

## Rules and Regulations

# Law on prevention of AIDS and patients' rights and obligations

### Article (1)

The following terms and phrases should have the meanings shown against each, whenever mentioned in this law, unless otherwise required by the context:

<b>Ministry</b>	The ministry of health
<b>Minister</b>	The minister of health
<b>Virus</b>	The factor causing the Acquired Immunity Deficiency Syndrome
<b>AIDS</b>	Acquired Immunity Deficiency Syndrome
<b>Health entities</b>	Any public or private entity that provides healthcare services
<b>Healthcare</b>	The collective medical services and procedures, preventive and treatment, provided for the treatment, care and primary treatment of AIDS symptoms.
<b>Medical care</b>	Preventive and treatment and rehabilitation services for the care of the individual and society health
<b>National program</b>	The National Program for Fighting AIDS in the Ministry
<b>Verification</b>	Confirming the result at reference labs
<b>Patient</b>	A carrier of AIDS virus or someone who showed AIDS symptoms
<b>Suspect</b>	Someone suspected to have AIDS
<b>Contactors</b>	Those who contact the patient in a manner that makes it possible to transmit the disease
<b>Dealer</b>	Those who provide services or deal with the patient for work purposes in a manner that makes it possible to transmit the disease
<b>Isolation</b>	Preventing the patient from contacting others to protect them or others
<b>Reporting</b>	Reporting the AIDS case to the ministry
<b>Bylaws</b>	The executive bylaws of the law

### Article (2)

Notwithstanding the preventive measures and precautions listed in relevant laws, the present law aims to:

1. Classify AIDS as a communicable disease and implement the measures and procedures listed in the law for the prevention thereof.
2. Protecting the rights of patients and their contactors and explaining their obligations
3. Ensuring the care and rehabilitation of patients
4. Ensuring the rights of patients in continuous work and education

#### Article (3)

Health entities must provide healthcare, advice and physiological support to patients and respect their rights, fight AIDS and raise awareness on how it is transmitted, prevented and treated and encouraging people to avoid it and protect the society from it.

#### Article (4)

No health entity is allowed to refrain from providing the required medical care to any patient due to their disease.

#### Article (5)

1. The national program, in coordination with the other health entities, shall activate procedures for prevention, care and rehabilitation and identify reference labs for diagnosis and verification of positive virus presence, provide treatment for patients and explain ways of prevention.
2. Health entities must send the suspected samples to reference labs identified by the national program to verify positive AIDS. In all cases, stakeholders at the ministry must be informed confidentially with all positive cases, and the bylaws list the entities that will receive the reports.

#### Article (6)

Necessary healthcare must be provided to the pregnant women and their babies, and may not be forced to abort the pregnancy or denied the care or guardianship of her children due to her disease.

#### Article (7)

Health, education and media institutions take necessary action to raise awareness of AIDS in the society and present the rights of patients/

#### Article (8)

Patients may not be denied their legal rights or their rights of education or be dismissed from their jobs due to their disease, unless it was proven that they deliberately transmitted the disease to others.

#### Article (9)

Notwithstanding the contents of article (13) of the present law, AIDS test may not be forced except in the following cases:

1. Applicants to civil and military health collages and institutes
2. Applicants to healthcare jobs
3. Applicants to military jobs
4. Premarital tests
5. Pregnant women
6. Any case that the minister decides to include in coordination with the Saudi Health Council

#### Article (10)

The rights of society members in preventing virus infection must be considered, and the health, social, media and educational institutions must take necessary precautions for prevention and introducing the various aspects of the disease and highlighting the ethical and religious aspects to support the prevention and protect individuals, families and the society from AIDS.

#### Article (11)

Victims of virus or AIDS due to deliberate or non-deliberate infection may file claims to demand compensation for damages

#### Article (12)

Residents who have AIDS, are deported immediately to their countries or to any other country they choose after the settlement of their rights, and cases of AIDS patients must be addressed urgently.

#### Article (13)

Notwithstanding procedures followed outside the Kingdom for those willing to come to work or reside in the Kingdom, the ministry takes necessary procedures to test those coming to the Kingdom for work or residence to ensure they do not have the disease. The law identifies controls and measures to be taken upon the test and its results.

#### Article (14)

The patient is isolated or restricted in a health facility based on the recommendation of the specialist doctor if the case requires such procedure, and must commit to not transmit the infection to another person. If the patient is a convict, they must be isolated from other inmates and must receive the necessary healthcare. The law specifies isolation conditions and process.

#### Article (15)

Health entities must test the suspects to ensure they do not have AIDS, and provide healthcare to ensure the disease is not transmitted to others. Should the suspect refuse to be tested, the national program is informed, and the law specifies procedures to be taken in such case.

#### Article (16)

All workers in health entities and other must maintain the confidentiality of all personal information related to the patient, and such information may not be disclosed unless required by the law.

#### Article (17)

Should a health entity prove that one of the spouses is infected, the patient and the other spouse must be informed and they must sign an acknowledgement thereof. The health entity must interview the spouse and other contactors and test them to assess their condition. The bylaws define the procedures for reporting and interviewing.

#### Article (18)

The patient must abide by the preventive measures specified by the health entities, and commit to not transmit infection to others.

#### Article (19)

If the patient practices work that is feared to cause infection to others, they must be transferred to the nearest proper work. The bylaws define jobs prohibited for patients and relevant procedures.

#### Article (20)

The ministry and other health entities take all necessary procedures to encourage individuals to undergo voluntary screening to check for AIDS in order to be able to take necessary measures for early intervention

#### Article (21)

Any action or refrainment that represents discrimination against patients or their dignity or rights or abuse due to their disease is strictly prohibited.

#### Article (22)

The Saudi Health Council Approves people nominated by the public health entities for controlling the law violations

#### Article (23)

Notwithstanding any more severe penalty stipulated by other laws, any violation of articles (4) and (8) and (9) and (14) herein is subject to a fine not exceeding SAR fifty thousand, without affecting the affected persons right to claim compensation

#### Article (24)

Notwithstanding any more severe penalty stipulated by other laws, any violation of articles (6) and (16) and (17) and (18) and (21) herein is subject to a fine not exceeding SAR one hundred thousand, or jail for a maximum of five years, or both, without affecting the affected persons right to claim compensation

#### Article (25)

1. The minister issues a resolution to form a committee (or more) that comprises at least three members including a consultant and a specialist in epidemiology and communicable diseases.
2. The committee shall review cases related to violating the terms of articles (4) and (8) and (9) and (14) of the law, and implement the stipulated penalties in article (23) thereof.
3. The committee issues its resolutions based on majority voting, and must be approved by the minister. The bylaws specify the way the committee operates and rewards members according to the instructions and decisions in this regard
4. Grievances may be made before the court of grievances in relation to the committee decisions.

**Article (26)**

1. The ministry and health entities refer any violation of articles (6) and (16) and (17) and (18) and (21) to Public prosecution to review filing the case before the court with jurisdiction.
2. The competent court shall judge in the violations of articles (6) and (16) and (17) and (18) and (21) and implement the penalties stipulated in article (24) of the law.

**Article (27)**

The minister shall issue the bylaws after coordination with the Saudi Health Council within ninety days from the date of publishing he law.

**Article (28)**

The law supersedes any contradicting regulations

**Article (29)**

The Law shall be applicable after ninety days from publication in the official gazette.