KUWAIT: LAW NO. 1 OF 1999 ON ALIEN HEALTH INSURANCE AND THE IMPOSITION OF FEES AGAINST MEDICAL SERVICES*

In the Name of Allah, The Beneficent, The Merciful;

Article 1

Health/medical services shall be provided to aliens residing in the State under the health insurance and medical security systems in accordance with the provisions of this Law, provided that it is not contradictory to Islamic law provisions.

Article 2

No residence permit shall be granted unless a health insurance policy or a medical security contract is obtained. This provision shall be valid for renewal of residence. The employer shall be held liable to pay the health insurance or medical security premiums; and any agreement contrary to this stipulation shall be deemed null and void.

Article 3

The insurance companies shall provide health insurance services as specified in this Law in conformity with the rules and conditions stipulated by the Ministry of Health.

Article 4

The health insurance provided for in this Law shall cover the following basic health and medical services:

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(1) Medical examination and necessary treatment at clinics by physicians and
specialist doctors;
(2) Laboratory and X-ray tests;
(3) Surgery operations, except plastic surgery only;
(4) Treatment, medication and hospitalisation in the event of emergency cases;
(5) Normal dental treatment and medication;
(6) Drugs and medicine.

The Minister of Health shall issue a resolution identifying the said services.
An alien may insure himself for other optional additional medical (health) services against additional charges.

Article 5

The value of an insurance policy for treatment and medication of those covered
under the framework of government and private sector hospitals and medical
institutions shall be fixed within the guidelines of main medical/health service
prices as prescribed in a resolution duly issued by the Minister of Health.
Medical institutions and hospitals shall collect the said charges directly from the
insurance companies, other contracting parties, or the patients.

Article 6

Medical treatment institutions and hospitals shall not provide medical services to
aliens under health insurance, unless a licence is issued and all the conditions and
requirements stipulated by the Ministry of Health are satisfied.

Article 7

The health insurance system referred to in Article 2 hereof may be replaced and
substituted by either of the following two systems:

(1) Medical security provided by the private sector;
(2) Medical security provided by the Ministry of Health.

The Minister of Health shall issue a resolution stipulating the rules and
procedure applicable in this respect.
However, medical/health services shall, in all cases, be rendered to aliens in the
manner specified in Article 4 of this Law.

Article 8

Basic and optional additional health/medical services provided by private medical
institutions, clinics and hospitals shall be subject to the control of the Ministry of
Health. Ministry officials duly delegated by the Ministry of Health shall have the
right at any time to inspect the said institutions' sites and clinics. They shall for
such a purpose examine relevant books and records and draw up any violations committed which are contradictory to the provisions of this Law.

Article 9

In the event of violation of any stipulation of the health insurance conditions, the Minister of Health shall inflict either of the following penalties:

(1) Suspension of the manager in charge of the party where the violation is committed for not more than a two month period;
(2) Lock up of the division or divisions where the violation is committed for not more than a three month period.

However, in the event of a repeat of the violation, the period of suspension and lock up referred to hereof shall be doubled. A warning in writing shall be directly forwarded to the manager of the party where the violation is committed, with a remedy period not exceeding fifteen (15) days for rectification of the violation.

Article 10

A committee for the settlement and resolving of disputes relating to the application of this Law shall be set up within which the Kuwait Medical Association shall be represented.

The Minister of Health shall issue a resolution constituting the said committee, with a system for it to function and the procedure for complaining against its decisions.

Article 11

The Minister of Health is authorised to impose charges on aliens against the health services rendered by the Ministry of Health one month from the operative date of this Law.

Article 12

The following categories shall not be subject to the health insurance provided for in this Law:

(1) Alien wives of Kuwaiti husbands;
(2) Kuwaiti wives' children from alien husbands;
(3) Three of the domestic servants and such similar cases as specified in the resolution issued by the Minister of Health in this respect.

Article 13

Without prejudice to any stipulation provided for in any other law, any employee
to whom it came to his/her knowledge a secret of a patient by virtue of his/her office shall not reveal such a secret, except in the cases provided for in Article 6 of Law Decree No. 25 of 1981 referred to hereof. The prohibition of secret revealing shall remain valid even after the termination of the employee's services, whether he/she is one of the State administrative system's officials or one of the companies employees concerned with the implementation of this Law. Any defaulter violating the provisions of this Law shall be liable to not more than a three year imprisonment term and a fine not exceeding KD 3,000, or punishable by either of these two penalties.

Article 14

The Minister of Health shall issue all rules and resolutions deemed necessary for the implementation of this Law within a year from the date of its promulgation. The National Assembly shall be notified of the outcome of this Law application by means of a semi-annual (six months) report for realisation of the achievements made to enhance the health service standards in the State.

Article 15

All Ministers, each within his own jurisdiction, shall implement this Law, the provisions of which, without prejudice to the stipulation of Article 11 hereof, shall be effective after one year from the date it is published in the Official Gazette.

Jaber Al-Ahmad Al-Sabah
Amir of Kuwait

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