

医師法施行令

Order for Enforcement of the Medical Practitioners Act

(昭和二十八年十二月八日政令第三百八十二号)
(Cabinet Order No. 382 of December 8, 1953)

内閣は、医師法（昭和二十三年法律第二百一号）第八条の規定に基き、この政令を制定する。

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

(再教育研修修了の登録等に関する手数料)

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

第一条 医師法（以下「法」という。）第七条の二第四項の政令で定める手数料の額は、三千百円（行政手続等における情報通信の技術の利用に関する法律（平成十四年法律第百五十一号）第三条第一項の規定により同項に規定する電子情報処理組織を使用する場合にあつては、二千九百五十円）とする。

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).

(再教育研修の命令に関する技術的読替え)

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

第二条 法第七条の二第五項の規定による技術的読替えは、次の表のとおりとする。

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:

法の規定中読み替える規定 Provisions of the Act in which a term or phrase is deemed to be replaced with other term or phrase	読み替えられる字句 Term or phrase deemed to be replaced with other term or phrase	読み替える字句 Term or phrase which is deemed to be replaced with other term or phrase

第七条第十一项 Article 7, paragraph (11)	第二項 Paragraph (2)	次条第一項 Paragraph (1) of the following Article
	医業の停止 Suspension of a medical practice	再教育研修 Refresher course and training
第七条第十二項第 一号 Article 7, paragraph (12), item (i)	第二項 Paragraph (2)	次条第一項 Paragraph (1) of the following Article
第七条第十四項 Article 7, paragraph (14)	第十二項（前項後段の規定により読み替えて適用する場合を含む。） 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)	第十二項 Paragraph (12)
第七条第十五項 Paragraph (15) of Article 7	都道府県知事又は医道審議会の委員 The prefectural governor or the Medical Ethics Council Members	都道府県知事 The prefectural governor
	第十一項又は第十三項前段 Paragraph (11) or the first sentence of paragraph (13)	第十一項 Paragraph (11)
第七条第十六項 Article 7, paragraph (16)	第五項又は第十一項 Paragraph (5) or paragraph (11)	第十一項 Paragraph (11)
	意見の聴取又は弁明の聴取 a Hearing the opinions or explanation	弁明の聴取 Hearing the explanation
第七条第十七項 Article 7, paragraph (17)	第五項の規定により意見の聴取を行う場合における第六項において読み替えて準用する行政手続法第十五条第一項の通知又は第十一項 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	第十一項 Paragraph (11) of the Medical Practitioners Act
第七条第十八項 Article 7, paragraph (18)	第五項若しくは第十一項 Paragraph (5) or paragraph (11)	第十一項 Paragraph (11)

	<p>意見の聴取若しくは弁明の聴取を行う場合又は第十三項前段の規定により医道審議会の委員が弁明の聴取</p> <p>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)</p>	<p>弁明の聴取</p> <p>Hearing the explanation</p>
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(免許の申請)

(Application for License)

第三条 医師免許を受けようとする者は、申請書に厚生労働省令で定める書類を添え、住所地の都道府県知事を経由して、これを厚生労働大臣に提出しなければならない。

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.

(医籍の登録事項)

(Particulars Registered in Registers of Medical Practitioners)

第四条 医籍には、次に掲げる事項を登録する。

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

一 登録番号及び登録年月日

(i) the medical practitioners' registration number and registration date;

二 本籍地都道府県名（日本の国籍を有しない者については、その国籍）、氏名、生年月日及び性別

(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;

三 医師国家試験合格の年月

(iii) the date on which the person passed the National Licensing Examination for Medical Practitioners;

四 法第七条第一項又は第二項の規定による処分に関する事項

(iv) particulars concerning the dispositions under the provisions of Article 7, paragraph (1) or (2) of the Act;

五 法第七条の二第二項に規定する再教育研修を修了した旨

(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;

六 法第十六条の四第一項に規定する臨床研修を修了した旨

(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

七 その他厚生労働大臣の定める事項

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

(登録事項の変更)

(Change in Registered Particulars)

第五条 医師は、前条第二号の登録事項に変更を生じたときは、三十日以内に、医籍の訂正を申請しなければならない。

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 前項の申請をするには、申請書に申請の事由を証する書類を添え、住所地の都道府県知事を経由して、これを厚生労働大臣に提出しなければならない。

(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.

(登録の抹消)

(Deletion of Registration)

第六条 医籍の登録の抹消を申請するには、住所地の都道府県知事を経由して、申請書を厚生労働大臣に提出しなければならない。

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 医師が死亡し、又は失踪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）による死亡又は失踪の届出義務者は、三十日以内に、医籍の登録の抹消を申請しなければならない。

(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.

(登録抹消の制限)

(Restrictions on Deletion of Registrations)

第七条 法第四条第三号若しくは第四号に該当し、又は医師としての品位を損するような行為のあつた者について、法第七条第二項の規定による取消処分をするため、当該処分に係る医師に対し、厚生労働大臣が行政手続法（平成五年法律第八十八号）第十五条第一項の規定による通知をした後又は都道府県知事が法第七条第六項において準

用する行政手続法第十五条第一項の規定による通知をした後に当該医師から前条第一項の規定による医籍の登録の抹消の申請があつた場合には、厚生労働大臣は、当該処分に関する手続が終了するまでは、当該医師に係る医籍の登録を抹消しないことができる。

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.

(免許証の書換交付)

(Replacement License)

第八条 医師は、免許証の記載事項に変更を生じたときは、免許証の書換交付を申請することができる。

Article 8 (1) A medical practitioner may request a replacement license when any of the particulars provided in the license has changed.

2 前項の申請をするには、申請書に免許証を添え、住所地の都道府県知事を経由して、これを厚生労働大臣に提出しなければならない。

(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.

(免許証の再交付)

(Reissuance of License)

第九条 医師は、免許証を亡失し、又はき損したときは、免許証の再交付を申請することができる。

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

2 前項の申請をするには、住所地の都道府県知事を経由して、申請書を厚生労働大臣に提出しなければならない。

(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 第一項の申請をする場合には、厚生労働大臣の定める額の手数料を納めなければならない。

(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 免許証をき損した医師が第一項の申請をする場合には、申請書にその免許証を添えなければならない。

(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 医師は、免許証の再交付を受けた後、亡失した免許証を発見したときは、五日以内に、住所地の都道府県知事を経由して、これを厚生労働大臣に返納しなければならない。

(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.

(免許証の返納)

(Returning Medical License)

第十条 医師は、医籍の登録の抹消を申請するときは、住所地の都道府県知事を経由して、免許証を厚生労働大臣に返納しなければならない。第六条第二項の規定により医籍の登録の抹消を申請する者についても、同様とする。

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 医師は、免許の取消処分を受けたときは、五日以内に、住所地の都道府県知事を経由して、免許証を厚生労働大臣に返納しなければならない。

(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.

(省令への委任)

(Provisions Governed by Ministerial Order)

第十一条 この政令で定めるもののほか、医師免許、医籍の訂正又は免許証の書換交付若しくは再交付の申請手続について必要な事項は、厚生労働省令で定める。

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.

(臨床研修修了の登録等に関する手数料)

(Fee for Registration of Completion of Clinical Training)

第十二条 法第十六条の五の政令で定める手数料の額は、三千百円（行政手続等における情報通信の技術の利用に関する法律第三条第一項の規定により同項に規定する電子情報処理組織を使用する場合にあつては、二千九百五十円）とする。

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).

(医師試験委員)

(Medical Licensing Examination Committee Members)

第十三条 医師試験委員（以下「委員」という。）は、医師国家試験又は医師国家試験予備試験を行なうについて必要な学識経験のある者のうちから、厚生労働大臣が任命する。

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 委員の数は、百四十五人以内とする。

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

3 委員の任期は、二年とする。ただし、補欠の委員の任期は、前任者の残任期間とする。

(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 委員は、非常勤とする

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

(公表事項)

(Particulars to be Published)

第十四条 法第三十条の二の政令で定める事項は、次のとおりとする。

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

一 医師の氏名及び性別

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

二 医籍の登録年月日

(ii) registration date of the medical register;

三 法第七条第二項第一号に掲げる処分に関する事項（当該処分を受けた医師であつて、法第七条の二第一項の規定による当該処分に係る再教育研修の命令を受け、当該再教育研修を修了していないものに係るものに限る。）

(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

四 法第七条第二項第二号に掲げる処分であつて次のいずれかに該当するものに関する事項

(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:

イ 厚生労働大臣が定めた医業の停止の期間を経過していない医師に係る処分

(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

ロ 当該処分を受けた医師であつて、法第七条の二第一項の規定による当該処分に係る再教育研修の命令を受け、当該再教育研修を修了していないものに係る処分

(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

(事務の区分)

(Types of Functions)

第十五条 第三条、第五条第二項、第六条第一項、第八条第二項、第九条第二項及び第五項並びに第十条の規定により都道府県が処理することとされている事務は、地方自治法（昭和二十二年法律第六十七号）第二条第九項第一号に規定する第一号法定受託事務とする。

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).

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

1 この政令は、公布の日から施行する。

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

(国の貸付金の償還期間等)

(Repayment Period of Loans from the National Government)

2 法第四十四条第二項の政令で定める期間は、五年（二年の据置期間を含む。）とする。

(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 前項の期間は、日本電信電話株式会社の株式の売払収入の活用による社会資本の整備の促進に関する特別措置法（昭和六十二年法律第八十六号）第五条第一項の規定により読み替えて準用される補助金等に係る予算の執行の適正化に関する法律（昭和三十年法律第百七十九号）第六条第一項の規定による貸付けの決定（以下「貸付決定」という。）ごとに、当該貸付決定に係る法第四十四条第一項の規定による国の貸付金（以下「国の貸付金」という。）の交付を完了した日（その日が当該貸付決定があつた日の属する年度の末日の前日以後の日である場合には、当該年度の末日の前々日の翌日から起算する。

(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 国の貸付金の償還は、均等年賦償還の方法によるものとする。

(4) The loan provided by the national government is to be returned in annual payments by using amortization method.

5 国は、国の財政状況を勘案し、相当と認めるときは、国の貸付金の全部又は一部に

ついて、前三項の規定により定められた償還期限を繰り上げて償還させることができる。

(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 法第四十四条第五項の政令で定める場合は、前項の規定により償還期限を繰り上げて償還を行つた場合とする。

(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.

附 則 〔昭和四十四年十月三十一日政令第二百六十九号〕 〔抄〕

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

1 この政令は、昭和四十四年十一月一日から施行する。

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

附 則 〔平成十一年十二月八日政令第三百九十三号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この政令は、平成十二年四月一日から施行する。

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

附 則 〔平成十二年六月七日政令三百九第号〕 〔抄〕

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

(施行期日)

(Effective Date)

1 この政令は、内閣法の一部を改正する法律（平成十一年法律第八十八号）の施行の日（平成十三年一月六日）から施行する。

(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.

附 則 〔平成十四年二月八日政令第二十七号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 27 of February 8, 2002]
[Extract]

(施行期日)

(Effective Date)

第一条 この政令は、公布の日から施行する。

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

附 則 〔平成十八年三月二十三日政令第五十七号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 57 of March 23, 2006]
[Extract]

この政令は、平成十八年四月一日から施行する。

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

附 則 〔平成十九年一月十九日政令第九号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 9 of January 19, 2007]
[Extract]

(施行期日)

(Effective Date)

第一条 この政令は、平成十九年四月一日から施行する。

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