

Order for Enforcement of the Medical Practitioners Act

(Cabinet Order No. 382 of December 8, 1953)

The Cabinet enacts this Cabinet Order pursuant to the provisions of Article 8 of the Medical Practitioners Act (Act No. 201 of 1948).

(Fee for Registration of Completion of Refresher Course and Training)

Article 1 The amount of fee specified by Cabinet Order referred to in Article 7-2, paragraph (4) of the Medical Practitioners Act (hereinafter referred to as the "Act") is 3,100 yen (or 2,950 yen if the electronic data processing system specified in Article 3, paragraph (1) of the Act on Use of Information and Communications Technology in Administrative Procedure (Act No. 151 of 2002) is used pursuant to the provisions of that paragraph).

(Technical Replacement of Terms Concerning Order to Take Refresher Course and Training)

Article 2 The technical replacement of terms pursuant to the provisions of Article 7-2, paragraph (5) of the Act is as described in the following table:

Provisions of the Act in which a term or phrase is deemed to be replaced with other term or phrase	Term or phrase deemed to be replaced with other term or phrase	Term or phrase which is deemed to be replaced with other term or phrase
Article 7, paragraph (11)	Paragraph (2)	Paragraph (1) of the following Article
	Suspension of a medical practice	Refresher course and training
Article 7, paragraph (12), item (i)	Paragraph (2)	Paragraph (1) of the following Article
Article 7, paragraph (14)	Paragraph (12) (including the cases where the deemed replacements of terms are applied pursuant to the provisions of the second sentence of the preceding paragraph)	Paragraph (12)
Paragraph (15) of Article 7	The prefectural governor or the Medical Ethics Council Members	The prefectural governor

	Paragraph (11) or the first sentence of paragraph (13)	Paragraph (11)
Article 7, paragraph (16)	Paragraph (5) or paragraph (11)	Paragraph (11)
	a Hearing the opinions or explanation	Hearing the explanation
Article 7, paragraph (17)	Notification referred to in Article 15, paragraph (1) of the Administrative Procedure Act as applied mutatis mutandis pursuant to paragraph (6) following the deemed replacement of terms, in the case where the opinions are heard pursuant to the provisions of paragraph (5), or paragraph (11) of Article 7 of the Medical Practitioners Act	Paragraph (11) of the Medical Practitioners Act
Article 7, paragraph (18)	Paragraph (5) or paragraph (11)	Paragraph (11)
	In the case where the opinions or explanation are heard, or the Medical Ethics Council Members hear the explanation pursuant to the provisions of the first sentence of paragraph (13)	Hearing the explanation

(Application for License)

Article 3 A person who intends to obtain a medical license must submit a written application together with the documents specified by Order of the Ministry of Health, Labour and Welfare to the Minister of Health, Labour and Welfare via a prefectural governor having jurisdiction over the domicile of the person.

(Particulars Registered in Registers of Medical Practitioners)

Article 4 The following particulars are registered in registers of medical practitioners:

- (i) the medical practitioners' registration number and registration date;
- (ii) the prefecture name of the registered domicile (or nationality of a person who does not hold Japanese nationality), name, date of birth and gender of the person;
- (iii) the date on which the person passed the National Licensing Examination for Medical Practitioners;
- (iv) particulars concerning the dispositions under the provisions of Article 7, paragraph (1) or (2) of the Act;
- (v) a statement to the effect that the person has completed the refresher course and training specified in Article 7-2, paragraph (2) of the Act;
- (vi) a statement to the effect that the person has completed the clinical training specified in Article 16-4, paragraph (1) of the Act; and

(vii) other particulars determined by the Minister of Health, Labour and Welfare.

(Change in Registered Particulars)

Article 5 (1) If any of the registered particulars referred to in item (ii) of the preceding Article has changed, medical practitioners must file a request for correction of a register of medical practitioners within 30 days from the change.

(2) When filing the request referred to in the preceding paragraph, the requester must submit a written request together with a document providing the grounds for the request to the Minister of Health, Labour and Welfare via a prefectural governor having jurisdiction over the domicile of the requester.

(Deletion of Registration)

Article 6 (1) When filing a request to delete a registration from a register of medical practitioners, the requester must submit a written request to the Minister of Health, Labour and Welfare via a prefectural governor having jurisdiction over the domicile of the requester.

(2) When a medical practitioner has died or has been adjudicated their disappearance, the person who is obligated to submit a notification of the death or disappearance pursuant to the provisions of the Family Register Act (Act No. 224 of 1947) must file a request for deleting the registration in the medical register within 30 days from their death or adjudication.

(Restrictions on Deletion of Registrations)

Article 7 In order to revoke the medical license of a medical practitioner who falls under item (iii) or (iv) of Article 4 of the Act or who has engaged in conduct that may hurt their dignity as a medical practitioner pursuant to the provisions of Article 7, paragraph (2) of the Act, if the medical practitioner files a request for the deletion of a registration in a register of medical practitioners under the provisions of paragraph (1) of the preceding Article after the Minister of Health, Labour and Welfare gives notice pursuant to the provisions of Article 15, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993) or the prefectural governor gives notice pursuant to the provisions of Article 15, paragraph (1) of the Administrative Procedure Act as applied mutatis mutandis pursuant to Article 7, paragraph (6) of the Act, the Minister of Health, Labour and Welfare may decide not to delete a registration of the medical practitioner in the register of medical practitioners until the disposition procedures are completed.

(Replacement License)

Article 8 (1) A medical practitioner may request a replacement license when any

of the particulars provided in the license has changed.

- (2) When filing the request referred to in the preceding paragraph, the requester must submit a written request together with the license to the Minister of Health, Labour and Welfare via a prefectural governor having jurisdiction over the domicile of the requester.

(Reissuance of License)

Article 9 (1) A medical practitioner may request for the reissuance of their license when it is lost or damaged.

- (2) When filing the request referred to in the preceding paragraph, the requester must submit a written request to the Minister of Health, Labour and Welfare via a prefectural governor having jurisdiction over the domicile of the requester.
- (3) When filing the request referred to in paragraph (1), the requester must pay a fee determined by the Minister of Health, Labour and Welfare.
- (4) When a medical practitioner who has damaged their license files the request referred to in paragraph (1), the medical practitioner must attach their license to the written request.
- (5) When a medical practitioner finds their lost license after the license has been reissued, the medical practitioner must return the lost license to the Minister of Health, Labour and Welfare via a prefectural governor having jurisdiction over the domicile of the medical practitioner within five days.

(Returning Medical License)

Article 10 (1) When a medical practitioner files a request for the deletion of a registration in a register of medical practitioners, the medical practitioner must return their license to the Minister of Health, Labour and Welfare via a prefectural governor having jurisdiction over the domicile of the medical practitioner. The same applies to a person who files a request for the deletion of a registration in a register of medical practitioners pursuant to the provisions of Article 6, paragraph (2).

- (2) If the license of medical practitioner is revoked, the medical practitioner must return their license to the Minister of Health, Labour and Welfare via a prefectural governor having jurisdiction over the domicile of the medical practitioner within five days.

(Provisions Governed by Ministerial Order)

Article 11 In addition to what is provided for in this Cabinet Order, particulars necessary for the procedures for applying for a medical license, correction of a register of medical practitioners or the replacement license or reissuance of a license are specified by Order of the Ministry of Health, Labour and Welfare.

(Fee for Registration of Completion of Clinical Training)

Article 12 The fee specified by Cabinet Order referred to in Article 16-5 of the Act is 3,100 yen (or 2,950 yen if the electronic data processing system specified in Article 3, paragraph (1) of the Act on Use of Information and Communications Technology in Administrative Procedures is used pursuant to the provisions of that paragraph).

(Medical Licensing Examination Committee Members)

Article 13 (1) Medical Examination Committee Members (hereinafter referred to as "Committee Members") are appointed by the Minister of Health, Labour and Welfare from among persons having relevant expertise necessary for conducting the National Licensing Examination for Medical Practitioners or the National Preliminary Licensing Examination for Medical Practitioners.

(2) The number of Examiners is 145 or less.

(3) The term of office of Committee Members is two years; provided, however, that the term of office of a member who fills a vacancy is the remaining term of the predecessor.

(4) Committee Members serve on a part-time basis.

(Particulars to be Published)

Article 14 The particulars specified by Cabinet Order referred to in Article 30-2 of the Act are as follows:

(i) the name and gender of the medical practitioner;

(ii) registration date of the medical register;

(iii) particulars concerning the disposition set forth in Article 7, paragraph (2), item (i) of the Act (limited to the particulars concerning a medical practitioner who is ordered to take refresher course and training related to the disposition under the provisions of Article 7-2, paragraph (1) of the Act and who has not completed the refresher course and training); and

(iv) particulars concerning the disposition set forth in Article 7, paragraph (2), item (ii) of the Act which falls under any of the following items:

(a) disposition against a medical practitioner whose period of suspension from medical practice determined by the Minister of Health, Labour and Welfare has not elapsed

(b) disposition against a medical practitioner who was ordered to take refresher course and training related to the disposition under the provisions of Article 7-2, paragraph (1) of the Act and who has not completed the refresher course and training

(Types of Functions)

Article 15 The functions to be administered by prefectures pursuant to the provisions of Article 3, Article 5, paragraph (2), Article 6, paragraph (1), Article 8, paragraph (2), Article 9, paragraphs (2) and (5) and Article 10 are the Type I statutory entrusted functions specified in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947).

Supplementary Provisions

(Effective Date)

- (1) This Cabinet Order comes into effect as of the date of its promulgation.

(Repayment Period of Loans from the National Government)

- (2) The term specified by Cabinet Order referred to in Article 44, paragraph (2) of the Act is five years (including a two-year grace period).
- (3) The term referred to in the preceding paragraph is counted, for each decision on loan under the provisions of Article 6, paragraph (1) of the Act on Regulation of Execution of Budget Pertaining to Subsidies (Act No. 179 of 1955) as applied mutatis mutandis pursuant to the provisions of Article 5, paragraph (1) of the Act on Special Measures Concerning Promotion of Social Infrastructure Development Through Use of Proceeds from Sale of the Stock of the Nippon Telegraph and Telephone Corporation (Act No. 86 of 1987) following the deemed replacement of terms (hereinafter referred to as the "decision on loan"), from the day following the date on which the provision of loan by the national government (hereinafter referred to as the "loan provided by the national government") related to the decision on the loan has completed pursuant to the provisions of Article 44, paragraph (1) of the Act (or, if the date falls on or after the day preceding the last day of a fiscal year in which the decision on the loan is made, the date two days prior to the last day of the fiscal year).
- (4) The loan provided by the national government is to be returned in annual payments by using amortization method.
- (5) The national government may allow early repayment of money loaned, in whole or in part, ahead of the redemption date determined pursuant to the provisions of the preceding three paragraphs, if the government finds it appropriate to do so after taking into account the State's financial circumstances.
- (6) The cases specified by Cabinet Order referred to in Article 44, paragraph (5) of the Act are cases where loans are repaid ahead of the redemption date pursuant to the provisions of the preceding paragraph.

Supplementary Provisions [Cabinet Order No. 269 of October 31, 1969]

[Extract]

(1) This Cabinet Order comes into effect as of November 1, 1969.

**Supplementary Provisions [Cabinet Order No. 393 of December 8, 1999]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of April 1, 2000.

**Supplementary Provisions [Cabinet Order No. 309 of June 7, 2000]
[Extract]**

(Effective Date)

(1) This Cabinet Order comes into effect as of the date on which the Act on Partial Amendment to the Cabinet Act (Act No. 88 of 1999) (January 6, 2001) comes into effect.

**Supplementary Provisions [Cabinet Order No. 27 of February 8, 2002]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the date of its promulgation.

**Supplementary Provisions [Cabinet Order No. 57 of March 23, 2006]
[Extract]**

This Cabinet Order comes into effect as of April 1, 2006.

**Supplementary Provisions [Cabinet Order No. 9 of January 19, 2007]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of April 1, 2007.