

Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners

(Act No. 29 of May 26, 1987)

(Purpose)

Article 1 The purpose of this Act is to provide for special provisions concerning Article 17 of the Medical Practitioners' Act (Act No. 201 of 1948), Article 17 of the Dental Practitioners Act (Act No. 202 of 1948), and Article 31, paragraph (1) of the Act on Public Health Nurses, Midwives, and Nurses (Act No. 203 of 1948) to enable the foreign medical practitioners or dental practitioners, or foreign nurses, etc. who have entered Japan for the purpose of learning medical knowledge and skills, to engage in medical or dental practices or any practice prescribed by Article 5 of the Act on Public Health Nurses, Midwives, and Nurses.

(Definitions)

Article 2 In this Act, the meanings of the terms listed in the following items are as prescribed respectively in those items:

- (i) the term "foreign medical practitioner" means a person who has qualification which corresponds to the qualification for a medical practitioner in a foreign country;
- (ii) the term "foreign dental practitioner" means a person who has qualification which corresponds to the qualification for a dental practitioner in a foreign country;
- (iii) The term "foreign nurse, etc." means a person who has qualification which corresponds to the qualification for a birthing assistant, nurse, dental hygienist, radiology technician, dental technician, medical technologist, physical therapist, occupational therapist, orthoptist, clinical engineer, prosthetist and orthotist, speech language hearing therapist, or emergency life-saving technician in a foreign country;
- (iv) the term "advanced clinical training" means the practices listed in the following sub-items (a) through (n), conducted by foreign medical practitioners or dental practitioners, or foreign nurses, etc. (excluding a person who has qualification which corresponds to the qualification for an emergency life-saving technician in a foreign country (hereinafter referred to as a "foreign emergency life-saving technician"); the same applies in this item), who have entered Japan for the purpose of learning medical knowledge and skills, which are conducted at a hospital designated by the Minister of

Health, Labour and Welfare (referred to as a "designated hospital" in this item) in accordance with the classification of the qualification which corresponds to the qualification listed in the following sub-items (a) through (n), in the foreign country respectively, under the on-site instruction and supervision of a medical or dental clinical instructor, or a clinical instructor (limited to a person who has any of the qualification listed in the following sub-items (c) through (n), which corresponds to the qualification held by the foreign nurse, etc. in a foreign country), and the practices listed in sub-item (o) conducted by foreign emergency life-saving technicians, who have entered Japan for the purpose of learning medical knowledge and skills, which are conducted in an ambulance, etc. prescribed by Article 44, paragraph (2) of the Emergency Life-Saving Technicians Act (Act No. 36 of 1991) (hereinafter referred to as an "ambulance, etc." in this item) transporting a patient in a serious condition prescribed by Article 2, paragraph (1) of the same Act (referred to as a "serious patient" in this item) to a designated hospital or before and until the serious patient is put into the ambulance, etc. for transportation to the designated hospital, to the extent an emergency medical treatment or care prescribed by Article 2, paragraph (1) of the Act is found necessary and under the on-site instruction and supervision of a clinical instructor (limited to a medical practitioner or an emergency life-saving technician);

- (a) medical practitioner: medical practices (excluding the practices specified by Cabinet Order);
- (b) dental practitioner: dental practices (excluding the practices specified by Cabinet Order);
- (c) birthing assistant: practices prescribed by Article 3 and Article 5 of the Act on Public Health Nurses, Midwives, and Nurses
- (d) nurse: practices prescribed by Article 5 of the Act on Public Health Nurses, Midwives, and Nurses
- (e) dental hygienist: practices prescribed by Article 2, paragraph (1) and paragraph (2) of the Dental Hygienists Act (Act No. 204 of 1948)
- (f) radiology technician: practices prescribed by Article 2, paragraph (2) and Article 24-2 of the Radiology Technicians Act (Act No. 226 of 1951);
- (g) dental technician: practices prescribed by Article 2, paragraph (2) of the Dental Technicians Act (Act No. 168 of 1955);
- (h) Medical technologist : practices prescribed by Article 20-2, paragraph (1) of the Act on Clinical Laboratory Technicians (Act No. 76 of 1958);
- (i) physical therapist: practices prescribed by Article 15, paragraph (1) of the Physical Therapists and Occupational Therapists Act (Act No. 137 of 1965) (limited to physical therapy);
- (j) occupational therapist: practices prescribed by Article 15, paragraph (1) of

- the Physical Therapists and Occupational Therapists Act (limited to occupational therapy);
- (k) orthoptist: practices prescribed by Article 17, paragraph (2) of the Orthoptists Act (Act No. 64 of 1971);
 - (l) clinical engineer: practices prescribed by Article 37, paragraph (1) of the Clinical Engineers Act (Act No. 60 of 1987);
 - (m) prosthetist and orthotist: practices prescribed by Article 37, paragraph (1) of the Artificial Limb Fitters Act (Act No. 61 of 1987);
 - (n) speech language hearing therapist: practices prescribed by Article 42, paragraph (1) of the Speech-Language Hearing Therapists Act (Act No. 132 of 1997); and
 - (o) emergency life-saving technician: practices prescribed by Article 43, paragraph (1) of the Emergency Life-Saving Technicians Act.
- (v) the term "foreign medical practitioner under advanced clinical training" means a foreign medical practitioner who has been granted a permission prescribed by paragraph (1) of the following Article;
 - (vi) the term "foreign dental practitioner under advanced clinical training" means a foreign dental practitioner who has been granted a permission prescribed by paragraph (1) of the following Article;
 - (vii) the term "foreign nurse, etc. under advanced clinical training" means a foreign nurse, etc. who has been granted a permission prescribed by paragraph (1) of the following Article;
 - (viii) the term "medical clinical instructor" means a medical practitioner authorized pursuant to the provisions of Article 8 to instruct and supervise foreign medical practitioner's advanced clinical training on site (excluding the cases where instruction and supervision is given or provided for the advanced clinical training performed by a foreign emergency life-saving technician on site);
 - (ix) the term "dental clinical instructor" means a dental practitioner authorized pursuant to the provisions of Article 8 to instruct and supervise a foreign dental practitioner's advanced clinical training on site; and
 - (x) the term "clinical instructor" means a medical practitioner authorized pursuant to the provisions of Article 8 (limited to the cases where the medical practitioner instructs and supervises the advanced clinical training performed by a foreign emergency life-saving technician on site) and a person who has the qualification listed in item (iv), (c) through (o).

(Permission for Advanced Clinical Training)

Article 3 (1) A foreign medical practitioner, a foreign dental practitioner, or a foreign nurse, etc. may engage in advanced clinical training in accordance with the classification of the qualification which corresponds to any of the

qualification listed in the following items in the foreign country respectively, notwithstanding the provisions of the Acts listed in each of the following items, by obtaining permission of the Minister of Health, Labour and Welfare pursuant to the provisions of the Order of the Ministry of Health, Labour and Welfare.

- (i) medical practitioner: Article 17 of the Medical Practitioners' Act;
 - (ii) dental practitioner: Article 17 of the Dental Practitioners Act;
 - (iii) birthing assistant: Article 30 and Article 31, paragraph (1) of the Act on Public Health Nurses, Midwives, and Nurses;
 - (iv) nurse: Article 31, paragraph (1) of the Act on Public Health Nurses, Midwives, and Nurses
 - (v) dental hygienist: Article 31, paragraph (1) and Article 32 of the Act on Public Health Nurses, Midwives, and Nurses, and Article 13 of the Dental Hygienists Act;
 - (vi) radiology technician: Article 31, paragraph (1) and Article 32 of the Act on Public Health Nurses, Midwives, and Nurses, and Article 24 of the Radiology Technicians Act;
 - (vii) dental technician: Article 17, paragraph (1) of the Dental Technicians Act;
 - (viii) medical technologist, physical therapist, occupational therapist, orthoptist, clinical engineer, prosthetist and orthotist, speech language hearing therapist or emergency life-saving technician: Article 31, paragraph (1) and Article 32 of the Act on Public Health Nurses, Midwives, and Nurses
- (2) The Minister of Health, Labour and Welfare must not grant the permission pursuant to the provision of the preceding paragraph (hereinafter referred to as the "permission") unless the Minister finds that the person seeking the permission meets the standards listed in the following items:
- (i) having entered Japan for the purpose of learning medical knowledge and skills;
 - (ii) having the knowledge and skills on the medical science or dentistry necessary for engaging in medical or dental practices in accordance with the classification of the qualification prescribed by item (iv), sub-items (a) through (o) of the preceding Article, or the necessary knowledge and skills on the practices prescribed by item (iv), sub-items (c) through (o) of the same Article, pertaining to the application for the permission;
 - (iii) having the experience of engaging in medical treatment for not less than 3 years after obtaining the qualification which corresponds to the qualification of a medical practitioner or dental practitioner in a foreign country, or experience of engaging in a practice pertaining to the qualification which corresponds to the qualification prescribed by Article 2, item (iv), sub-items (c) through (o) for not less than 3 years after obtaining the qualification in a foreign country, in accordance with the classification of the qualification

- prescribed by item (iv), sub-items (a) through (o) pertaining to the application for the permission;
- (iv) having the competence to understand and speak Japanese or other foreign languages specified by the Order of the Ministry of Health, Labour and Welfare to the extent that there is no hindrance in performing the advanced clinical training; and
 - (v) having the capacity to compensate for the loss and damage caused to a patient.
- (3) Even if the applicant for the permission is found to meet the standards listed in each item of the preceding paragraph, the Minister of Health, Labour and Welfare must not grant the permission to a person who falls under any of the following items (or item (ii) in cases of a foreign nurses, etc.):
- (i) a person prescribed by Article 3 of the Medical Practitioners' Act or Article 3 of the Dental Practitioners Act;
 - (ii) a person who has been subject to a disposition under the laws and regulations of a foreign country which corresponds to the business suspension order pursuant to the provisions of Article 7, paragraph (2) of the Medical Practitioners' Act, Article 7, paragraph (2) of the Dental Practitioners Act, Article 14, paragraph (1) of the Act on Public Health Nurses, Midwives, and Nurses, Article 8, paragraph (1) of the Dental Hygienists Act, Article 9, paragraph (1) of the Radiology Technicians Act, or Article 8, paragraph (1) of the Dental Technicians Act, or the order to suspend the use of the name or title pursuant to the provision of Article 8, paragraph (1) of the Act on Clinical Laboratory Technicians, etc., Article 7, paragraph (1) of the Physical Therapists and Occupational Therapists Act, Article 8, paragraph (1) of the Orthoptists Act, Article 8, paragraph (1) of the Clinical Engineers Act, Article 8, paragraph (1) of the Artificial Limb Fitters Act, Article 9, paragraph (1) of the Speech-Language Hearing Therapists Act, or Article 9, paragraph (1) of the Emergency Life-Saving Technicians Act, and who is unable to practice the profession pertaining to the qualification they possess in the foreign country accordingly; and
 - (iii) a person who is treated in the same manner as an adult ward or a person under curatorship under the applicable foreign laws and regulations.
- (4) Even if the applicant for the permission is found to meet the standards listed in each item of paragraph (2), the Minister of Health, Labour and Welfare may choose not to grant the permission if the applicant for the permission falls under either of the following items:
- (i) a person listed in each item of Article 4 of the Medical Practitioners' Act, each item of Article 4 of the Dental Practitioners Act, each item of Article 9 of the Act on Public Health Nurses, Midwives, and Nurses, each item of Article 4 of the Dental Hygienists Act, each item of Article 4 of the Radiology

Technicians Act, each item of Article 4 of the Dental Technicians Act, each item of Article 4 of the Act on Clinical Laboratory Technicians, etc., each item of Article 4 of the Physical Therapists and Occupational Therapists Act, each item of Article 4 of the Orthoptists Act, each item of Article 4 of the Clinical Engineers Act, each item of Article 4 of the Artificial Limb Fitters Act, each item of Article 4 of the Speech-Language Hearing Therapists Act, or each item of Article 4 of the Emergency Life-Saving Technicians Act; or (ii) a person who has been subject to criminal punishment under the laws and regulations of a foreign country which corresponds to a fine or severer punishment (excluding the cases where the classification of the qualification pertaining to the application for the permission is any of the qualification listed in Article 2, item (iv), sub-items (f) through (h)).

- (5) The effective term of the permission is to be the term designated by the Minister of Health, Labour and Welfare within a period not exceeding 2 years (1 year in the case of foreign nurses, etc.) from the date of the permission.
- (6) Conditions may be added to the permission, and they may be changed.
- (7) The conditions of the preceding paragraph are limited to the minimum extent necessary for facilitating secure implementation of the particulars pertaining to the permission, and they may not impose unreasonable obligation on the person who is granted the permission.
- (8) The applicant of the permission must pay the fees specified by Cabinet Order in consideration of the actual costs incurred.

(Issuance of Certificate of Permission)

Article 4 (1) The Minister of Health, Labour and Welfare, upon granting the permission to a foreign medical practitioner, foreign dental practitioner, or a foreign nurse, etc., is to issue a certificate of permission of advanced clinical training pursuant to the provisions of the Order of the Ministry of Health, Labour and Welfare.

- (2) A foreign medical practitioner, foreign dental practitioner, or a foreign nurse, etc. under advanced clinical training, in performing advanced clinical training, must wear the certificate of permission of advanced clinical training pursuant to the provisions of the Order of the Ministry of Health, Labour and Welfare.

(Expiration of Permission)

Article 5 The permission ceases to be effective if in addition to the expiration of the effective term or the rescission of the permission pursuant to the provisions of the following Article, the permitted person loses the qualification pertaining to the permission which corresponds to the qualification prescribed by Article 2, item (iv), sub-items (a) through (o).

(Rescission of Permission)

Article 6 (1) The Minister of Health, Labour and Welfare is to rescind the permission if the permitted person comes to fall under any of the persons listed in each item of Article 3, paragraph (3) (item (ii) of the same paragraph in case of a foreign nurse, etc.).

(2) The Minister of Health, Labour and Welfare may rescind the permission if the permitted person falls under any of the cases listed in the following items:

(i) if the permitted person is found to no longer meet the standards prescribed by Article 3, paragraph (2), item (i) or (v);

(ii) if the permitted person comes to fall under any of the persons listed in each item of Article 3, paragraph (4);

(iii) if the permitted person violates any condition prescribed by Article 3, paragraph (6);

(iv) if the permitted person violates this Act or any order based on this Act.

(Return of Certificate of Permission)

Article 7 If the permission ceases to be effective, the permitted person must return the certificate of permission of advanced clinical training to the Minister of Health, Labour and Welfare within 5 days.

(Authorization of Medical or Dental Clinical Instructor or Clinical Instructor)

Article 8 The Minister of Health, Labour and Welfare certifies a person who has the qualification prescribed by Article 2, item (iv), sub-items (a) through (o) (limited to those who have received the registration pursuant to the provision of Article 7-2, paragraph (2) of the Medical Practitioners' Act or Article 7-2, paragraph (2) of the Dental Practitioners Act if the person has the qualification prescribed by Article 2, item (iv), sub-item (a) or (b) and has received an order by the Minister of Health, Labour and Welfare pursuant to the provisions of Article 7-2, paragraph (1) of the Medical Practitioners' Act or Article 7-2, paragraph (1) of the Dental Practitioners Act, respectively) and who is found to meet the standards listed in the following items, as a medical or dental clinical instructor, or a clinical instructor, based on their application:

(i) having the professional knowledge and skills concerning the medical science or dentistry or the professional knowledge and skills concerning the practices prescribed by Article 2, item (iv), sub-items (c) through (o);

(ii) having the competence to understand and speak the foreign languages specified by the Order of the Ministry of Health, Labour and Welfare as prescribed by Article 3, paragraph (2), item (iv), to the extent that there is no hindrance in instructing and supervising the advanced clinical training;

(iii) having the enthusiasm and insight for the instruction and supervision of the advanced clinical training.

(Duties and Responsibilities)

Article 9 (1) The medical or dental clinical instructor, or the clinical instructor is to give instruction and provide supervision for advanced clinical training performed by a foreign medical practitioner or dental practitioner under advanced clinical training, or a foreign nurse, etc. under advanced clinical training, on site, and must make efforts to ensure that the advanced clinical training is performed properly in the course of giving and providing the instruction and supervision.

(2) Upon receiving an instruction of a medical practitioner or dental practitioner, the clinical instructor (excluding a medical practitioner) must give instruction and provide supervision for advanced clinical training pertaining to assistance for medical care or to the practices prescribed by Article 2, paragraph (1) of the Dental Hygienists Act, the practices prescribed by Article 2, paragraph (2) of the Radiology Technicians Act or the practices prescribed by Article 2, paragraph (2) of the Dental Technicians Act by following the instruction of the medical practitioner or dental practitioner.

(Rescission of Authorization)

Article 10 (1) The Minister of Health, Labour and Welfare is to rescind the authorization if the medical or dental clinical instructor, or the clinical instructor comes to fall under any of the cases listed in the following items:

(i) if the person becomes a person who no longer has the qualification prescribed by Article 2, item (iv), sub-items (a) through (o);

(ii) if the person becomes subject to admonition or suspension of business prescribed by Article 7, paragraph (2), item (i) or (ii) of the Medical Practitioners' Act or Article 7, paragraph (2), item (i) or (ii) of the Dental Practitioners Act, or to suspension of business pursuant to the provision of Article 14, paragraph (1) of the Act on Public Health Nurses, Midwives, and Nurses, Article 8, paragraph (1) of the Dental Hygienists Act, Article 9, paragraph (1) of the Radiology Technicians Act, Article 8, paragraph (1) of the Dental Technicians Act, or to an order to suspend the use of the name or title pursuant to the provision of Article 8, paragraph (1) of the Act on Clinical Laboratory Technicians, Article 7, paragraph (1) of the Physical Therapists and Occupational Therapists Act, Article 8, paragraph (1) of the Orthoptists Act, Article 8, paragraph (1) of the Clinical Engineers Act, Article 8, paragraph (1) of the Artificial Limb Fitters Act, Article 9, paragraph (1) of the Speech-Language Hearing Therapists Act or Article 9, paragraph (1) of the Emergency Life-Saving Technicians Act.

(2) The Minister of Health, Labour and Welfare may rescind the permission if the medical or dental clinical instructor or the clinical instructor is found to violate

this Act or to no longer meet the standards listed in each item of Article 8.

(Statement in Medical Records)

Article 11 (1) The provisions of Article 24 of the Medical Practitioners' Act or Article 23 of the Dental Practitioners Act apply mutatis mutandis to the foreign medical practitioner or dental practitioner under advanced clinical training. In this case, the phrase "medical practitioner working at a hospital or clinic" and "the hospital or clinic" in Article 24, paragraph (2) of the Medical Practitioners' Act are deemed to be replaced with "foreign medical practitioner under advanced clinical training prescribed by Article 2, item (v) of the Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners, who performs the advanced clinical training at a hospital designated by the Minister of Health, Labour and Welfare pursuant to the provision of Article 3, paragraph (1) of the Act" and "the hospital," respectively, and the phrase "dental practitioner working at a hospital or clinic" and "the hospital or clinic" in Article 23, paragraph (2) of the Dental Practitioners Act are deemed to be replaced with "foreign dental practitioner under advanced clinical training prescribed by Article 2, item (vi) of the Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners, who performs the advanced clinical training at a hospital designated by the Minister of Health, Labour and Welfare pursuant to the provision of Article 3, paragraph (1) of the that Act" and "the hospital," respectively.

(2) The medical or dental clinical instructor, when they give instruction and provide supervision on site for the advanced clinical training performed by a foreign medical practitioner or dental practitioner under advanced clinical training, must state that fact in the medical record made by the foreign medical practitioner or dental practitioner under advanced clinical training pursuant to the provisions of Article 24, paragraph (1) of the Medical Practitioners' Act or Article 23, paragraph (1) of the Dental Practitioners Act, as applied mutatis mutandis to the foreign medical practitioner or dental practitioner under advanced clinical training pursuant to the preceding paragraph, and append their signature on that medical record.

(Statement in Midwifery Care Records)

Article 12 (1) The provisions of Article 42 of the Act on Public Health Nurses, Midwives, and Nurses apply mutatis mutandis to the permitted person who has qualification which corresponds to the qualification of a birthing assistant in a foreign country (hereinafter referred to as the "foreign birthing assistant under advanced clinical training"). In this case, the phrase "birthing assistant

working at a hospital or clinic" and "the hospital or clinic" in Article 42, paragraph (2) of the Act on Public Health Nurses, Midwives, and Nurses is deemed to be replaced with "foreign birthing assistant under advanced clinical training prescribed by Article 12, paragraph (1) of the Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners, who performs the advanced clinical training at a hospital designated by the Minister of Health, Labour and Welfare pursuant to the provisions of Article 3, paragraph (1) of that Act" and "the hospital," respectively.

- (2) The clinical instructor, when they give instruction and provide supervision on site for the advanced clinical training performed by a foreign birthing assistant under advanced clinical training, must state that fact in the midwifery care record made by the foreign birthing assistant under advanced clinical training pursuant to the provisions of Article 42, paragraph (1) of the Act on Public Health Nurses, Midwives, and Nurses, which is applied mutatis mutandis to the foreign birthing assistant under advanced clinical training pursuant to the preceding paragraph, and append their signature on the midwifery care record.

(Statement in Irradiation Records)

Article 13 (1) The provisions of Article 28 of the Radiology Technicians Act apply mutatis mutandis to the permitted person who has qualification which corresponds to the qualification of a radiology technician in a foreign country (hereinafter referred to as the "foreign radiology technician under advanced clinical training").

- (2) The clinical instructor, when they give instruction and provide supervision on site for the advanced clinical training performed by a foreign radiology technician under advanced clinical training, must state that fact in the irradiation record made by the foreign radiology technician under advanced clinical training pursuant to the provision of Article 28, paragraph (1) of the Radiology Technicians Act, which is applied mutatis mutandis to the foreign radiology technician under advanced clinical training pursuant to the preceding paragraph, and append their signature on the irradiation record.

(Statement in Emergency Medical Care Records)

Article 14 (1) The provisions of Article 46 of the Emergency Life-Saving Technicians Act apply mutatis mutandis to the permitted emergency life-saving technician (hereinafter referred to as the "foreign emergency life-saving technician under advanced clinical training"). In this case, the phrase "emergency life-saving technician working at an institution specified by the Order of the Ministry of Health, Labour and Welfare" and "the institution" in Article 46, paragraph (2) of the Emergency Life-Saving Technicians Act are

deemed to be replaced with "foreign emergency life-saving technician under advanced clinical training prescribed by Article 14, paragraph (1) of the Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners, who is supposed to transport a serious patient prescribed by Article 2, paragraph (1) of that Act to a designated hospital prescribed by Article 2, item (iv) of the Act" and "the designated hospital," respectively.

- (2) The clinical instructor, when they give instruction and provide supervision on site for the advanced clinical training performed by a foreign emergency life-saving technician under advanced clinical training, state that fact in the emergency medical care record made by the foreign emergency life-saving technician under advanced clinical training pursuant to the provision of Article 46, paragraph (1) of the Emergency Life-Saving Technicians Act, which is applied mutatis mutandis to the foreign emergency life-saving technician under advanced clinical training pursuant to the preceding paragraph, and append their signature on the emergency medical care record.

(Dental Technique pursuant to Written Instructions on Dental Technique)

Article 15 The provisions of Article 18 and Article 19 of the Dental Technicians Act apply mutatis mutandis to the permitted person who has qualification which corresponds to the qualification of a dental technician in a foreign country. In this case, the term "hospital or clinic" in Article 18 of the Dental Technicians Act is deemed to be replaced with "designated hospital prescribed by Article 2, item (iv) of the Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."

(Restrictions on Practices)

Article 16 (1) The provision of Article 37 (excluding the part pertaining to the first-aid treatment) and the main clause of Article 38 of the Act on Public Health Nurses, Midwives, and Nurses apply mutatis mutandis to the foreign birthing assistant under advanced clinical training, and the provision of Article 37 (excluding the part pertaining to the first-aid treatment) of the same Act apply mutatis mutandis to the person who has qualification which corresponds to the qualification of a nurse in a foreign country in which they obtained the license (hereinafter referred to as the "foreign nurse under advanced clinical training").

- (2) The main clause of Article 13-2 of the Dental Hygienists Act apply mutatis mutandis to the person who has qualification which corresponds to the qualification of a dental hygienist in a foreign country in which they obtained the license.

- (3) The provisions of Article 26, paragraph (1) and the main clause of paragraph (2), and Article 27 of the Act on Radiology Technicians Act apply mutatis mutandis to the foreign radiology technician under advanced clinical training. In this case, the term "hospital or clinic" in the main clause of the same paragraph is deemed to be replaced with "designated hospital prescribed by Article 2, item (iv) of the Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."
- (4) The provisions of Article 20 of the Dental Technicians Act apply mutatis mutandis to the person who has qualification which corresponds to the qualification of a dental technician in a foreign country in which they obtained the license.
- (5) The provisions of Article 15, paragraph (2) of the Physical Therapists and Occupational Therapists Act apply mutatis mutandis to the person who has qualification which corresponds to the qualification of a physical therapist in a foreign country in which they obtained the license. In this case, the term "hospital or clinic" in the same paragraph is deemed to be replaced with "designated hospital prescribed by Article 2, item (iv) of the Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."
- (6) The provisions of Article 18 and Article 18-2 of the Orthoptists Act apply mutatis mutandis to the person who has qualification which corresponds to the qualification of an orthoptist in a foreign country in which they obtained the license.
- (7) The provisions of Article 38 and Article 39 of the Clinical Engineers Act apply mutatis mutandis to the person who has qualification which corresponds to the qualification of a clinical engineers in a foreign country in which they obtained the license.
- (8) The provisions of Article 38 and Article 39 of the Artificial Limb Fitters Act apply mutatis mutandis to the person who has qualification which corresponds to the qualification of a prosthetist and orthotist in a foreign country in which they obtained the license.
- (9) The provisions of Article 43 of the Speech-Language Hearing Therapists Act apply mutatis mutandis to the person who has qualification which corresponds to the qualification of a speech language hearing therapist in a foreign country in which they obtained the license.
- (10) The provisions of Article 44 and Article 45 of the Emergency Life-Saving Technicians Act apply mutatis mutandis to the foreign emergency life-saving technician under advanced clinical training. In this case, the phrase "ambulance and other," "in this paragraph and in Article 53, item (ii)," and "hospital or clinic" in Article 44, paragraph (2) of the same Act are deemed to

be replaced with "an ambulance transporting a patient in a serious condition to a designated hospital prescribed by Article 2, item (iv) of the Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners (hereinafter referred to as a "designated hospital" in this paragraph) and other," "in this paragraph," and "designated hospital," respectively.

(Obligation of Confidentiality)

Article 17 A foreign medical practitioner or dental practitioner under advanced clinical training, or a foreign nurse, etc. under advanced clinical training must not disclose any confidential information of any person they have come to know in the course of practice, unless there are legitimate grounds for doing so. The same applies after the foreign medical practitioner or dental practitioner under advanced clinical training, or a foreign nurse, etc. under advanced clinical training leaves their profession.

(Special Provisions for the Act on Public Health Nurses, Midwives, and Nurses)

Article 18 (1) With regard to the application of the provisions of Article 30 of the Act on Public Health Nurses, Midwives, and Nurses to the cases where a foreign medical practitioner performs advanced clinical training, the term "the Medical Practitioners' Act (Act No. 201 of 1948)" in the Article is deemed to be replaced with "the Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."

(2) With regard to the application of the provisions of Article 31, paragraph (1) of the Act on Public Health Nurses, Midwives, and Nurses to the cases where a foreign medical practitioner or dental practitioner performs advanced clinical training, the term "the Medical Practitioners' Act or the Dentists Act (Act No. 202 of 1948)" in the same paragraph is deemed to be replaced with "the Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."

(Special Provisions for the Dental Hygienists Act)

Article 19 With regard to the application of the provisions of Article 13 of the Dental Hygienists Act to the cases where a foreign dental practitioner performs advanced clinical training, the term "the Dental Practitioners Act (Act No. 202 of 1948)" in the same Article is deemed to be replaced with "the Act on Special Provisions for the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."

(Special Provisions for the Radiology Technicians Act)

Article 20 Notwithstanding the provisions of Article 24 of the Radiology Technicians Act, a foreign medical practitioner or dental practitioner under advanced clinical training may perform the practices prescribed by Article 2, paragraph (2) of the same Act.

(Special Provisions for the Dental Technicians Act)

Article 21 The acts prescribed in the main clause of Article 2, paragraph (1) of the Dental Technicians Act performed by a foreign dental practitioner under advanced clinical training by themselves for a patient in the course of advanced clinical training are deemed to be the acts prescribed in the provisions of the proviso to the same paragraph.

(Consultation with the Minister of Justice)

Article 22 The Minister of Health, Labour and Welfare, in intending to grant a permission, must consult with the Minister of Justice in advance in respect of the compliance by a person pertaining to the permission with the standards prescribed by Article 3, paragraph (2), item (i).

(Penal Provisions)

Article 23 A person who has violated the provisions of Article 37 (excluding the part pertaining to the first-aid treatment) or the main clause of Article 38 of the Act on Public Health Nurses, Midwives, and Nurses, as applied mutatis mutandis pursuant to the provisions of Article 16, paragraph (1), is punished by imprisonment with work for not more than 6 months or a fine of not more than 500,000 yen, or both.

Article 24 A person who falls under any of the following items is punished by imprisonment with work for not more than 6 months or a fine of not more than 300,000 yen, or both:

- (i) a person who has violated the main clause of Article 13-2 of the Dental Hygienists Act, as applied mutatis mutandis pursuant to the provisions of Article 16, paragraph (2);
- (ii) a person who has violated the provisions of Article 26, paragraph (1) or the main clause of paragraph (2) of the Radiology Technicians Act, as applied mutatis mutandis pursuant to the provisions of Article 16, paragraph (3);
- (iii) a person who has violated the provisions of Article 18 of the Orthoptists Act, as applied mutatis mutandis pursuant to the provisions of Article 16, paragraph (6);
- (iv) a person who has violated the provisions of Article 38 of the Clinical Engineers Act as applied mutatis mutandis pursuant to the provisions of Article 16, paragraph (7);

- (v) a person who has violated the provisions of Article 38 of the Artificial Limb Fitters Act as applied mutatis mutandis pursuant to the provisions of Article 16, paragraph (8); or
- (vi) a person who has violated the provisions of Article 44 of the Emergency Life-Saving Technicians Act as applied mutatis mutandis pursuant to the provisions of Article 16, paragraph (10).

Article 25 (1) A foreign medical practitioner, foreign dental practitioner, foreign birthing assistant, or foreign nurse under advanced clinical training, or a person who used to be engaged in those professions, who has disclosed any confidential information of any person in violation of the provisions of Article 17 is punished by imprisonment with work for not more than 6 months or a fine of not more than 100,000 yen.

(2) A foreign nurse, etc. under advanced clinical training (excluding foreign birthing assistants or foreign nurses under advanced clinical training), or a person who used to be engaged in the profession, who has disclosed any confidential information of any person in violation of the provisions of Article 17 is punished by a fine of not more than 500,000 yen.

(3) The offenses prescribed in the preceding two paragraphs may not be prosecuted without a complaint.

Article 26 A person who falls under either of the following items is punished by a fine of not more than 500,000 yen:

- (i) a person who has violated the provisions of Article 24 of the Medical Practitioners' Act or Article 23 of the Dental Practitioners Act, as applied mutatis mutandis pursuant to the provision of Article 11, paragraph (1); or
- (ii) a person who has violated the provisions of Article 42 of the Act on Public Health Nurses, Midwives, and Nurses, as applied mutatis mutandis pursuant to the provisions of Article 12, paragraph (1).

Article 27 A person who falls under either of the following items is punished by a fine of not more than 300,000 yen:

- (i) a person who has violated the provisions of Article 46 of the Emergency Life-Saving Technicians Act as applied mutatis mutandis pursuant to the provisions of Article 14, paragraph (1); or
- (ii) a person who has violated the provisions of Article 18 or Article 19 of the Clinical Technicians Act as applied mutatis mutandis pursuant to the provisions of Article 15.

Article 28 A person who has violated the provisions of Article 28, paragraph (1) of the Radiology Technicians Act as applied mutatis mutandis pursuant to the

provisions of Article 13, paragraph (1) is punished by a civil fine of not more than 200,000 yen.

Article 29 A person who has violated the provisions of Article 11, paragraph (2), Article 12, paragraph (2), Article 13, paragraph (2), or Article 14, paragraph (2) is punished by a civil fine of not more than 100,000 yen.

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding 1 year from the date of promulgation.