The Seimas of the Republic of Lithuania,

recognizing, that

the health of the population is the greatest social and economic value of society, health is not only the absence of diseases and physical deficiencies, but physical, spiritual and social welfare of people as well,

the potential of health and conditions of its maintaining are determined by stability of the development of economic system, guarantees for social security and education of society, employment and sufficient income of the population, provision with dwellings, accessible, acceptable and adequate health care, proper nutrition, quality of work, living and natural environment, as well as by the efforts of the population to promote health,

person's efforts to stay healthy may only be promoted by social and economic measures which are acceptable from the point of view of human dignity and the current time,

the best possible public health is a necessary prerequisite for the security and prosperity of the State of Lithuania, as well as for creating of an open, just and harmonious civic society;

taking into consideration the provisions of the global strategy "Health to Everybody - 2000", adopted at the 30th Session of the World Health Assembly in 1977, the Ottawa Health Promotion Charter and the National Health Concept of Lithuania;

seeking to ensure the in-born human right to enjoy the best possible health, as well as the right to have healthy environment, acceptable, accessible and adequate health care;

acting in compliance with the Constitution of the Republic of Lithuania,

enacts this Law on the Health System.

PART I

THE HEALTH SYSTEM

CHAPTER I

GENERAL PROVISIONS

Article 1. The Purpose of the Law of the Republic of Lithuania on the Health System

The Law of the Republic of Lithuania on the Health System shall regulate the national health system of Lithuania, its structure, limits of legal regulation of health care, health strengthening and health recovery, fundamentals of establishment of the scope of health activities, organization and management of individual and public health care, health promotion, conclusion of contracts concerning health activities, fundamentals of the liability for violations of legal norms of health activities, rights and duties of the residents and subjects of health activities.

Article 2. Definitions as used in this Law

1. Health means physical, mental and social welfare of the individual and society.

2. Public health protection means the totality of organisational, technical, social, economic and legal measures intended to protect the health of the society or its individual groups from harmful effect of the environmental factors or to reduce the risks thereof to the minimum.

3. Strengthening of public health means organisational, legal, social and economic measures implemented by state institutions, executive institutions of municipalities, other legal and natural
persons, contributing to the augmentation and rational use of health care resources, formation of the social control system of public health problems settlement, encouraging the public to take part in the formation of state and municipal health policy, helping to create a healthy environment, promoting a healthy life style and increasing the effectiveness of motivation in espousing it, spurring health insurance organisations and individual health care institutions to opt for health measures with greater economic efficiency, based on disease prevention.

4. National Health System of Lithuania means the system of management of state health affairs, health institutions, health activities and relating resources.

5. Health activities means individual health care, public health care, pharmaceutical and other health activities, the types and requirements whereof to the bodies performing the activities shall be established by the Ministry of Health Care.

6. Individual health care means the activities of natural and legal persons licensed by the state, the purpose whereof is to timely diagnose and prevent the individual’s health disorders, also to help recover and strengthen health.

7. Public health care means the aggregate of organisational, legal, economic, technical, social and medical measures which help implement disease and trauma prevention, preserve public health and strengthen it.

8. Pharmaceutical activities means the activities of natural and legal persons, regulated under the Law on Pharmaceutical Activities.

9. Acceptability of health care means the conditions of health care recognised according to the procedure established by the state, which ensure the conformity of health care services with the principles of medical science and medical ethics.

10. Accessibility of health care means the conditions of health care recognised according to the procedure established by the state, which ensure economic, communicative and organisational acceptability of health care services to the individual and society.

11. Adequacy of health care means the conditions of health care recognised according to the procedure established by the state, which guarantee the quality and effectiveness of health care services.

12. Individual health care guaranteed by the state (free individual health care) means individual health care services financed from the compulsory health insurance fund, state or municipal budgets, state or municipal health funds.

13. State medical audit means expert examination and control of accessibility, economic efficiency and adequacy of health care services.

14. Internal medical audit means an independent, objective, documented health care safety and quality inspection and consultation process to assess and promote the improvement of the activities of health care institution.

15. State control of public health means official actions performed by state inspectorates, state offices and services, other institutions authorised by the state, their officers for the purpose of:

1) supervising compliance with legal acts regulating public health protection by enterprises and institutions, other legal and natural persons and applying sanctions prescribed by law for their violations (direct state control of public health);

2) achieving, by means of negotiations or contracts, that enterprises and institutions, other legal persons commit themselves to improving the state of public health care (support of public health care);

3) collecting, storing, processing and analysing, within the limits of competence, information relating to the violations of legal acts regulating public health protection, the social, economic and other causes of the violations as well as all other factors affecting the state of public health protection (indirect public health control).
16. **Public health monitoring** means purposeful organisation and systematic performance of collection, accumulation, processing, storage, analysis, and evaluation of data on public health factors as well as effects of the factors upon public health.

17. **Health care correctness** means state-recognized health care conditions of equal opportunity to achieve health and to reduce the differences between eager persons as much as possible.

18. **Electronic health system (e-health system)** means the aggregate of tools for health promotion activities through the use of information and communication technologies.

**Article 3. The Scope of Legal Regulation of Health Relations**

The following shall only be established by laws:

1) the sphere, tasks and principles of the effectiveness of health law;

2) the system of types and bodies of health activities, the competence of the main bodies of health activities management, rights and duties in the sphere of pharmaceutical activities of state services and state inspectorates of health activities co-ordination and health care, also of institutions of individual and public health care and bodies of pharmaceutical activities, the legal framework for their establishment, activities and termination thereof;

3) the legal framework of establishment, activities, reorganisation of the state inspectorates of public health control subordinate to the Ministry of Health Care, the conditions and procedure of state control of public health;

4) the structure of resources of the national health system and basic principles of their management;

5) the basic principles of health activities organisation and management and of health support and financing;

6) the necessary conditions of health activities and the legal framework of their control;

7) the rights and duties of the population in health activities, the basic legal principles of participation of the population in the management of health matters;

8) the basic legal principles of licensing for health activities the persons who have higher or special secondary medical or other education, basic professional rights and duties of medical specialists, the procedure for establishing the qualifications requirements, for their in-service training and the restriction of their practice, the legal framework of the restriction of health care advertising, of the establishment of third party liability for the damage done to the patients’ health in the course of implementing individual health care;

9) the procedure for entering into health activities contracts and basic terms and conditions thereof;

10) the system of public health care, the procedure of its organisation, management and financing as well as for implementing public health care;

11) the legal framework of the organisation and management of safety at work and occupational medicine, also of consumer health protection;

12) the general requirements for the quality of food products. The procedure of control over the conditions of manufacture, importation, trading in, advertising of such products, control over the quality of food products and their containers, also of marking said containers;

13) the general requirements for the quality of drinking water, basic legal principles of water treatment, decontamination, and quality improvement;

14) the procedure for controlling the production, trade, import, export, licensing and consumption of narcotic and psychotropic substances and their precursors, alcohol products, tobacco and its products, the system of reducing the consumption of alcoholic beverages and tobacco products, the procedure for restricting or prohibiting the advertising of alcoholic beverages and tobacco products;
15) the conditions of production, trade in, import, export, transportation, use of poisons, other toxic and radioactive substances, requirements for working with ionising radiation sources, conditions for ensuring radiation safety and the procedure of their control;

16) the system of prevention of communicable diseases, legal framework of organisation and management of the prevention and control of said diseases;

17) the conditions of public health monitoring, expert examination of public health, legal framework of organisation and management thereof;

18) the basic legal principles of the organisation and management of physical education and sport, of dope and gender control;

19) the conditions of mental health care, the basic legal principles of the organisation and management thereof as well as the legal framework of control over the conditions of care;

20) the basic legal principles of the organisation of medical and social rehabilitation of the disabled;

21) the conditions of dental care and substance dependence supervision and the legal framework of organisation and management thereof;

22) the requirements of biomedical tests ethics, the procedure of control over compliance with said requirements as well as liability for violations of requirements of biomedical tests ethics;

23) the conditions and procedure for taking blood from donors, production of blood products, transfusion of human blood and its products;

24) the basic principles, conditions and procedure for taking organs or tissues for transplants, their use for transplants, medical research, diagnostics, and treatment;

25) the criteria of the establishment of terminal conditions and the fact of death of an individual, conditions of an individual’s refusal from all or part of life prolongation services, conditions and procedure for post-mortem examination (autopsy) of the cadaver;

26) the legal framework of organisation and management of pharmaceutical activities;

27) the procedure for the registration of drugs and their quality control;

28) the health insurance system, the procedure for collecting compulsory health funds, legal framework of voluntary health insurance, rights and duties of the covered persons, the policy holders and the insurers, the procedure for establishing health insurance institutions and their activities as well as rights and duties of these institutions; and

29) basic principles of liability for violations of the requirements of laws on health activities.

**Article 4. The Purposes of Health Activities**

The purposes of health activities shall be as follows:

1) to reduce the falling behind of certain social and professional groups of society from other groups of society as shown by the health condition indicators, without worsening the population’s general level of health;

2) to protect the population against diseases, avoidable death or invalidity;

3) to extend the length of life without diseases and traumas, and improve its quality;

4) to increase economic and social efficiency of life.

**Article 5. Principles of Health Activities Regulation**

The following principles shall be applied to the regulation of the relations specified in Articles 1 and 3 of this Law:

1) extensive protection of individual and public health;

2) co-ordination of individual, public health and state interests;

3) equality of the individual’s rights to have the best possible health regardless of his or her sex, race, nationality, citizenship, social status and profession;

4) the individual’s freedom to chose the best possible health conditions;

5) acceptability, accessibility and adequacy of the individual health care;
6) the freedom of individuals to unite into public organisations defending the interests of the individual and public health, as well as state support for the programmes of activities of these organisations;
7) comprehensive, accurate and timely notification of the public of the best possible conditions of health development and the advertising of said conditions;
8) participation of public organisations in the health activities management both directly and through their elected representatives;
9) state support for persons in protecting, recovering and improving their health;
10) establishment of health care guaranteed by the state (free health care);
11) full prevention against threat and damage to individual and public health carried out by all bodies of health activities; and
12) healthful economic activities and initiative promoted by the state.
2. If the relations specified in Articles 1 and 3 of this Law are not regulated by laws and provisions of legal norms which regulate similar relations cannot be applied thereto, the principles set forth in paragraph 1 hereof shall be applied in the settlement of any disputes that may arise.

Chapter II
NATIONAL HEALTH SYSTEM OF LITHUANIA

Article 6. Basic Principles of Formation of the National Health System of Lithuania
The basic principles of formation of the National Health System of Lithuania shall be as follows:
1) general management of health affairs in the Republic of Lithuania;
2) ensuring social justice in health activities;
3) integration of all health activities resources into the unified system, their planning and use according to the national priorities of health activities;
4) integration of individual health care and public health care into a general system;
5) ensuring the implementation of the Health Programme of Lithuania as well as of the state and municipal health programmes;
6) ensuring the interdepartmental co-ordination of health activities;
7) ensuring the participation of the public in the shaping of health policy.

Article 7. The Structure of the National Health System of Lithuania
The National Health System of Lithuania (hereinafter referred to as the NHSL) shall consist of:
1) the executive bodies of the NHSL;
2) the administrative bodies of the NHSL;
3) the resources of the NHSL;
4) the activities and the range of services supplied by the NHSL.

Article 8. The Executive Bodies of the NHSL
The executive bodies of the NHSL shall be the following institutions possessing licences for health care or pharmaceutical activities:
1) state and municipal individual and public health care budgetary and public institutions;
2) state and municipal enterprises;
3) other enterprises and institutions which have concluded contracts with the state or territorial patients’ funds or other contractors for the NHSL services - for the term of validity of the contracts.

Article 9. The Administrative Bodies of Health Activities
1. The administrative bodies of health activities shall be:
   1) bodies of state administration of health activities (the Government, ministries, other Government institutions, county governors);
   2) institutions co-ordinating the health activities;
   3) special health activities management and control bodies;
   4) executive institutions of municipalities.

2. The administrative bodies of health activities shall within the limits of their competence supervise, according to the procedure established by this Law, other laws and legal acts, the activities of other executive bodies of health activities which do not belong to the NHSL.

**Article 10. The Resources of the NHSL**

The NHSL resources shall comprise:
1) material resources intended for ensuring the NHSL management;
2) the property of the executive and administrative bodies of the NHSL;
3) state and municipal budget resources allocated for the purpose of ensuring the NHSL activities;
4) compulsory health insurance funds;
5) any other property, assigned by laws for the purpose of ensuring the NHSL activities;
6) specialists and other employees of state and municipal institutions, enterprises, possessing licences for individual and public health care, pharmaceutical activities;
7) databases of information concerning individual and public health.

2. The NHSL resources shall be regulated by this Law and other laws and legal acts.

3. Execution may not be levied against the property and funds of health care institutions maintained from the State budget.

**Article 11. Activities and Services of the Executive Bodies of the NHSL**

1. The activities of and services supplied by the NHSL shall comprise:
   1) individual health care;
   2) public health care;
   3) pharmaceutical activities;
   4) other (paid) services supplied by the executive bodies of the NHSL, which are not attributed to health care and pharmaceutical services but are necessary in order to ensure the provision thereof. Charges for the services shall be fixed by the administration of the institutions providing the services.

2. The executive bodies of the NHSL shall provide, according to their respective competence, health care services of the following types:
   1) individual and public health care services not paid for directly to the health care institutions by their recipients but financed from the compulsory health insurance fund, state or municipal budgets or health funds;
   2) paid individual and public health care services which must be paid for by their recipients (legal and natural persons). The list of such services, their prices, the procedure for price indexing and service provision shall be approved by the Ministry of Health Care.

**Article 12. Health Care and NHSL Activities Organisation and Levels OF the Person Health Care Institution Levels within LNHS**

1. The levels of the NHSL activities organisation shall be:
   1) municipal;
   2) national.

2. The health care levels shall be:
   1) primary (primary health care);
2) secondary (secondary health care); and
3) tertiary (tertiary health care).

3. The levels of NHSL owned inpatient health care institutions that provide health care services funded by the Compulsory Health Insurance Fund shall be:
   1) districts;
   2) regions;
   3) republic.

4. The primary health activities shall be organized by municipal executive institutions. The procedure for organising primary health care shall be laid down by the Government or the institution authorised by it. Scope and implementation procedures of public health care carried out by the municipality shall be established by this Law, the Law on Health Care and other legislation.

5. Municipal executive bodies shall also implement the state function delegated by the law – shall organize secondary individual health care on. Municipal executive bodies may be delegated the state function of organization of tertiary individual health care. The decision on the individual tertiary health care organization shall be adopted by the Ministry of Health after having considered the needs for tertiary individual health care in the region. Extent and scope of secondary and tertiary individual health care shall be established by the Ministry of Health.

6. The Ministry of Health and state institutions subordinate to it shall organise, according to their respective competence, individual and public health care of the prescribed scope within the NHSL institutions subordinate to it. In the health care institutions whose founders are the Ministry of National Defence or the Ministry of the Interior, the individual health care of the prescribed scope shall be organised accordingly by the Ministry of National Defence, the Ministry of the Interior or state institutions subordinate to them.

7. The institutions of the tertiary level of the NHSL health care organisation may practise primary and secondary health care only for scientific and educational purposes. The extent and scope of primary and secondary health care shall be established by the Ministry of Health.

8. The criteria whereby the NHSL inpatient health care institutions, providing health care services that are funded by the Compulsory Health Insurance Fund, are divided into levels shall be established by the Government.

9. The scope of health care according to the levels of the NHSL activities organisation and the health care levels shall be established by the Ministry of Health.

**Article 13. Contractors of the NHSL Activities and of the Services Provided by the Executive Bodies of the NHSL**

1. The contractors of the NHSL activities and provided services shall be the Government, the Ministry of Health Care, other state institutions, municipal councils, State and Territorial Patients’ Funds and other institutions disposing of the NHSL resources.

2. Other legal and natural persons may also be contractors of other activities carried out and services provided by the NHSL executive bodies.

**PART III
ELECTRONIC HEALTH SYSTEM OF THE REPUBLIC OF LITHUANIA**

**Article 131. Management of electronic health system of the Republic of Lithuania**

1. Implementation of electronic health system of the Republic of Lithuania shall be coordinated and supervised by the Ministry of Health.

2. The state electronic health services and collaborative infrastructure information system shall be established during the implementation of the tools for electronic health system of the Republic of Lithuania. This information system shall be managed by the Ministry of
Health. The regulations of state electronic health services and collaboration infrastructure information systems shall be approved and the managers shall be appointed by the Government.

3. All NHSL health activity management and executive bodies, health care providers or receiving persons and other persons, must use the state electronic information system of health services and collaboration infrastructure and to provide and receive data in accordance with the legislation procedures when carrying out statutory functions or providing health activities related services.

4. State electronic health services and collaboration infrastructure information system shall be funded from the state budget, the European Union Structural Funds as well as other sources of funding defined in the legal acts.

PART II
HEALTH ACTIVITIES

CHAPTER I
GENERAL PROVISIONS

Article 14. The Contents of Health Activities
Health activities shall comprise:
1) individual health care;
2) public health care;
3) pharmaceutical activities; and
4) other health activities, the types and requirements whereof for the entities carrying out the activities shall be established by the Ministry of Health Care.

Article 15. Mandatory Conditions of Health Activities
1. The mandatory conditions of health activities in the Republic of Lithuania shall be:
   1) acquisition of the right to practise certain types of health activities;
   2) accessibility, acceptability and adequacy of individual and public health care;
   3) the individual’s consent to be provided with health care services, except in cases stipulated in laws when such services may be provided without his consent.
2. Health activities shall cover only the territory of the Republic of Lithuania, unless otherwise provided for by international agreements to which the Republic of Lithuania is a party.
3. The mandatory conditions of health activities must be ensured by all entities of health activities.

Article 16. The Right to Engage in Health Activities
1. The right to engage in a certain type of health care practice shall be recognised to natural persons who have been issued, in the manner prescribed by law, a licence and a certificate. The right to engage in a certain type of pharmaceutical practice shall be recognised with respect to natural persons who have received a license to practice pharmacy in the manner prescribed by law or recorded in the list of pharmacist assistants (pharmacological technicians).
2. Enterprises and institutions shall acquire the right to engage in health care activities only upon receiving the licences according to the procedure prescribed by the Government or the institution authorised by it.
3. Legal persons shall acquire the right to engage in pharmaceutical activities only upon receiving licenses in the manner prescribed by the Government. Types of licensed pharmaceutical activities shall be defined by the Law on Pharmacy. Pharmaceutical activities shall be carried out under the Law on Pharmacy and other legislation.
4. Enterprises and institutions may be accredited for health care.
5. Health care or pharmaceutical activities carried out by natural persons, enterprises or institutions that are not in the possession of a licence or permit shall be illegal.

6. The right to engage in other health activities the types and requirements whereof for the entities engaged in the activities shall be established by the Ministry of Health shall be recognised only for the enterprises and institutions which have on their staff physicians or other health care specialists who have acquired the right to the activities according to the procedure prescribed by this Law and other laws. Natural persons who are not health care specialists or do not meet the requirements laid down by the Ministry of Health shall have no right to engage in health activities.

CHAPTER II
INDIVIDUAL HEALTH CARE

Article 17. The Contents of Preventive Medical Aid
Preventive medical aid shall comprise:
1) information services on issues of disease prevention, which must be provided by all individual health care specialists;
2) (selective) health examination of separate groups of individuals;
3) immuno-prophylaxis and chemical prophylaxis of communicable diseases;
4) prophylactic examinations.

Article 18. Prophylactic Examinations
1. Workers of certain professions and individuals working in certain jobs, production branches and sectors must undergo a health examination before taking up professional activity and in the course of such activity. The list of the above professions, jobs, production branches and sectors and the procedure of examination of individuals’ health shall be established by the Government or the institution authorised by it.
2. Health care institutions must within the established time period examine the health of pregnant women and children under 16 years of age, also the health of mothers until the infant reaches the age of one and of other persons whose list shall be compiled by the Ministry of Health.
3. The procedure and terms and conditions of examination, isolation, and keeping the individuals under observation for possible communicable disease shall be established by the Law on Human Communicable Disease Prevention and Control.

Article 19. Basic Medical Aid
1. The following shall be attributed to basic medical aid:
1) first medical aid;
2) institutional (out-patient or in-patient) emergency medical aid.
2. The scope of basic medical aid and the procedure of provision thereof shall be established by the Ministry of Health Care.
3. When rescuing the lives of individuals who must be rendered medical aid following an accident, mishaps, ecological or natural disasters, or a sudden onset of illness, first medical aid must be promptly rendered by the health care, pharmaceutical specialists and other persons, who are with the victims or patients at the site of an accident or during the onset of an acute and life-threatening illness. The list and sphere of competence of health care, pharmaceutical specialists and other persons who must render first medical aid shall be established by the Ministry of Health Care.

Article 20. Peculiarities of Application of Diagnostic and Treatment Measures
1. Health care specialists shall have the right to choose methods and technologies of diagnostics and treatment approved in the manner established by the Ministry of Health Care.
2. Health care specialists may use all scientifically substantiated, but not yet registered in the prescribed manner medicines, preventive, diagnostic and treatment methods, medical equipment and instruments only when trying to cure the patient and to save or prolong his life. In this instance, they must obtain the patient’s permission, and if the patient is unconscious or is a minor - the permission of his parents, relatives, guardians, or his representative and also the consent of the ethics commission of the health care institution. This consent must be confirmed in writing. When the patient is in an unconscious state and there is no information available regarding his relatives, parents, guardians or representatives, these technologies shall only be applied upon written consent of at least two physicians of the appropriate medical speciality in consultation as well as that of the ethics commission of the health care institution.

3. The application of compulsory hospitalisation, compulsory diagnostic, and compulsory treatment measures to individuals shall only be allowed on the grounds and in the manner provided for by law in the presence of a genuine threat that these individuals by their actions or because of the state of their health may cause substantial damage to their own health or life or to that of other persons.

Article 21. Transfusions of Human Blood and its Products

Human blood may be taken from a donor for transfusion purposes or for the purpose of production of blood products only of the donor’s free will and with the latter’s consent. The relations connected with the taking of human blood and production, export, import and transfusion of blood products shall be regulated by the Law on Blood Donation.

Article 22. Restrictions on the Use of Human Tissues and Organs

1. Living or deceased human tissues, cells and organs may not be objects of civil commercial transactions.

2. Conditions and procedure of the use of human tissues, cells and organ donations shall be established by the Law on the Donation and Transplantation of Human Tissues and Organs.

Article 23. Medical Rehabilitation and Treatment in Sanatoria

The conditions and procedure for selecting and sending patients to health care institutions of medical rehabilitation and sanatoria-type health care institutions shall be established by the Ministry of Health.

Article 24. Nursing

1. Nursing is part of individual health care including health education, enhancement and preservation, prevention of diseases and risk factors, physical, mental and social care of healthy and sick persons.

2. Nursing services shall be provided to persons in health care institutions, social care, other institutions (companies) as well as at home, where they live.

Article 25. Social Services Provided while Carrying out Individual Health Care

1. Provision of social services when carrying out individual health care shall be organised in order to guarantee social security of the patients, children and elderly people, disabled individuals, other individuals belonging to risk groups, to ensure their mental health care and psychosocial rehabilitation. Social services shall be provided by social workers of individual health care institutions.

2. The procedure for providing social services at health care institutions shall be regulated by laws and other legal acts.

3. The regulations of work at health care institutions of social workers employed at health care institutions shall be approved and the procedure of their training and in-service training shall
be established by the Ministry of Social Security and Labour in conjunction with the Ministry of Health.

**Article 26. Expert Examination of Temporary Disability**

1. The expert examination of temporary disability shall be performed by the health care institution physicians or a consultative commission of physicians. The procedure for organising and performing the expert examination shall be established by the Ministry of Health and the Ministry of Social Security and Labour.

2. The procedure for performing the expert examination of temporary disability of servicemen shall be established by the Ministry of National Defence on co-ordination with the Ministry of Health.

**Article 27. Specialised Medical Expert Examination**

1. (Lapsed)

2. The procedure for organising and performing the specialised medical expert examination within the scope of their respective competence shall be established by the Ministry of Health or Ministry of the Interior or Ministry of National Defence in co-ordination with the Ministry of Health.

**Article 28. Forensic Medical Expert Examination**

Forensic medical examination shall be performed on the decision of the judge of pre-trial investigation, or following the court ruling. The executive bodies of the expert examination, its organisation and performance procedure shall be established by the Government or the institution authorised by it.

**Article 29. Forensic Psychiatric Expert Examination**

Forensic psychiatric expert examination shall be performed on the decision of the judge of pre-trial investigation, or following the court ruling. The expert examinations shall be performed by the State Forensic Psychiatric Service under the Ministry of Health and health care institutions subordinate to it. The procedure for organising and performing the expert examinations shall be established by the Government or the institution authorised by it.

**Article revision of 01/01/2013:**

**Article 29. Forensic Psychiatric Expert Examination**

Forensic psychiatric expert examination shall be performed on the decision of the judge of pre-trial investigation, or following the court ruling. The expert examinations shall be performed by the State Forensic Psychiatric Service under the Ministry of Health as well as other individuals with forensic psychiatrist expert's qualifications, recorded in the list of forensic experts of the Republic of Lithuania. Inpatient forensic psychiatric examination shall be performed only by the State Forensic Psychiatry Service under the Ministry of Health. The procedure for organising and performing the psychiatric expert examinations shall be established by the Government or the institution authorised by it.

**Article 30. Pathoanatomical Expert Examination**

Pathoanatomical expert examination shall be performed in the event of a person’s death. The conditions and procedure of pathoanatomical examination (autopsy) shall be regulated by the Law on Health Care Institutions and other legal acts.

**CHAPTER III**

**PUBLIC HEALTH CARE**
Article 31. Universal Character of Public Health Care
Implementation of public health care the purpose whereof is health promotion, prevention of
the deterioration of the quality of consumer goods, food products, drinking water, also of living,
working and natural environment as well as prevention of diseases and traumas and decrease of
morbidity shall be the duty of all persons as far as possible.

Article 32. Promotion and Strengthening of Public Health
1. The conditions and procedure of public health promotion shall be established by this Law
and other laws. The promotion of public health shall consist of:
1) health propaganda in the media;
2) popularisation of health-related knowledge;
3) health education;
4) consultation of individuals on health safety and strengthening, including family planning
consultations.
2. The Ministry of Health, other governmental institutions, county governors, executive
bodies of local authority shall organise with state and local budget funds, according to their
respective competence, health propaganda in support of health policy initiatives over the Lithuanian
radio and television as well as other media.
3. Health education shall be the aggregate of voluntary and compulsory health and physical
education measures.
4. The contents of public health strengthening shall be established by laws and other legal
acts.

Article 33. Protection of Public Health
1. Public health protection shall be based on a system of measures limiting harm and danger
in living, working and natural environment.
2. Prevention and limitation of danger and harm to health shall be implemented in the
manner prescribed by laws and other legal acts:
1) the indicators of safety and harmlessness to health as well as the hygiene requirements of
the working, living and natural environment, food products and drinking water, raw materials,
machinery and equipment, other goods, economic or other activity shall be regulated;
2) economic - commercial activities shall be subject to licensing;
3) individual and public health care activities of legal and natural persons, enterprises
without the rights of the legal person shall be subject to licensing;
4) sanitary protection zones shall be established;
5) (repealed since 1 July 2007);
6) public health protection expert examination shall be carried out;
7) economic - commercial or other activity detrimental or dangerous to health shall be
suspended;
8) goods harmful to health, which have been listed in the Law on Excise Duties shall be
subjected to individual excise duties and other economic regulation measures prescribed by law;
9) violation of legal acts on health activities shall incur liability under law;
10) permits – hygiene passports shall be issued.
3. Raw materials, machinery, equipment, building materials, elements of the interiors of
housing, food and its packaging, containers, other goods, drinking water must not carry a risk to
health, or else this risk may only be minimal. The Ministry of Health shall lay down the
requirements of safety and harmlessness to health of working, living and natural environment,
economic or other activities, consumer goods.
5. Repealed since 1 July 2007.
6. Public health control institutions shall have the right to ban, suspend or limit, according to the procedure and on the grounds specified by law, economic - commercial activities, import of goods, their sale, supply of services.

**Article 34. Disease Prevention and Control**
1. The basic principles and procedure of communicable disease prevention and control shall be established by the Law on Human Communicable Disease Prevention and Control.
2. Health care institutions, other enterprises and institutions must organise, according to their respective competence, prevention of non-infectious diseases and traumas.
3. The procedure of non-infectious disease prevention and control shall be established by the Ministry of Health.
4. The measures preventing traumatism conditioned by transport and their contents shall be specified, according to their respective competence, by the Ministries of Health, Transport, the Interior and other.
5. The procedure of preventing occupational diseases and accidents at work shall be established by the Law on Labour Protection and other legal acts.

**Article 35. Public Health Emergencies**
1. Public health emergency shall be a situation where the environmental factors condition a sudden:
   1) danger of health damage on the group or mass scale;
   2) occurrence of cases of the population health damage on the group or mass scale.
2. The territory where the danger of damage to public health on the group or mass scale suddenly arises shall be declared on the Government’s resolution the area dangerous to public health.
3. The territory where damage is caused to population groups or a large section of the population shall be declared on the Government’s resolution the area detrimental to public health.
4. The criteria for determining public health emergencies, the measures of public health emergency situations management, control, measures for the elimination of adverse negative effects to public health and economy and their financings shall be approved by the Government or the institution authorised by it.

**Article 36. Public Health Monitoring**
The procedure of monitoring and funding shall be regulated by the Law on Public Health Monitoring.

**Article 37. Control of Public Health**
1. The procedure of public health control shall be laid down by laws and other legal acts. The implementation of public health control shall be co-ordinated by the Ministry of Health.
2. Public health control shall be:
   1) state public health control;
   2) municipal public health control.
3. There shall be the following types of state public health control:
   1) state alcohol control;
   2) state tobacco control;
   3) state control of narcotic, psychothropic substances and their precursors (hereinafter - drugs);
   4) state control of safety at work (to the extent it is connected with the control of compliance with the labour hygiene regulations);
5) state veterinary control (to the extent it is connected with epidemiological control of communicable diseases common to humans and animals):
6) state environmental control (to the extent it is connected with the prevention and limitation of environmental pollution detrimental to health);
7) state control of radiation safety;
8) state control of safety of food products and other products;
9) state public health protection control.

4. Municipal public health control shall embrace the control of compliance with the requirements of sanitation and hygiene regulations approved by the municipal councils.

PART III
STATE MANAGEMENT OF HEALTH ACTIVITIES

CHAPTER I
PECULIARITIES OF FINANCING AND ECONOMIC REGULATION OF HEALTH ACTIVITIES

Article 38. Sources of Financing of Health Care Delivered by the NHSL Executive Bodies
1. The sources of financing of health care delivered and services provided by the NHSL executive bodies shall be:
   1) state or municipal budget fund resources;
   2) compulsory health insurance fund budget resources;
   3) resources of funds of insurance against accidents at work and occupational diseases;
   4) voluntary health insurance fund resources;
   5) resources of health funds regulated by this Law;
   6) charges for paid services;
   7) interest paid on the funds of individual or public health care institutions deposited with banks.
2. The procedure for financing the NHSL executive bodies with the compulsory health insurance fund budget resources shall be established by the Law on Health Insurance.


Article 40. Funding of Mandatory Public Health Programmes and Health Promotion Programmes
Mandatory public health programmes, as well as traditional Lithuanian religious communities and societies, associations, charity and support funds, public institutions, whose founder, partner or member is a state or municipal institution or agency, other than the cases when the state or municipal participation is based on the real estate imposition by means of the in accordance with the legislation procedures, carried out health promotion programmes are financed from the state budget funds, which are intended for the Ministry of Health.

Article 41. Special Municipal Public Health Support Programme
1. The funds of special municipal public health support programme shall be used to finance and support public health programmes.
2. The sources of municipal public health support fund resources shall be:
   1) the municipal budget allocations;
   2) at least 0.3% of the compulsory health insurance fund budget, taking into account the number of residents;

Clause 2 of Section 2 shall be repealed since 1 January 2014.
3) 20% of the municipal environmental protection fund resources of special support program;
4) voluntary contributions of natural and legal persons;
5) other legally acquired resources.

3. Municipal public health support programme funds shall be accumulated in a separate account of the municipal budget. Municipal public health support programme income and expenditure shall be planned in the municipal budget by the municipal councils in accordance with the procedures.

4. The report of the municipal body and, if necessary, additional information about the implementation of the measures of municipal public health support programme shall be submitted to the Ministry of Health in the report on the functions of public health care carried out by the municipality in accordance with the procedures laid down by the Government.

**Article 42. Health Funds of Enterprises, Institutions, Organisations, Religious Communities and Societies, other Legal and Natural Persons**

1. Enterprises, institutions, except for the institutions maintained from the State budget, organisations, religious communities and societies, other legal and natural persons shall have the right to form health funds (hereinafter - health funds of enterprises) the resources whereof shall be used for supporting municipal health programmes, financing health protection or health strengthening programme of the enterprise, institution, or organisation, insuring the enterprise’s employees by voluntary health insurance, performing the enterprise, institution or organisation employees’ labour hygiene assessment and morbidity investigation works. The formation of the health fund and the procedure of use of the fund resources shall be established in model regulations, which shall be approved by the institution approved by the state. The fund’s estimate of expenditure shall be approved by its founder (founders).

2. The resources of health funds of enterprises shall consist of:
   1) the part of the enterprise’s, institution’s profit (income) transferred to the health fund of the enterprise or institution;
   2) voluntary contributions of natural and legal persons;
   3) interest, paid on fund resources deposited with banks;
   4) other legally acquired resources.

**Article 43. Economic Measures of State Regulation of Health Relations**

Health relations shall be regulated by applying economic measures regulated by laws and other legal acts, i.e.:

1) taxes;
2) compulsory health insurance resources;
3) voluntary health insurance resources;
4) resources of insurance against accidents at work and occupational diseases;
5) other types of insurance contributions;
6) state budget targeted grants;
7) soft credits;
8) pricing policy;
9) licenses;
10) economic sanctions for the violation of laws and other legal acts on health activities;
11) other economic measures.

**Article 44. Priorities of Issuing State Budget Targeted Grants for the Support of Health Activities**
1. The priorities for issuing State budget targeted grants for the support of health activities shall be:
   1) ensuring the process of integration into the European Union;
   2) elimination of consequences detrimental to the health of the population, brought about by public health emergencies (epidemics, natural disasters, ecological disasters);
   3) other priorities approved by the Government or the institution authorised by it.
2. The specific objects and measures of health activities supported by grants shall be identified by the Government on the proposal of the Ministry of Health.

Article 45. Investments into Health Activities and the Promotion thereof
1. Allocation and use of funds for expanding the range of health care services, acquiring and introducing new health care technologies, implementing state and municipal health programmes, improving the accessibility and adequacy of health care, developing health information systems shall be considered as investment into health activities.
2. The procedure for providing economic incentives to investment into health activities shall be established by laws and other legal acts.

Article 46. Planning of Health Activities
1. By the advice of the Government, the Seimas shall approve the Health Programme of Lithuania, which shall specify the objectives of health activities, health level indicators sought by the state as well as health activities strategies for the achievement thereof.
2. In order to perform the tasks established in the Health Programme of Lithuania, the Government, ministries, other Government institutions, county governors, municipalities shall organise the drawing up and implementation of state, county (regional) and municipal health programmes and planning documents prescribed by law or shall provide for measures for the performance of said tasks in other economic and social development programmes.
3. The procedure for drawing up, financing, implementing and exercising control over health programmes shall be established by the Ministry of Health.

CHAPTER II
HEALTH CARE GUARANTEED BY THE STATE (FREE HEALTH CARE), HEALTH CARE SUPPORTED BY MUNICIPALITIES AND THE PROCEDURE OF HEALTH CARE PROVISION

Article 47. Health Care Guaranteed by the State (Free Health Care)
1. Services of health care guaranteed by the state (free health care) shall be financed from the compulsory health insurance fund, state or municipal budgets, state or municipal health funds.
2. Attributed to health care guaranteed by the state (free health care) shall be:
   1) basic medical aid;
   2) individual health care of servicemen of the Republic of Lithuania;
   3) individual health care of police and other internal affairs officers, additionally supported through the programmes;
   4) individual health care of persons arrested by the court or law enforcement authorities, persons kept in places of pre-trial detention, convicted persons and foreigners who have presented an application for asylum in Lithuania, foreigners granted temporary or additional protection in the Republic of Lithuania;
   5) individual health care of persons specified in the Law on Health Insurance, who have been insured by compulsory health insurance;
   6) provision of persons ill with diseases the list whereof is approved by the Ministry of Health with prostheses of limbs, joints and other organs;
7) individual health care provided to persons who are ill with tuberculosis, sexually transmitted diseases, AIDS, communicable, endocrinous, mental, oncologic diseases, alcohol dependence syndrome, drug addiction, toxic substance addiction and other diseases entered on the list compiled by the Ministry of Health as well as to pregnant women;
8) compensation to the persons covered by health insurance of the cost of medicines entered on the list compiled by the Ministry of Health and of medical aid appliances charges for which are subject to compensation from the compulsory health insurance budget;
9) public health care according to the nomenclature of the required public health care measures and services approved by the Ministry of Health;
10) blood donation.

3. The scope of health care guaranteed by the state shall be provided for upon assessing the demographic, health, and environmental quality indicators and their development trends.

Article 48. Health Care Supported by Municipalities
Municipalities shall support health care of the population of their respective territories by providing additional financing from the municipal budgets. Attributed to the health care supported by municipalities shall be:

1) basic medical aid of the primary health care organisation level;
2) health care of pregnant women;
3) individual health care of the unemployed, of the disabled family members;
4) health care of children under the age of 16 years;
5) health care of persons whose income is less than the amount of the state-supported income;
6) health care of orphaned persons under the age of 18 years;
7) health care of persons recognized as incapable and those individuals who have reached the retirement age, who according to the laws have been identified high level of special needs;
8) provision with dental prosthesis of persons belonging to the established categories;
9) other health care services supported by the municipality, the list and provision procedure whereof shall be established by municipal councils.

Article 49. Procedure for Providing Individual Health Care Services Guaranteed by the State (Free) in the NHSL Institutions
1. Citizens of the Republic of Lithuania, foreign nationals and stateless persons, permanently residing in the Republic of Lithuania (hereinafter - permanent residents) shall have the right to individual health care guaranteed by the state (free). Basic medical aid shall be provided to permanent residents in the NHSL institutions free of charge irrespective of whether or not they are insured by compulsory health insurance, also regardless of the number of the patient’s visits to the institution within the calendar year and his place of residence. Foreign nationals, stateless persons not attributed to permanent residents shall be provided basic medical aid by the NHSL institutions in accordance with the procedure established by the Ministry of Health of the Republic of Lithuania, unless international agreements of the Republic of Lithuania provide otherwise.

2. Main conditions of provision of state-guaranteed (free) individual health care services in the NHSL institutions shall be as follows:
1) the patient’s application for the provision of free services to the physicians of primary health care, the list of whose specialities shall be drawn up by the Ministry of Health;
2) the patient’s application to the secondary or tertiary health care institutions for the provision of free services. In such case the patient must present the referral of the physicians specified in subparagraph 1.

3. The patient shall have the right to choose the NHSL primary health care institution and the physician according to the procedure prescribed by the Ministry of Health and Compulsory
Health Insurance Council, also the secondary and tertiary health care institution and the physician in accordance with the conditions prescribed by this Article in order to be provided free individual health care services.

4. Conditions set forth in paragraph 2 hereof shall not be applicable to patients who apply to the NHSL institutions for the provision of basic medical aid.

5. In NHSL institutions state-guaranteed (free) individual health care shall be provided free of charge and the patient may not be charged additionally for free health care services. If patients entitled to free individual health care services choose more expensive services, materials, or forms of treatment on their own initiative, they shall have to pay, in the manner prescribed by the Ministry of Health, the difference between the actual prices of said services, materials and forms of treatment and the basic prices of free services, materials and forms of treatment. If patients entitled to free individual health care services choose additional services or forms of treatment on their own initiative, they shall pay the price of said services or forms of treatment.

6. NHSL institutions must provide information to the population on the types of free individual health care services, the scope of their provision and their prices.

CHAPTER III
OTHER PECULIARITIES OF STATE MANAGEMENT OF HEALTH ACTIVITIES

Article 50. Professional Duties, Rights and Responsibility of Health Care and Pharmaceutical Specialists

1. The main professional duties of health care and pharmaceutical specialists, their rights, restrictions of their practice shall be established by the laws on the Medical Practice of Physicians, on Dental Practice, on Nursing Practice, on the Pharmaceutical Activities, on the Prevention and Control of Human Communicable Diseases, on the Compensation of the Rights and Damages to the Health of Patients, other laws and legal acts.

2. Health care and pharmaceutics specialists may practice, only upon being issued a license, exclusively in the speciality they have been trained in. In the cases prescribed by law, or when a health care specialty is included in the list of professions regulated by the Government of the Republic of Lithuania, specialists can practice only after receiving a license.

3. Health care institution specialists employed in state or municipal health care institutions shall have the right to engage in private practice only outside the premises of the institutions.

Article 51. Professional Advancement of Health Care and Pharmaceutical Specialists and its Funding

1. Professional advancement of health care and pharmaceutical specialists shall be the concern of health care and pharmaceutical activities institutions, enterprises, their founders as well as professional organisations of health care and pharmaceutical activities specialists. The contractors of the training and professional advancement of specialists shall be the Ministry of Health and the Ministry of Education and Science.

2. Health care and pharmaceutical specialists’ qualifications improvement procedure shall be established by the Ministry of Health upon co-ordination with professional health care and pharmaceutical activities specialists.

3. The costs of qualifications improvement and requalification of state and municipal health care institution specialists shall be covered with the state or municipal budget funds according to the procedure and conditions laid down by the Ministry of Health, unless other laws prescribe other sources for defraying the costs.

4. The costs of qualifications improvement and requalification and professional advancement of specialists of other health care and pharmaceutical institutions shall be defrayed by the institutions and enterprises or covered by the specialists themselves.
Article 52. Restrictions on the Accessibility of Information Related to Individual Health

1. Accessibility of information related to individual health shall be restricted with a view to ensuring the inviolability of privacy and the person’s health secret.
2. It shall be prohibited to announce in the media information concerning the individual’s health without the person’s written consent. The protection of computerised information concerning individual’s health must guarantee its confidentiality.
3. Individual or public health care specialists shall be prohibited, except in cases provided by law, from violating the confidentiality of the person’s private life or information concerning individual health which constitutes the person’s health secret and which has come to their knowledge in the performance of their professional duties.
4. The criteria of the individual’s health secret shall be specified by the Ministry of Health.

Article 53. Medical and Public Health Care Audit

1. The management of every individual or public health care institution, facility having the right to perform individual or public health care must organise the local audit of medical or public health care according to the procedure laid down by the Ministry of Health.
2. State medical or public health care audit of individual and public health care institutions and facilities engaged in individual or public health care activities shall be carried out, according to its competence, by the institution authorised by the Ministry of Health.

Article 54. Assessment of Individual and Public Health Care Technologies

1. The use of individual and public health care technologies that have not been assessed or approved shall be prohibited, except in cases provided by law.
2. The procedure of individual and public health care technologies assessment and approval shall be established by the Ministry of Health.

Article 55. Peculiarities of Health Activities Research Organisation and Financing

1. The Ministry of Health shall establish the priorities of state budget-funded biomedical and public health research and shall order, finance and control the research. Biomedical and public health research contractors may be other legal and natural persons initiating these studies, financing, controlling and responsible for the implementation of biomedical research, its results, and publication of information.
2. It shall be prohibited to conduct biomedical research without the permission of Lithuania’s Committee for Medical Ethics. The requirements of biomedical research ethics and the procedure of control of said research shall be established by laws and other legal acts.
3. State and municipal budget funds allocated for health care may also be used for financing applied research of health activities. Fundamental research of health activities shall be financed with the State budget funds allocated for research and development.

Article 56. The Procedure of Health Care Support with the Funds Allocated for Health Programmes

The costs of individual and public health care with respect to groups of the population whose health is strongly influenced by health risk factors, except in cases where the risk factors arise from the individual’s harmful habits, may be covered, according to the procedure prescribed by the Ministry of Health, from the funds allocated for state, municipal health programmes.

Article 57. Restriction or Prohibition of Advertising of Goods and Services which may Affect Health
1. In the Republic of Lithuania the advertising of goods, products and services which may have a detrimental effect on health shall be prohibited. The procedure for restricting or prohibiting the advertising of the above goods, products and services shall be established by laws and other legal acts.

2. The advertising of tobacco and tobacco products shall be prohibited in the Republic of Lithuania. Advertising of alcohol products and alcoholic beverages shall be restricted or prohibited according to the procedure established by the Law on Alcohol Control.

3. The peculiarities of restricting the advertising of medicines shall be specified by the Law on Pharmaceutical Activities.

Article 58. Health Activities Contracts and their Terms and Conditions
1. Contracts of health activities shall be concluded for the implementation of health programmes of the state or municipalities or other entities and for the provision of health services. Health activities contracts shall be concluded in writing. In each contract of health activities its parties must agree on the following terms and conditions:

   1) the types of provided health care services, their nomenclature, the scope and time period of provision;
   2) defraying the costs of the services;
   3) the procedure for amending, supplementing and terminating contracts of health activities;
   4) the requirements of adequacy of services as well as their organisational and territorial accessibility, if the requirements are not specified in legal acts;
   5) penalties for improper fulfilment of the contract or failure to fulfil the contract or its unilateral termination, including penalty for non-compliance with the requirements of the prescribed essential terms and conditions of health care;
   6) fulfilment of contractual obligations and their control, procedure and time periods;
   7) other conditions established by agreement between the parties.

1. The conditions of economic-commercial activities, the living and working environment, raw materials, products, imported and sold goods and services must conform to the requirements of public health protection, communicable disease prevention and control, and pharmaceutical activities regulatory provisions.

2. Regulatory provisions regulating the requirements of public health protection, communicable disease prevention and control as well as pharmaceutical activities shall become binding on enterprises, institutions and natural persons upon their endorsement by legal acts of the Ministry of Health and shall become effective on the next day after their publication in the “Valstybės žinios” (Official Gazette), unless the acts establish a later data of their coming into force.

Section 2 shall be repealed since 1 January 2014:
2. Regulatory provisions regulating the requirements of public health protection, communicable disease prevention and control as well as pharmaceutical activities shall become binding on enterprises, institutions and natural persons upon their endorsement by legal acts of the Ministry of Health and shall become effective on the next day after their publication in the Register of Legal Acts, unless the acts establish a later data of their coming into force.

PART IV
HEALTH ACTIVITIES MANAGEMENT, CO-ORDINATION AND CONTROL BODIES AND THEIR COMPETENCE

CHAPTER I
Article 60. Main Powers of the Government in the Management of Health Activities
The Government shall manage health affairs and regulate health activities shall:
1) approve and ensure the implementation of state health programmes;
2) determine the competence of ministries, Government institutions or other state institutions in the matters of health activities;
3) ensure interdepartmental co-ordination of health activities on the state level;
4) prepare and submit to the Seimas for consideration draft laws on health activities and drafts of other legal acts;
5) draft and adopt, according to its competence, legal acts on other issues of health activities regulation;
6) establish state services and inspectorates or other state institutions and perform the functions of their founder;
7) make arrangements to ensure the protection of Lithuania’s state borders against the importation and spread of communicable diseases;
8) perform other functions of health activities management, delegated to the Government by the Constitution of the Republic of Lithuania, this Law and other laws.

Article 61. The Scope of Authority of the Ministry of Health Care in the Management of Health Activities Matters
1. The Ministry of Health shall:
   1) establish, reorganise, liquidate institutions subordinate to it as well as management institutions;
   2) analyse the state of health of the population and its development forecast, contribute to identifying the goals of health activities, the health level indicators sought by the state and to implementing Health Programme of Lithuania;
   3) draft state health programmes;
   4) charged by the Government, establish, in conjunction with municipalities, main trends of primary health care;
   5) organise accreditation for health care and the licensing thereof and supervise the activities of all individual and public health care entities of all types of ownership;
   6) (repealed since 30 April 2008);
   7) draft and enact, according to their competence, legal acts on the matters relating to the implementation of the types of health activities listed herein.
2. The Ministry of Health shall also manage, together with other ministries, other matters relating to health activities and fulfil other functions of state regulation provided for in this Law, other laws and legal acts, ministry regulations.

Article 62. General Competence of Ministries, Government Institutions in Health Care Matters
1. Ministries, other Government institutions shall, according to their competence:
   1) suspend, restrict the activities of economic entities, detrimental to health and the environment, should the requirements of legal acts on health care or environmental protection be violated;
   2) announce to the public the projects, plans and programmes of economic and other activities which might have a detrimental effect on health;
   3) timely inform the population of the health risk level in the living and working environment;
   4) restrict work activities that constitute potential danger to health;
5) support the improvement of educational and cultural level of the population and its supply with information with the aim of influencing human behaviour in order to promote the adoption of a healthy way of life;
6) organise promotion of health through the mass media;
7) prohibit or restrict the advertising of products and consumer goods detrimental to health;
8) prohibit or restrict the production of goods and the supply of services that are detrimental to health, as well as the import, sale and consumption of such goods;
9) contribute to the restoration and maintenance of the quality of the environment;
10) organise the implementation of measures meant for the restoration and maintenance of the established quality of food products and drinking water;
11) organise activities for the elimination of consequences of emergency situations that pose a threat to human health and life;
12) develop and optimise the network of state-run public health care institutions, services and state-owned pharmaceutical enterprises;
13) supervise the compliance by legal and natural persons with laws on Health care and requirements of health care standardisation regulations;
14) submit proposals to the Government of the Republic of Lithuania on the procedure of establishing, by means of legislation, liability of legal and natural persons for the violations of health care regulations and for damage caused to human health and the environment;
15) conduct scientific research and studies of health activities; and
16) develop international co-operation in the sphere of health activities.

2. The special competence of ministries and other Government institutions in the matters of health activities management shall be established by the Government.

Article 63. The Competence of the Municipal Council in the Matters of Health Activities Management

The municipal council shall:
1) approve the primary health care development programme, other comprehensive and municipal target programmes and control their implementation;
2) approve the municipal budget for health activities and the budget performance account;
3) approve the contracts concerning health activities concluded by the municipal board (the mayor);
4) approve, according to its competence, sanitary and hygiene regulations the violation whereof shall result in administrative liability;
5) approve the special municipal public health support programme, approve the report on the use of the fund resources and control the use of thereof;
6) form the community health council, appoint its chairperson and approve its regulations;
7) establish, reorganise or liquidate local primary health care institutions, pharmaceutical enterprises and perform the functions of their founders;
8) administer the secondary level health care institutions assigned to its jurisdiction;
9) establish the powers in individual and public health care of institutions assigned to the sphere of municipal regulation;
10) revoke the decisions and directives of the municipal board, the mayor as well as the decisions on health activity matters adopted by committees, commissions, also subdivisions formed by community health council, if said decisions and directives are not in compliance with laws or municipal council decisions;
11) exercise other powers in the sphere of health activities established by laws and other legal acts.
Article 64. The Competence of the Municipality Administration Director in Matters of Health Activities

The municipality administration director shall:

1) organise the implementation of the Health Programme of Lithuania, state health programmes, the drafting of the municipal primary health care development programme, other municipal comprehensive and target programmes, as well as the implementation in the municipality’s territory of the programmes approved by the municipal council, the laws on health activities and other legal acts;

2) in the territory of the municipality ensure, within the scope of their competence, health care guaranteed by the state and supported by the municipality;

3) organise primary health care and perform the function delegated by the state, i.e. organisation of the secondary health care;

4) organise control over the compliance with the sanitation and hygiene regulations in the territory of the municipality;

5) conclude health activities contracts according to the procedure prescribed by this and other laws, submit them to the municipal council for approval and control their execution;

6) perform the functions of the customer of design, construction, and major repairs works of primary health care institutions owned by the municipality;

7) organise medical and public health care audit of primary health care institutions subordinate to the municipality;

8) organise supervision of the implementation of patients’ rights at the individual health care institutions of primary level;

9) on the basis provided by laws, prohibit enterprises from engaging in business-commercial activities, revoke, in the prescribed manner, licences to engage in such activities issued to legal and natural persons;

10) organise the control of compliance with restriction and prohibition of alcohol and tobacco advertising in outdoor advertising signs and displays;

11) exercise other powers in the sphere of health activities established by laws and other legal acts.

Article 65. The Municipality Physician and Establishment of his Competence in the Matters of Health Activities

1. Health care specialists meeting the qualifications requirements laid down by the Ministry of Health Care shall be appointed municipality physicians on the competitive basis.

2. The municipality physician shall head the municipality’s health activities unit the number of staff whereof shall be specified by the municipal council.

3. Model regulations of the municipality physician shall be approved by the Government or the institution authorised by it.

Article 66. Repealed since 1 July 2010.

CHAPTER II
HEALTH ACTIVITIES CO-ORDINATION BODIES

Article 67. National Health Council

1. The National Board of Health is an institution of health policy assessment and advisory formation body, which is accountable to the Seimas. The National Health Council shall be formed and function in accordance with the regulations approved by the Seimas. The National Health Council is formed and operates under the regulations approved by Parliament. National Health Council shall be composed of 17 members: representatives of health councils of local communities
specialists of education, social affairs, environment, economics - 4; representatives of public organizations that protect the public health interests - 3; public health care experts - 5, 3 of them representatives of science and educational institutions that train health care specialists. National Health Council members work on a voluntary basis. The activities of the National Health Council shall be financed from the State budget.

2. The National Health Council shall:
   1) analyze, evaluate and present proposals on relevant health policy issues;
   2) promote health education policy;
   3) analyze and present proposals to the Seimas, the Government, ministries on issues related to alcohol, tobacco, narcotic and psychotropic substances control and drug addiction prevention policy;
   4) assess and submit findings and recommendations to the Seimas, the Government, ministries on the improvement of population health condition;
   5) participate in the evaluation and formation of disease prevention and control policy.

3. The National Health Council shall submit findings concerning the health level indicators sought by the state, the targets of health activities, Health Programme of Lithuania and other state health programmes, shall co-ordinate, within the limits of its competence, the implementation of the Health Programme of Lithuania, prepare and annually present to the Seimas a report on the state of the population health and the shaping and implementation of health policy, shall perform other functions assigned to it by this and other laws as well as the Council regulations.

4. The National Health Council shall have the right to:
   1) receive from the Government, ministries, other Government institutions, administrative bodies of municipalities, enterprises, institutions, organisations drafts of legal acts and programmes, other information necessary for the performance of the functions provided for in this Law and the Council regulations;
   2) carry out within the limits of its competence expert examination of laws, other legal acts, drafts of social and economic development programmes and submit its findings to the persons who drafted the programmes;
   3) within the limits of its competence offer consultations to the Seimas, the Government, ministries, other Government institutions;
   4) form a panel of experts for the discharge of the functions of the Council.

Article 67(1). National Mental Health Commission under the Government of the Republic of Lithuania

1. National Mental Health Commission under the Government of the Republic of Lithuania (hereinafter - NMHC) is a mental health policy coordination body implementing an interdisciplinary approach to mental health.

2. NMHC shall analyze influence of public moral environment and promoted moral values on public mental health.

3. NMHC shall analyze public mental health of Lithuania, state development and influence of ongoing educational, social and economic change in the state on the public mental health and shall inform the government, the Seimas and the public.

4. NMHC shall coordinate inter-agency collaboration in the field of mental health policy and shall submit proposals to the state management and local authorities, institutions and organizations on the improvement of public mental harmony, preservation of public mental health and planning and implementation of return means.

5. NMHC shall be formed and its regulations shall be approved by the Government. The activity of this Commission shall be financed from the State budget.

6. Procedures of the NMHC framework, functions and rights shall be governed by this law, the Law on Mental Health and the regulations of the commission.
Article 68. The State Health Commission under the Government of the Republic of Lithuania

1. The State Health Commission under the Government of the Republic of Lithuania is an institution co-ordinating the planning of health policy measures and the implementation thereof at the ministries, other Government institutions as well as implementation of the laws and other legal acts on health activities.

2. The State Health Commission under the Government of the Republic of Lithuania shall be formed and its regulations shall be approved by the Government. The activities of the State Health Commission under the Government of the Republic of Lithuania shall be financed out of the State budget.

3. The State Health Commission under the Government of the Republic of Lithuania shall:
   1) co-ordinate the development of health policy at ministries and other Government institutions;
   2) submit findings concerning the Government’s draft decisions on health policy issues;
   3) submit proposals to the Government concerning the establishment of special competence of ministries and other Government institutions;
   4) fulfil other functions provided for in its regulations.

4. The State Health Commission under the Government of the Republic of Lithuania shall have the right to:
   1) receive from the Government, ministries, other Government institutions, administrative bodies of municipalities, enterprises, institutions, organisations drafts of laws, other legal acts and programmes as well as other information required for the performance of the functions provided for in this Law and the Commission regulations;
   2) carry out within the limits of its competence expert examination of laws, other legal acts, drafts of social and economic development programmes and submit the findings of the expert examination to the persons who drafted the programmes;
   3) within the limits of its competence submit proposals to the ministries, other Government institutions, county governors, local authority executive bodies;
   4) take part in the consideration of health policy issues in the Government, local authority executive bodies, county administrations, ministries, other Government institutions;
   5) set up ad hoc or standing groups of experts or other specialists for performing the tasks assigned to the competence of the Commission.

Article 69. Community Health Board of the Municipality

1. Community Health Board of the municipality is an independent institution under the Municipal Council, set up for the co-ordination of health activities. The municipality’s Community Health Board shall be formed and its regulations shall be approved by the Municipal Council. The composition of municipality’s Community Health Board shall be as follows: 1/3 of the Board members shall be persons appointed by the municipality; 1/3 - representatives of municipal enterprises, institutions and organisations, 1/3 - representatives of public organisations protecting public health interests. The programme of activities of the municipality’s Community Health Board shall be financed from the municipal budget.

2. Community Health Board of the municipality shall co-ordinate the preparation and implementation in the municipality’s territory of measures of health promotion, alcohol, tobacco and drugs control, public health protection and health strengthening and disease prevention, shall lay down the priorities for the use of municipality’s health fund resources, submit to the Municipal Council for approval the draft budget of the fund and perform other functions assigned to it pursuant to this Law and other laws as well as its regulations.

3. Community Health Board of the municipality shall have the right to:
1) receive from municipal executive institutions, enterprises, institutions, organisations located in the municipality’s territory information necessary for the fulfilment of the functions provided for in this Law and its regulations;
2) submit proposals, within the limits of its competence, to the municipal council, executive bodies of the municipality.

CHAPTER III
SPECIAL BODIES OF HEALTH ACTIVITIES MANAGEMENT AND CONTROL

Article 70. Repealed since 1 April 2011.

Article 701. Drug, Tobacco and Alcohol Control Department
1. Drug, Tobacco and Alcohol Control Department is a governmental body. Drug, Tobacco and Alcohol Control Department shall be established and the regulations shall be approved by the Government. Drug, Tobacco and Alcohol Control Department shall operate in accordance with strategic and annual operating plans prepared by the government. Strategic business plan of the Drug, Tobacco and Alcohol Control Department shall be approved by general order of the ministers of Social Security and Labour, Health, Education and Science and the Interior, and the annual operating plan – by the manager of Drug, Tobacco and Alcohol Control Department in coordination with the ministers of relevant fields of management. Drug, Tobacco and Alcohol Control Department is a legal entity. Its activities shall be financed from the State budget.
2. Drug, Tobacco and Alcohol Control Department shall:
   1) participate in formation of public policy in the fields of drugs, tobacco and alcohol control and shall organize its implementation;
   2) fulfil monitoring and coordination functions of the institutions that implement the actions related to precursors (precursors) of drug and psychotropic substances, tobacco and alcohol state control according to the laws;
   3) perform monitoring of activities related to precursors (precursors) of narcotic and psychotropic substances, narcotic and psychotropic substances, tobacco and alcohol use in accordance with the procedures provided for by the legislation;
   4) develop state alcohol, tobacco, drug control and prevention programmes, coordinate and control their implementation;
   5) organize and coordinate the risk assessment of new psychoactive substances;
   6) according to the laws, carry out the functions related to alcohol and tobacco manufacturing and wholesale licensing, activities related to precursors (precursors) of narcotic and psychotropic substances, licensing, local registration, import and export licensing;
   7) control how business operators comply with the laws on control of precursors (precursors) of narcotic and psychotropic substances, tobacco control, and alcohol control;
   8) according to the laws, perform functions of National Information Network Centre of European Monitoring Centre for Drugs and Drug Addiction;
   9) perform other functions prescribed by laws, provisions of the Department and other statutory functions.

Article 71. Public Health Centres in the Counties
1. State policy in the field of public health shall be implemented by the public health centres in the counties (hereinafter - centres). Centres are public legal persons financed by means of assignations from the state budget and other state money funds. The centres shall operate in accordance with the regulations approved by the Government. The Government may assign to approve the regulations of centres to the Minister of Health.
2. The scope of the Centres shall be defined by the Law on Public Health and other laws and legislation.

**Article 72. State Medicines Control Agency under the Ministry of Health**

1. The State Medicines Control Agency under the Ministry of Health shall be set up in accordance with the legislation of the Republic of Lithuania. The Agency shall be a legal person. Its activities shall be financed from the State budget.

2. The State Medicines Control Agency under the Ministry of Health shall:
   1) provide a marketing authorization of medicinal product, register medicinal products, and perform other actions related to the supply of medicinal products on the market in accordance with the laws;
   2) record medicinal products, and perform other actions related to supply of medicinal products on the market in accordance with the laws;
   3) issue the licences on the wholesale and retail trade, manufacturing, import into the Republic of Lithuania and export from the Republic of Lithuania of narcotic and psychotropic substances included in lists II and III of narcotic and psychotropic substances approved by the order of Lithuanian Minister of Health, suspend and revoke the validity of these licenses;
   4) issue licenses on pharmaceutical activities, suspend and revoke the validity of these licenses;
   5) issue licenses on practice of pharmacist and eliminate their validity, enrol the pharmacist assistants (pharmacy technicians) in the list of pharmacist assistants (pharmacy technicians);
   6) control the quality of pharmaceutical products and activities of pharmaceutical products;
   7) issue permits to conduct clinical trials of the medicinal product;
   8) coordinate the implementation of pharmacological vigilance;
   9) fulfil other functions prescribed by the legislation.

**Article 73. Institute of Forensic Medicine**

1. Institute of Forensic Medicine is a state science institution. Its activities are funded from the State budget. The regulations of the Institute shall be approved by the Government.

2. Institute of Forensic Medicine shall:
   1) conduct forensic examinations for courts;
   2) introduce new types and methodologies of forensic expertise, shall develop forensic science;
   3) participate in the development and improvement of forensic experts;
   4) perform other functions prescribed by this and other laws, legal acts and the Institute regulations.

**Article 74. State Forensic Psychiatry Service under the Ministry of Health**

1. The State Forensic Psychiatry Service under the Ministry of Health shall be established and its regulations shall be approved by the Ministry of Health. The Service shall be a legal person. The activities of the Service shall be financed from the State budget.

2. The State Forensic Psychiatry Service under the Ministry of Health shall:
   1) carry out forensic medicine, forensic psychiatry examinations for court;
   2) perform other functions prescribed by other laws and the Service regulations.

**Article 75. State Office for Accrediting for Health Care Activities under the Ministry of Health**

1. State office for accrediting for Health Care activities under the Ministry of Health is a body set up by the Government. Government assigns the Ministry of Health to implement its rights and obligations, as the owner's (other than a decision-making on the reorganization and liquidation
the State office for accrediting for Health Care activities under the Ministry of Health taken by the Government). The office is a budgetary institution maintained from the state budget and other state money funds.

2. State office for accrediting for Health Care activities under the Ministry of Health shall:
   1) participate in formation of public policy relating to the licensing of persons for health care activities, assessment of compliance of health care technology with legislative requirements, assessment of medical device conformity with necessary requirements, in the field of health care quality, patient safety and shall perform its implementation;
   2) give accreditation to engage in health care activities;
   3) issue licenses to engage in health care activities to persons;
   4) within the competence, prepare legislative proposals regulating health care activities;
   5) according to the laws, perform management functions of the institution authorized by the Ministry of Health in the field of conformity assessment of medical devices;
   6) carry out the monitoring of health care accessibility, quality (appropriateness) and the cost-effectiveness;
   7) monitor how the natural and legal persons meet the requirements related to the health care quality issues provided for in standardization documents;
   8) register medical devices available on the market, issue submissions to persons to conduct clinical trials of medical devices, certificates, providing individuals with the right to perform inspections of technical conditions of medical devices, as well as free trade certificates for medical devices;
   9) perform other functions prescribed by laws and regulations of State office for accrediting for Health Care activities under the Ministry of Health.

3. For the actions indicated in item 8 of section 2 the state fee shall be taken. For other functions indicated in section 2 herein, the fixed state fee shall be taken if this is provided for by other laws.

Article 76. State and Territorial Patients’ Funds
State and territorial patients’ funds shall ensure, within the limits of their competence, payment for the prescribed types of individual health care services, shall control the number and quality of said services, perform the financial and economic analysis of the use of compulsory health insurance fund resources, provide state and municipal funds with resources, fulfil the functions prescribed by laws and regulations of the patients’ funds.

Article 77. Health Care Service under the Ministry of Internal Affairs, Lithuanian army units engaged in health promotion activities, Health Care Division of Prison Department under the Ministry of Justice of the Republic of Lithuania, penitentiary health care institutions and penitentiary health care services subordinate to the Prison Department under the Ministry of Justice of the Republic of Lithuania

1. Health Care Service under the Ministry of the Interior shall be set up and its regulations shall be approved by the Government or the Ministry of the Interior under its authorization. This service is a legal entity. Its activities shall be funded from the State budget.

2. Lithuanian army units engaged in health promotion activities shall be established and their regulations shall be approved by the Ministry of Defence in coordination with the Ministry of Health. Their activities shall be funded by the Ministry of National Defence from the State budget.

3. Penitentiary health care institutions shall be established by the Government, and their regulations shall be approved by the Ministry of Justice in coordination with the Ministry of Health.
4. Health Care Division of Prison Department under the Ministry of Justice of the Republic of Lithuania shall be established and its regulations shall be approved by the Director of Prison Department in coordination with the Ministry of Health.

5. Penitentiary health care services subordinate to the Prison Department under the Ministry of Justice of the Republic of Lithuania shall be established and their regulations shall be approved by the penitentiary directors in coordination with the Ministry of Health.

6. Activities of Health Care Division of Prison Department under the Ministry of Justice of the Republic of Lithuania, penitentiary health care services and Penitentiary health care services subordinate to the Prison Department under the Ministry of Justice of the Republic of Lithuania shall be financed from the State budget.

7. Health Care Service under the Ministry of Internal Affairs, Lithuanian army units engaged in health promotion activities, Health Care Division of Prison Department under the Ministry of Justice of the Republic of Lithuania, penitentiary health care institutions and penitentiary health care services subordinate to the Prison Department under the Ministry of Justice of the Republic of Lithuania shall:

1) implement the health promotion activities assigned by this Law and other laws to the special competence of the Ministry of the Interior, Ministry of National Defence and the Ministry of Justice;

2) perform other functions prescribed by laws and the regulations of the Institutions and Services.

Article 78. Repealed since 26 July 2000.

Article 79. Repealed since 22 November 2012.

Article 80. Lithuanian Bioethics Committee
1. Lithuanian Bioethics Committee shall be established, its composition and activity regulations shall be approved by the Ministry of Health. Lithuanian Bioethics Committee is a legal entity. Its activities shall be funded from the State budget.

2. Lithuanian Bioethics Committee shall:

1) analyze bioethical issues and consult state and local governments, institutions and organizations on these issues, shall submit findings and proposals on the laws regulating bioethics issues and drafts of other legal acts;

2) issue permits for biomedical research, except for the permits on clinical researches of medicinal products, and shall conduct monitoring of ethical biomedical research, which have been subject to permits;

3) provide an annual report to the Ministry of Health on its operation and provide proposals on dealing with bioethics problems;

4) control whether the personal and public health services meet the requirements of medical ethics, and supervise how legal entities comply with the requirements of bioethics;

5) provide methodological support and consult the health care medical ethics committees and other bioethics bodies on their activity issues;

6) according to its competence, represent Lithuania in international organizations;

7) perform other functions prescribed by the regulations.

Article 81. Medical Ethics Commissions of Individual Health Care Institutions
1. Medical Ethics Commissions of individual health care institutions shall supervise compliance with the requirements of medical ethics by individual health care specialists.

2. Medical Ethics Commissions of individual health care institutions shall be formed and shall operate in accordance with the model regulations approved by the Ministry of Health.
Article 82. Municipal Sanitary Inspectorate
1. Municipal Sanitary Inspectorate is a specialised unit of the municipality administration, which controls compliance with sanitary requirements in the territory of the municipality.
2. The tasks, competence, structure of the municipal sanitary inspectorate, the rights and duties of its officers, the contents and procedure of sanitary control shall be regulated by the regulations approved by the Government on the recommendation of the Ministry of Health.

Article 83. The Competence of other Health Activities Management and Control Institutions in the Matters Pertaining to Health Activities
The competence of other health activities management and control institutions (State Veterinary Service, State Labour Inspectorate, etc.) in the matters pertaining to health activities shall be defined by laws, other legal acts the regulations of the institutions.

PART V
THE RIGHTS AND DUTIES OF INDIVIDUALS AND ECONOMIC ENTITIES IN HEALTH ACTIVITIES

Article 84. The Rights of the Residents of the Republic of Lithuania in Health Activities
The residents of the Republic of Lithuania shall have the right to:
1) have a healthy and safe physical and social environment as well as information about any danger to health existing in the environment;
2) be provided with safe raw materials, articles, goods and services intended for consumption;
3) obtain information about health care institutions and health care services provided by them;
4) obtain information concerning their health and be guaranteed the right to the confidentiality of said information;
5) receive health care provided for by laws and legal acts;
6) choose, in the established manner, a health care specialist, health care institution, type of health care, or refuse the services of any of the above, unless the law provides otherwise;
7) be provided, according to the procedure prescribed by this Law and other laws, with (free) health care guaranteed by the state and supported by municipalities.

Article 85. The Duties of the Residents of the Republic of Lithuania in the Sphere of Health Activities
The residents of the Republic of Lithuania must:
1) take care of their health;
2) take care of the health of their underage children (adopted children, foster children);
3) take care of the health of their parents;
4) not to infringe other persons’ health rights;
5) not to inflict harm on the environment;
6) pay compulsory health insurance contributions prescribed by the Law on Health Insurance.

Article 86. The Rights of Enterprises and Institutions Operating in the Republic of Lithuania Pertaining to Health Activities
1. Enterprises and institutions operating in the Republic of Lithuania shall have the right to:
1) conclude contracts pertaining to health activities according to the procedure laid down by this Law and other laws;
2) set up health funds according to the procedure prescribed by this Law and other laws;
3) establish, in the manner prescribed by laws, individual or public health care institutions, set up their own facilities for carrying out health care;
4) organise the preparation of health programmes and finance their implementation with the resources of the funds set up be them or with other lawfully acquired resources.

2. Enterprises and institutions may also have other rights provided these do not contradict this and other laws and their foundation documents.

Article 87. The Duties of Enterprises and Institutions Operating in the Republic of Lithuania Pertaining to Health Activities

1. The enterprises and institutions operating in the Republic of Lithuania must:
1) comply with health care standardisation regulations;
2) timely inform health care institutions, services, the population of the danger to health which arises as a result of the activities pursued, products manufactured or goods sold by them;
3) provide healthy and safe conditions of work;
4) prevent the imminent danger to the environment, limit the scope of danger and harm to the environment;
5) protect people against communicable diseases spread by food or drinking water, or invasions of such diseases, as well as against food poisoning, and implement measures to restrict the spread of communicable diseases;
6) organise, in accordance with the established procedure and in the prescribed cases, public health monitoring and expert examination and defray related costs;
7) organise health care of their employees.

2. The enterprises and institutions may also have other duties provided that these do not contradict this Law and other laws.

3. The implementation of rights and duties of the enterprises and institutions and the discharge of their duties in the sphere of health activities may not infringe the rights of other natural and legal persons.

PART VI
LIABILITY FOR THE VIOLATIONS OF LEGAL NORMS REGULATING HEALTH ACTIVITIES

PART VII
FINAL PROVISIONS

Article 94. Basic Principles of International Co-operation of the Republic of Lithuania in the Sphere of Health Activities

Co-operating with other states and international organisations in the sphere of health activities, the Republic of Lithuania must adhere to the following principles:
1) ensure that by their economic-commercial activities the enterprises of the Republic of Lithuania do not inflict harm on the persons residing in the territories of other states;
2) provide the interested parties with objective and reliable information on health;
3) strive for the implementation of health policies adopted by the World Health Organisation;
4) co-operate in the liquidation of negative effects of ecological disasters, accidents and natural calamities on the health of the society.

Article 95. The Law on the Health System of the Republic of Lithuania and the International Agreements
In the event that an international agreement to which the Republic of Lithuania is a party prescribes requirements other than those established by this Law, the provisions of the international agreement shall prevail.

*I promulgate this Law passed by the Seimas of the Republic of Lithuania.*

PRESIDENT OF THE REPUBLIC

VALDAS ADAMKUS

Annex No I-552
to the Law of 19 July 1994
of the Republic of Lithuania

**IMPLEMENTATION OF THE EUROPEAN UNION LEGISLATION**