Article 46-4-7, or Article 97, paragraphs (1) through (3) of the same Act as applied mutatis mutandis pursuant to Article 46-7-2, paragraph (1), has failed to state or record particulars that should be stated or recorded therein, has made false statements or records, or has refused inspection or copying thereof under these provisions;

四　第五十一条の三（第七十条の十四において準用する場合を含む。）の規定による公告を怠り、又は虚偽の公告をしたとき。

(iv) when the person has failed to give public notice as prescribed in Article 51-3 (including if it is applied mutatis mutandis pursuant to Article 70-14) or has given false public notice;

五　第五十一条の四第一項（同条第四項において準用する場合を含む。以下この号において同じ。）、第二項（同条第四項（第七十条の十四において読み替えて準用する場合を含む。以下この号において同じ。）及び第七十条の十四において読み替えて準用する場合を含む。以下この号において同じ。）若しくは第三項（第五十一条の四第四項及び第七十条の十四において読み替えて準用する場合を含む。）の規定による書類の備付けを怠り、その書類に記載すべき事項を記載せず、若しくは虚偽の記載をし、又は正当の理由がないのに第五十一条の四第一項若しくは第二項の規定による閲覧を拒んだとき。

(v) when the person has neglected to keep the documents pursuant to the provisions of Article 51-4, paragraph (1) (including if it is applied mutatis mutandis pursuant to paragraph (4) of the same Article; the same applies hereinafter in this item), paragraph (2) (including if it is applied mutatis mutandis by replacing the terms pursuant to paragraph (4) of the same Article (including if it is applied mutatis mutandis by replacing the terms pursuant to Article 70-14; the same applies hereinafter in this item) and Article 70-14; the same applies hereinafter in this item), or paragraph (3) (including if it is applied mutatis mutandis by replacing the terms pursuant to Article 51-4, paragraph (4) and Article 70-14), has failed to state the particulars to be stated therein, or has made false statements, or has refused inspection thereof under Article 51-4, paragraph (1) or (2) without justifiable grounds;

六　第五十二条第一項（第七十条の十四において準用する場合を含む。）又は第五十四条の九第五項（第七十条の十八第一項において準用する場合を含む。）の規定に違反して、届出をせず、又は虚偽の届出をしたとき。

(vi) when the person has failed to give a notification or has given a false notification in violation of the provisions of Article 52, paragraph (1) (including if it is applied mutatis mutandis pursuant to Article 70-14) or Article 54-9, paragraph (5) (including if it is applied mutatis mutandis pursuant to Article 70-18, paragraph (1));

七　第五十四条（第七十条の十四において準用する場合を含む。）の規定に違反して剰余金の配当をしたとき。

(vii) when the person has distributed dividends of surplus, in violation of the provisions of Article 54 (including if it is applied mutatis mutandis pursuant to Article 70-14);

八　第五十五条第五項又は第五十六条の十第一項（これらの規定を第七十条の十五において準用する場合を含む。）の規定による破産手続開始の申立てを怠つたとき。

(viii) when the person has failed to file a petition for the commencement of bankruptcy procedures pursuant to the provisions of Article 55, paragraph (5), or Article 56-10, paragraph (1) (including if these provisions are applied mutatis mutandis pursuant to Article 70-15);

九　第五十六条の八第一項又は第五十六条の十第一項（これらの規定を第七十条の十五において準用する場合を含む。）の規定による公告を怠り、又は虚偽の公告をしたとき。

(ix) when the person has failed to provide the public notice pursuant to the provisions of Article 56-8, paragraph (1), or Article 56-10, paragraph (1) (including if these provisions are applied mutatis mutandis pursuant to Article 70-15), or has falsely provided such public notice;

十　第五十八条の三第二項（第五十九条の二において準用する場合を含む。）又は第六十条の四第二項（第六十一条の三において準用する場合を含む。）の規定による書類の備付けを怠り、その書類に記載すべき事項を記載せず、若しくは虚偽の記載をし、又はこれらの規定による閲覧を拒んだとき。

(x) when the person has neglected to keep the documents pursuant to the provisions of Article 58-3, paragraph (2) (including if it is applied mutatis mutandis pursuant to Article 59-2) or Article 60-4, paragraph (2) (including if it is applied mutatis mutandis pursuant to Article 61-3), has failed to state the particulars to be stated therein, or has made false statements, or has refused inspection thereof under these provisions;

十一　第五十八条の四第一項若しくは第三項（これらの規定を第五十九条の二において準用する場合を含む。）又は第六十条の五第一項若しくは第三項（これらの規定を第六十一条の三において準用する場合を含む。）の規定に違反して、吸収合併、新設合併、吸収分割又は新設分割をしたとき。

(xi) when the person has conducted an absorption-type merger, consolidation-type merger, absorption-type split, or incorporation-type split in violation of the provisions of Article 58-4, paragraph (1) or (3) (including if these provisions are applied mutatis mutandis pursuant to Article 59-2) or Article 60-5, paragraph (1) or (3) (including if these provisions are applied mutatis mutandis pursuant to Article 61-3);

十二　第六十三条第一項（第七十条の二十において準用する場合を含む。以下この号において同じ。）の規定による報告を怠り、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したとき。

(xii) when the person has failed to report or falsely reported pursuant to the provisions of Article 63, paragraph (1) (including if it is applied mutatis mutandis pursuant to Article 70-20; the same apply hereinafter in this item), or has refused, obstructed, or evaded inspection pursuant to the provisions of the same paragraph; or

十三　第六十四条第二項（第七十条の二十において準用する場合を含む。）又は第六十四条の二第一項の規定による命令に違反して業務を行つたとき。

(xiii) when the person has undertaken operation, in breach of an order pursuant to the provisions of Article 64, paragraph (2) (including if it is applied mutatis mutandis pursuant to Article 70-20), or Article 64-2, paragraph (1).

第九十四条　第四十条又は第七十条の五第四項若しくは第五項の規定に違反した者は、これを十万円以下の過料に処する。

Article 94 A person who has violated the provisions of Article 40 or Article 70-5, paragraph (4) or (5) is subject to a civil fine of up to 100,000 yen.