

prevent infections

(9) Matters related to education and the promulgation of knowledge concerning infections and consideration for the rights of the patients of infections

(10) Matters related to the emergency liaison system between the national government and local public entities as well as that among local public entities

(11) Other important matters related to the promotion of preventive measures against infections

- 3 The Minister of Health and Welfare shall reexamine the Basic Guidelines at least once in five (5) years and shall modify them if the Minister deems any modification to be necessary.
- 4 The Minister of Health and Welfare shall consult with the heads of the administrative authorities concerned and seek the opinion of the Council on Public Health prior to the establishment or modification of the Basic Guidelines.
- 5 The Minister of Health and Welfare shall make an official announcement on the establishment or modification of the Basic Guidelines immediately after such establishment or modification.

(Prevention Plan)

Article 10 Each prefectural government shall establish a plan for the implementation of preventive measures against infections in line with the Basic Guidelines (referred to in this law as "prevention plan").

- 2 The prevention plan shall set out the matters listed below.
 - (1) Matters related to measures to prevent the outbreak and spread of infections which are suitable for the local situation
 - (2) Matters related to the establishment of a framework to provide medical care for infections in each region
 - (3) Matters related to the emergency liaison system between the national government and local public entities as well as that among local public entities
 - (4) Other important matters related to the promotion of preventive measures against infections which are suitable for the local situation
- 3 Each prefectural government shall reexamine the prevention plan when the Basic Guidelines are modified, and modify the prevention plan if any modification is deemed to be necessary.
- 4 Prefectural governments shall seek the opinion of municipalities and organizations of specialists of medical care prior to any modification of the prevention plan.
- 5 Prefectural governments shall submit the settled or modified prevention plan

to the Minister of Health and Welfare and make an official announcement immediately after such establishment or modification.

(Guidelines for the Prevention of Specified Infections)

Article 11 With regard to the infections designated by the ordinance of the Ministry of Health and Welfare as those for which special comprehensive measures are necessary to promote their prevention, the Minister of Health and Welfare shall establish the guidelines for the research on the cause of such infections, the prevention of their outbreak or spread, provision of medical care, promotion of research and development, international cooperation, and promotion of comprehensive measures against each infection (referred to in the following section as "Guidelines for Prevention of Specified Infections) and publicize such guidelines.

- 2 The Minister of Health and Welfare shall seek the opinion of the Council on Public Health prior to the establishment or modification of the Guidelines for Prevention of Specified Infections.

Chapter 3 - Collection and Publication of Information concerning Infections

(Notification by Doctors)

Article 12 A doctor who examines a patient who falls under any of the following descriptions shall notify the prefectural governor via the director of the nearby health center of the name, age, sex and any other information required by the ordinance of the Ministry of Health and Welfare of the patient who falls under (1) below immediately, or the age, sex and other information required by the ordinance of the Ministry of Health and Welfare of the patient who falls under (2) below, immediately in the case of (1) and within 7 days in the case of (2), except for the cases excluded from this provision by the ordinance of the Ministry of Health and Welfare.

(1) The patients of infections of categories 1, 2 or 3, pathogen carriers with no symptoms, and those who are suspected of having contracted new infections

(1) The patients of acquired immunodeficiency syndrome, syphilis, and other category 4 infections which are specified by the ordinance of the Ministry of Health and Welfare (including pathogen carriers of acquired immunodeficiency syndrome, syphilis, and other infections of category 4 which have no symptoms and which are specified by the ordinance of the Ministry of Health and Welfare)

- 2 The prefectural governor who received notification under the preceding section shall notify the Minister of Health and Welfare of the contents of such

notification immediately in the case of (1) and within the period specified by the ordinance of the Ministry of Health and Welfare in the case of (2).

- 3 The prefectural governor who received the notification under Section 1 of this article concerning a person who lives outside its jurisdiction shall report the contents of such notification to the governor of the prefecture which has jurisdiction over the place where the said person resides.
- 4 The provisions of the preceding three sections shall be applied to cases where a doctor examines the body of a person who has died of any of the infections specified in each paragraph of Section 1 of this article (including a person who is suspected of having died of such infections).

(Notification by Veterinarians)

Article 13 With regard to monkeys and other animals specified by the ordinance as having a high risk of transmitting the Ebola virus, the Marburg virus disease and other infections of categories 1, 2 or 3 which are specified by the ordinance to humans; a veterinarian who judges or suspects that any such animal has contracted said infection shall immediately notify the prefectural governor of the name of the owner of such animal (or the person who keeps the animal as the case may be. The same shall be applied to the term "owner" in this law) and other information required by the ordinance of the Ministry of Health and Welfare via the director of the nearby health center.

- 2 The owner of any animal specified by the ordinance referred to in the preceding section who judges or suspects that the animal has contracted an infection specified by the ordinance referred to in the preceding section without having such animal examined by a veterinarian shall submit a notification as provided in the preceding section.
- 3 The prefectural governor who received notification under the provisions of the preceding two sections shall immediately notify the Minister of Health and Welfare of the contents of such notification.
- 4 The prefectural governor who received the notification under the provisions of Section 1 or 2 above concerning an animal which is kept outside of its jurisdiction shall report the contents of such notification to the governor of the prefecture which has jurisdiction over the place where the said animal is kept.
- 5 The provisions of sections 1 and 2 of this article shall be applied to any cases where a veterinarian who examines the body of one of the animals specified by the ordinance referred to in Section 1, judges or suspects that the said animal has contracted the infection specified in the ordinance referred to in Section 1. The provisions of Section 3 shall be applied to any cases where the owner of one of the animals specified by the ordinance referred to in Section 1 examines

the body of said animal and judges or suspects that it has contracted the infection specified in the ordinance referred to in Section 1.

(Ascertaining the Situation and Trends concerning the Outbreak of Infections)

Article 14 In accordance with the ordinance of the Ministry of Health and Welfare, each prefectural governor shall designate the hospitals or clinics to be in charge of notifying a situation concerning the outbreak of any category 4 infections specified by the ordinance of the Ministry of Health and Welfare, with the consent of the founders of such institutions (referred to in this article as "designated notifying institutions").

- 2 If the doctor of a designated notifying institution examines a patient of a category 4 infection specified by the ordinance of the Ministry of Health and Welfare referred to in the preceding section (including pathogen carriers of category 4 infections specified by the ordinance of the Ministry of Health and Welfare who have no symptoms. The same shall be applied to the term "patient" in this section), or examines the body of a person who has died of any of the category 4 infections specified by the ordinance of the Ministry of Health and Welfare referred to in the preceding section, the manager of such institution shall notify the governor of the prefecture which has jurisdiction over the place where such institution is located of the age and sex of the patient or the dead person and any other information required by the ordinance of the Ministry of Health and Welfare.
- 3 The prefectural governor who receives a notification under the preceding section shall report the contents of such notification to the Minister of Health and Welfare pursuant to the ordinance of the Ministry of Health and Welfare.
- 4 Any designated notifying institution may decline the designation on at least 30 days' notice.
- 5 If the manager of a designated notifying institution violates the provisions of Section 2, or a designated notifying institution is deemed to be unsuitable to take charge of the notification provided in Section 2, the prefectural governor may revoke the designation of such institution.

(Investigation of Situations and Trends concerning the Outbreak of Infection and its Causes)

Article 15 Each prefectural governor, if he/she deems it to be necessary in order to ascertain the situation and trends concerning the outbreak of infection and its causes, may require their personnel to make inquiries regarding the patients or suspected patients of infections of categories 1, 2, 3 or 4, pathogen carriers with no symptoms, those who have developed the symptoms of new infections.

- and other persons concerned, or conduct necessary investigations.
- 2 The patients or suspected patients of infections of categories 1, 2, 3 or 4, pathogen carriers with no symptoms, those who have developed the symptoms of new infections and other persons concerned, shall cooperate with the personnel in charge of the inquiry or investigation provided for in the preceding section.
 - 3 The personnel in charge referred to in Section 1 shall carry identification to be presented on demand to the person concerned.
 - 4 Each prefectural governor shall report the results of the inquiry or investigation conducted under the provisions of Section 1 to the Minister of Health and Welfare pursuant to the ordinance of the Ministry of Health and Welfare.
 - 5 Each prefectural governor, if he/she deems it to be necessary, may request the Minister of Health and Welfare to dispatch personnel from the institutions conducting research on infections or otherwise extend any support which is necessary to conduct the inquiry and investigation provided in Section 1.
 - 6 The provisions of Section 3 shall be applied to the personnel dispatched under the preceding section.
 - 7 Items to be contained in the identification referred to in Section 3 shall be provided by the ordinance of the Ministry of Health and Welfare.

(Publication of Information)

Article 16 The Minister of Health and Welfare and prefectural governors shall analyze the information on infections collected under Article 12 through the preceding article and make positive efforts to publicize the information related to the prevention of infections.

- 2 In publicizing the information referred to in the preceding section, due consideration shall be given to the protection of private information on individuals.

Chapter 4 Medical Examination, Restrictions on Employment and Hospitalization

(Medical Examination)

Article 17 Each prefectural governor, if he/she deems it to be necessary to prevent the spread of infections of categories 1, 2 or 3, may recommend a person who is reasonably suspected of having contracted any of these infections to undergo a medical examination by a doctor to ascertain whether or not such person has contracted such infection, or recommend the parent (in

this law refers to the person in the position of parental authority or the guardian) of a person who is reasonably suspected of having contracted any of the said infections to have such person undergo a medical examination.

- 2 If the person who receives a recommendation as provided in the preceding section does not comply with such recommendation, the prefectural governor may require its personnel to conduct a medical examination of the person who is reasonably suspected of having contracted the infection referred to in said recommendation.
- 3 When issuing a recommendation for medical examination as provided in Section 1 or implementing procedures to conduct such medical examination as provided in the preceding section, the prefectural governor shall notify the person who is subject to such recommendation or procedures of the reason for issuing such recommendation or implementing such procedures and other information required by the ordinance of the Ministry of Health and Welfare in writing, except in the case where there is an urgent need to recommend medical examination or to implement procedures to conduct a medical examination without notifying the said information in writing.
- 4 With regard to the urgent cases described in the preceding section, the prefectural governor shall deliver a document showing the reason referred to in the preceding section and other information required by the ordinance of the Ministry of Health and Welfare within a reasonable period following the issuance of such recommendation of medical examination or the implementation of such procedures.

(Restrictions on Employment)

Article 18 The prefectural governor who receives notification concerning a patient of a category 1 infection, a patient of category 2 or 3 infection, or a pathogen carrier with no symptoms provided in Section 1 of Article 12, shall deliver such person or the parent of such person a written notice showing the contents of such notification and other information required by the ordinance of the Ministry of Health and Welfare.

- 2 The patient, the parent of the patient or the pathogen carrier with no symptoms referred to in the preceding section who receives a notice as provided in the preceding section shall not engage in the activities specified for each infection by the ordinance of the Ministry of Health and Welfare which may spread such infection among the general public for the period provided by the ordinance of the Ministry of Health and Welfare during which such potential is expected to be eliminated.
- 3 The patient or the parent of the patient who has been subject to the provisions

of the preceding section may make a request to the prefectural governor to confirm that the patient who has been subject to the provisions of the same section has ceased to be subject to the said provisions.

- 4 The prefectural governor who receives the request for confirmation provided in the preceding section shall confirm whether or not the person who has been subject to the provisions of Section 2 and who made such request is a patient or a pathogen carrier with no symptoms of any of the infections to which the said provisions shall be applied, or whether the period as provided in the same section has expired.

(Hospitalization)

Article 19 Each prefectural governor, if he/she deems it to be necessary in order to prevent the spread of category 1 infections, may recommend the patient of any such infection or the parent of such patient to be hospitalized or to hospitalize such patient in a specified medical institution designated to treat infections or class 1 medical institution designated to treat infections. Provided, however, that if any unavoidable reason including urgency exists, the governor may recommend such patient or the parent of such patient to be hospitalized or to hospitalize such patient in a hospital or clinic other than specified medical institutions designated to treat infections or class 1 medical institutions designated to treat infections which the governor deems to be appropriate.

- 2 If the person who receives a recommendation as provided for in the preceding section does not comply with such recommendation, the prefectural governor may hospitalize the patient who is subject to such recommendation in a specified medical institution designated to treat infections or a class 1 medical institution designated to treat infections (or, in the case of a recommendation under a provisory clause, a hospital or clinic other than a specified medical institution designated to treat infections or class 1 medical institution designated to treat infections which the governor deems appropriate).
- 3 The period of hospitalization provided for in the preceding two sections shall not exceed 72 hours.
- 4 If any unavoidable reason including emergency exists, the prefectural governor may hospitalize the patient who is in any hospital or clinic under the provisions of Section 1 or Section 2 in other hospital or clinic which the governor deems to be appropriate.
- 5 The total of the period of hospitalization under the provisions of Section 1 or Section 2 and that of hospitalization under the provisions of the preceding section shall not exceed 72 hours.

Article 20 Each prefectural governor, if he/she deems it to be necessary in order to prevent the spread of category 1 infections, may recommend the patient of any of such infections who is in a hospital or clinic under the provisions of the preceding article or the parent of such patient, to be hospitalized or to hospitalize such patient in the specified medical institution designated to treat infections or class 1 medical institution designated to treat infections for the period of not more than 10 days specified by the governor, provided that, if any unavoidable reason including emergency exists, the governor may recommend such patient or the parent of such patient to be hospitalized, or to hospitalize such patient in a hospital or clinic other than a specified medical institution designated to treat infections or class 1 medical institutions designated to treat infections which the governor deems to be appropriate, for the period of not more than 10 days specified by the governor.

- 2 If the person who receives a recommendation as provided for in the preceding section does not comply with such recommendation, the prefectural governor may hospitalize the patient who is subject to such recommendation in a the specified medical institution designated to treat infections or a class 1 medical institution designated to treat infections (or, in the case of a recommendation under the provisory clause, a hospital or clinic other than a specified medical institution designated to treat infections or a class 1 medical institution designated to treat infections which the governor deems to be appropriate), for the period of not more than 10 days specified by the governor.
- 3 If any unavoidable reason including emergency exists, the prefectural governor may hospitalize the patient who is in a hospital or clinic under the provisions of the preceding two sections in another hospital or clinic which the governor deems to be appropriate for the specified period of not more than 10 days counting from the date such patient was hospitalized pursuant to the provisions of the preceding two sections.
- 4 Upon expiration of the period of hospitalization provided for in the preceding three sections, the prefectural governor may extend the period of hospitalization for the period of not more than 10 days specified by the governor if the governor deems it to be necessary to have such patient stay in hospital. The same shall be applied to the re-extension of the period extended pursuant to the preceding paragraph.
- 5 Prior to the issuance of a recommendation as provided for in Section 1 or the extension of the period of hospitalization provided for in the preceding section, the prefectural governor shall seek the opinion of the Council organized pursuant to Section 1 of Article 24 under the health center which has

jurisdiction over the hospital or clinic where the subject patient is hospitalized.

(Transfer)

Article 21 The prefectural governor shall transfer the patient who is to be hospitalized pursuant to the provisions of the preceding two articles to the hospital or clinic where such patient is to be hospitalized in accordance with the ordinance of the Ministry of Health and Welfare.

(Discharge from Hospital)

Article 22 If it is confirmed that a patient hospitalized pursuant to the provisions of Article 19 or Article 20 does not have the pathogen of the category 1 infection for which such patient was hospitalized, the prefectural governor shall discharge said patient from hospital.

- 2 The manager of the hospital or clinic who confirms that a hospitalized patient pursuant to the provisions of Article 19 or Article 20 does not have the pathogen of the category 1 infection for which such patient was hospitalized shall notify the prefectural governor of such fact.
- 3 The patient who has been hospitalized pursuant to the provisions of Article 19 or Article 20, or the parent of such patient may file a request for discharge from the hospital with the prefectural governor.
- 4 The prefectural governor who receives a request provided for in the preceding section shall confirm whether or not the patient subject to such request has the pathogen of the category 1 infection for which such patient was hospitalized.

(Written Notice)

Article 23 The provisions of Section 3 and Section 4 of Article 17 shall be applied to any recommendation by the prefectural governor provided in Section 1 of Article 19 or Section 1 of Article 20, the procedure of hospitalization provided in Section 2 or Section 4 of Article 19 as well as Section 2 and Section 3 of Article 20, and the extension of hospitalization period provided for in Section 4 of Article 20.

(Council on Medical Examination of Infections)

Article 24 A Council on Medical Examination of Infections (referred to in this article as "Council") shall be organized under the jurisdiction of each health center for the purpose of discussing matters related to the recommendation provided for in Section 1 of Article 20 and the extension of hospitalization period provided for in Section 4 of the same article in response to a request by the prefectural governor.

2. Notwithstanding the provisions of the preceding section, a prefecture which has more than two health centers may organize a single Council to cover more than two health centers if a special reason is found to exist.
3. The Council provided for in this Section shall consist of at least three (3) members.
4. The members of the Council shall be appointed by the prefectural governor and shall include the doctors of specified medial institutions designated to treat infections, scholars specializing in medical care for the patients of infections (excluding the doctors of the specified medial institutions designated to treat infections), and scholars from fields other than medicine, provided that the majority of the Council shall be doctors.
5. Other matters related to the Council that are not included in this law shall be provided by the ordinance.

(Special Cases of Petition for Examination)

Article 25 A patient or the parent of such patient, who has been hospitalized pursuant to Section 2 or Section 3 of Article 20 and whose hospitalization period exceeds 30 days may make a written or oral petition for examination (in this article, including the petition for reexamination) to the Minister of Health and Welfare.

2. The Minister of Health and Welfare shall make a judgement on the petition for examination provided in the preceding section within 5 days counting from the date such petition was made.
3. If a patient or the parent of such patient, who has been hospitalized pursuant to Section 2 or Section 3 of Article 20 and whose hospitalization period does not exceed 30 days makes a petition for examination to the Minister of Health and Welfare under the Administrative Appeal Law (Law No. 160, 1962), the Minister of Health and Welfare shall make a judgement on such petition for examination within 35 days counting from the date such patient was hospitalized pursuant to the provisions of Section 2 or Section 3 of Article 20.
4. If a patient or the parent of such patient, who has been hospitalized pursuant to Section 2 or Section 3 of Article 20 and whose hospitalization period does not exceed 30 days makes a petition for examination to the prefectural governor under the Administrative Appeal Law (Law No. 160, 1962), and after that the hospitalization period of such patient exceeds 30 days, the prefectural governor shall immediately transfer the case to the Minister of Health and Welfare and notify the person who made such petition of the transfer.
5. With regard to a case transferred pursuant to the provisions of the preceding section, the provisions of Section 3 shall be applied as if such petition for

examination had been originally made to the Minister of Health and Welfare.

- 6 Prior to the judgement under Section 2 or judgement under Section 3 (only for the cases where the hospitalization period of the subject patient exceeded 30 days), the Minister of Health and Welfare shall seek the opinion of the Council on Public Health.

(Application)

Article 26 The provisions of Article 19 through Article 13 and the preceding article shall be applied to the patients of category 2 infections. In this case, the phrase "specified medical institution designated to treat infections or class 1 medical institution designated to treat infections" in Section 1 and Section 2 of Article 19 and Section 1 and Section 2 of Article 20 shall be changed to "specified medical institution designated to treat infections", and the phrase "that a patient...does not have the pathogen of the category 1 infection for which such patient was hospitalized" in Section 1 and Section 2 of Article 22 shall be changed to "that a patient...does not have the pathogen of the category 2 infection for which such patient was hospitalized or the symptom of such infection has disappeared", and the phrase "whether or not the patient subject to such request has the pathogen of the category 1 infection for which such patient was hospitalized" in Section 4 of Article 22 shall be changed to "whether or not the patient subject to such request has the pathogen of the category 2 infection for which such patient was hospitalized or the symptom of such infection has disappeared". Other necessary changes in these provisions shall be provided in the ordinance.

Chapter 5 Disinfecting and Other Measures

(Disinfection of a Place Contaminated by a Pathogen of Infection)

- Article 27 Each prefectural governor, if he/she deems it to be necessary in order to prevent the outbreak or spread of an infection of categories 1, 2 or 3, may order the patient of any of these infections, the parent of such patient, the person who takes charge of the place where such patient is or was, the place where the body of the person who has died of such infection is or was, or the places which are contaminated or suspected to be contaminated by the pathogen of such infection, or the representative of such person to disinfect such place pursuant to the ordinance of the Ministry of Health and Welfare.
- 2 Each prefectural governor, if he/she deems it to be difficult to prevent the outbreak or spread of an infection of categories 1, 2 or 3 by the order issued pursuant to the preceding section, may order the municipality to disinfect the

place where the patient of such infection is or was, the place where the body of the person who has died of such infection is or was, or the places which are contaminated or suspected to be contaminated by the pathogen of such infection in accordance with the ordinance of the Ministry of Health and Welfare.

(Extermination of Mice and Insects)

Article 28 Each prefectural governor, if he/she deems it to be necessary in order to prevent the outbreak or spread of an infection of categories 1, 2 or 3, may designate an area inhabited by mice or insects which are contaminated or suspected to be contaminated by the pathogen of any of these infections, and order the person who takes charge of such area or the representative of such person to exterminate the mice or insects pursuant to the ordinance of the Ministry of Health and Welfare.

- 2 Each prefectural governor, if he/she deems it to be difficult to prevent the outbreak or spread of an infection of categories 1, 2 or 3 by an order issued pursuant to the preceding section, may designate an area inhabited by mice or insects which are contaminated or suspected to be contaminated by the pathogen of any of these infections, and order the municipality which has jurisdiction over such area to exterminate the mice or insects pursuant to the ordinance of the Ministry of Health and Welfare.

(Measures concerning Personal Property)

Article 29 Each prefectural governor, if he/she deems it to be necessary in order to prevent the outbreak or spread of an infection of categories 1, 2 or 3, may restrict or prohibit the transport of food, drinks, clothing, bedclothes or other personal property which are contaminated or suspected to be contaminated by the pathogen of any of these infections and order the owner of said property to disinfect or dispose of said property or take other necessary measures to prevent the outbreak or spread of infection pursuant to the ordinance of the Ministry of Health and Welfare.

- 2 Each prefectural governor, if he/she deems it to be difficult to prevent the outbreak or spread of an infection of categories 1, 2 or 3 by the orders issued pursuant to the preceding section, may order the municipality to disinfect food, drinks, clothing, bedclothes or other personal property which are contaminated or suspected to be contaminated by the pathogen of such infection or require the personnel of the prefectural government to implement the necessary measures to prevent the outbreak or spread of such infection pursuant to the ordinance of the Ministry of Health and Welfare.

(Restrictions on Transport of Bodies)

Article 30 Each prefectural governor, if he/she deems it to be necessary in order to prevent the outbreak or spread of an infection of categories 1, 2 or 3, may restrict or prohibit the transport of a body which is contaminated or suspected to be contaminated by the pathogen of any of these infections.

- 2 A body which is contaminated or suspected to be contaminated by the pathogen of an infection of categories 1, 2 or 3 shall be cremated. Provided, however, if the body has been completely disinfected and the permission of the prefectural governor is obtained, such body can be buried.
- 3 A body which is contaminated or suspected to be contaminated by the pathogen of an infection of categories 1, 2 or 3 shall be cremated or buried within 24 hours.

(Restrictions on Use of Water Supplied for Domestic Use)

Article 31 Each prefectural governor, if he/she deems it to be necessary in order to prevent the outbreak or spread of an infection of categories 1, 2 or 3, may order the person who is in charge of supplying water for domestic use which is contaminated or suspected to be contaminated by the pathogen of any of these infections to restrict or prohibit the use or supply of such water for a specified period.

- 2 If a prefectural governor issues an order to restrict or prohibit the use or supply of water for domestic use pursuant to the provisions of the preceding section, the municipalities concerned shall supply water to the users of such water for the period provided for in the preceding section under the direction of the prefectural governor.

(Measures concerning Buildings)

Article 32 In the case where a building is contaminated or suspected to be contaminated by the pathogen of a category 1 infection and it is difficult to prevent the spread of such infection by disinfection, the prefectural governor may restrict or prohibit entry into such building pursuant to the ordinance of the Ministry of Health and Welfare for the period specified by the governor.

- 2 In the case where a category 1 infection cannot be prevented from spreading by the measure provided in the preceding section and there is an urgent need to prevent the spread of such infection, the prefectural governor may blockade any building which is contaminated or suspected to be contaminated by the pathogen of said infection or take other necessary measures to prevent the spread of such infection in accordance with the standards provided by the

ordinance.

(Traffic Restrictions or Road Blocks)

Article 33 If there is an urgent need to prevent the spread a category 1 infection and it is difficult to do so by disinfection, the prefectural governor may restrict traffic or block off the roads in the area that is contaminated or suspected to be contaminated by the pathogen of such infection for a period of not more than 72 hours specified by the governor in accordance with the standards provided by the ordinance.

(Minimum Measures)

Article 34 Measures to be taken pursuant to the provisions of Article 27 through the preceding article shall be the minimum measures to prevent the outbreak or spread of infections.

(Inquiry and Investigation)

Article 35 Each prefectural governor, if he/she deems it to be necessary in order to implement the measures provided for in Article 17 through Article 33, may require its personnel to inspect the place where a patient of an infection of categories 1, 2 or 3 is or was, the place where the body of the person who has died of such infection is or was, or the place which is contaminated or suspected to be contaminated by the pathogen of said infection, and to question the patient or suspected patient, the pathogen carrier with no symptoms or other persons concerned and to conduct necessary investigations.

- 2 The personnel referred to in Section 1 shall carry identification to be presented on demand to the person concerned.
- 3 The provisions of section 1 shall not be construed as being in any way related to those laid down for the purpose of criminal investigation.
- 4 The provisions of the preceding three sections shall be applied to any cases where a mayor deems such procedures to be necessary in order to implement the measures provided for in Section 2 of Article 27, Section 2 of Article 28, Section 2 of Article 28 or Section 2 of Article 31.
- 5 Items to be contained in the identification referred to in Section 3 shall be provided by the ordinance of the Ministry of Health and Welfare.

(Written Notice)

Article 36 When taking or requiring its personnel to implement any of the measures provided for in Section 1 of Article 27, Section 1 of Article 28, Section 1 or Section 2 of Article 29, Section 1 of Article 30, or Section 1 of

Article 31, the prefectural governor shall notify the person who is subject to such measure or the parent of such person, of the decision to take such measures, the reason for taking such measures and other information required by the ordinance of the Ministry of Health and Welfare in writing, except for any cases where there is an urgent need to implement such measures without notifying the said information in writing.

- 2 With regard to urgent cases as described in the preceding section, the prefectural governor shall deliver a document showing the fact that such measures have been taken, the reason for taking such measures, and other information required by the ordinance of the Ministry of Health and Welfare referred to in the preceding section within a reasonable period following the implementation of such measures.
- 3 When taking or requiring its personnel to implement any of the measures provided for in Article 32 or Article 33, the prefectural governor shall post a notice in an appropriate place, showing the decision to take such measures, the reason for taking such measures, and other information required by the ordinance of the Ministry of Health and Welfare.
- 4 The provisions of Section 1 and Section 2 shall be applied to any cases where a mayor requires his personnel to implement any of the measures provided for in Section 2 of Article 27, Section 2 of Article 28, or Section 2 of Article 29.

Chapter 6 Medical Care

(Medical Care for Inpatients)

Article 37 If a prefectural governor issues a recommendation for hospitalization or implements procedures to hospitalize a patient of an infection pursuant to the provisions of Article 19, Article 20 (including the application of these provisions under Article 26), or Article 46, the prefectural government shall bear the expenses of the following medical care to be provided to the patient (in this article, including a person who has the symptoms of a new infection) hospitalized pursuant to such recommendation or procedures if such patient or the parent of such patient makes an application.

- (1) Medical examination
 - (2) Provision of drugs and medical equipment
 - (3) Medical treatment, surgery and other kinds of medical care
 - (4) Hospitalization, nursing during medical treatment and other care
- 2 Notwithstanding the provisions of the preceding section, if the patient referred to in the preceding section, the spouse or person who has the duty of supporting such patient under Article 877 Section 1 of the Civil Code (Law No. 89, 1896)

is deemed to be able to pay all or part of the expenses specified in the preceding section, the prefectural government shall not have to bear the expenses for that part which such person can afford.

- 3 The application referred to in Section 1 shall be submitted to the prefectural governor via the director of the health center which has jurisdiction over the address of the patient.

(Medical Institutions Designated to Treat Infections)

Article 38 The designation of a specified medical institution to treat infections shall be made by the Minister of Health and Welfare upon consultation with the governor of the prefecture which has jurisdiction over the place such institution is located with the consent of the founder of such institution.

- 2 The designation of a class 1 medical institution designated to treat infections or a class 2 medical institution designated to treat infections, which must satisfy the standards set by the Minister of Health and Welfare, shall be made by the prefectural governor with the consent of the founder of such institution.
- 3 Medical institutions designated to treat infections shall, under the provisions set by the Minister of Health and Welfare, take charge of providing medical care for the patients of infections or those who have the symptoms of new infections whose medical expenses are to be born by the prefectural government pursuant to the provisions of the preceding article.
- 4 Specified medical institutions designated to treat infections shall follow the guidance provided by the Minister of Health and Welfare in providing the medical care specified in Section 1 of the preceding article for those patients who have the symptoms of new infections and the patients of category 1 or category 2 infections.
- 5 Class 1 medical institutions shall follow the guidance provided by the prefectural governors pursuant to the ordinance of the Ministry of Health and Welfare in providing the medical care specified in Section 1 of the preceding article for the patients of category 1 or category 2 infections.
- 6 Class 2 medical institutions shall follow the guidance provided by the prefectural governors pursuant to the ordinance of the Ministry of Health and Welfare in providing the medical care specified in Section 1 of the preceding article for the patients of category 2 infections.
- 7 A medical institution designated to treat infections which intends to decline such designation shall notify its intention to the Minister of Health and Welfare in the case of a specified medical institution designated to treat infections, and to the prefectural governor in the case of a class 1 or class 2 medical institution designated to treat infections, at least one year prior to the date it intends to

decline the designation.

- 8 If a medical institution designated to treat infections violates any of the provisions of Section 3 to Section 6, or is otherwise deemed to be unsuitable to provide the medical care referred to in the preceding section, the Minister of Health and Welfare may revoke the designation of such institution if it is a specified medical institution designated to treat infections, and the prefectural governor may revoke the designation of such institution if it is a class 1 or class 2 medical institution designated to treat infections.

(Relation with Medical Benefits under Other Laws)

Article 39 If a patient of an infection (excluding a person who has the symptoms of a new infection) who is entitled to receive payment for the expenses specified in Section 1 of Article 37, is entitled to any medical benefit under the provisions of the Health Insurance Act (Law No. 70, 1922), National Health Insurance Law (Law No. 192, 1958), Mariners' Insurance Law (Law No. 73, 1939), Workmen's Accident Compensation Insurance Law (Law No. 50, 1947), National Public Service Mutual Aid Association Law (Law No. 128, 1958. Including its application to other laws or examples), Local Public Service Mutual Aid Association Law (law No. 152, 1962), or (law No. 80, 1982), the prefectural government shall not have to bear the expenses specified in the section indicated to the extent of the amount of such benefit.

(Claims for, Examination and Payment of Medical Fees)

- Article 40 Each medical institution designated to treat infections shall claim from the prefectural government the portion of the medical fees to be paid by the prefectural government pursuant to the provisions of Section 1 of Article 37.
- 2 Each prefectural government shall pay the medical fees referred to in the preceding section to the medical institution designated to treat infections that made such claim.
 - 3 Each prefectural governor may at any time examine the contents of medical care provided by medical institutions designated to treat infections and the claims for medical fees made by such institutions, and may also decide the amount of the medical fees which each institution can claim for under the provisions of Section 1.
 - 4 Each medical institution designated to treat infections shall comply with the decision made by the prefectural governor pursuant to the provisions of the preceding section.
 - 5 In deciding the amount of medical fees pursuant to the provisions of Section 3,

each prefectural governor shall seek the opinion of the examination committee provided in the Social Insurance Medical Fee Payment Fund Law (law No. 129, 1946), the National Health Insurance Medical Fee Examination Committee provided in the National Health Insurance Law, or other examination organization related to medical care provided in the ordinance.

- 6 Each prefectural government may entrust the administration related to the payment of medical fees to medical institutions designated to treat infections to the Social Insurance Medical Fee Payment Fund, the Association of National Health Insurance Organization or other person specified by the ordinance of the Ministry of Health and Welfare.
- 7 Any appeal under the Administrative Appeal Law can not be filed against the decision of the amount of medical fees that has been made pursuant to the provisions of Section 3.

(Standard Medical Fees)

Article 41 The fees for the medical care listed in Section 1 of Article 37 to be provided by medical institutions designated to treat infections shall be determined according to the standard fees set for the purposes of health insurance.

- 2 In cases to which the application of the standard fees referred to in the preceding section is impossible or inappropriate, the medical fees shall be determined by the Minister of Health and Welfare upon consultation with the Council on Public Health.

(Exceptions concerning Medical Care in an Emergency)

Article 42 If a patient (or, in this article, a person who has the symptoms of a new infection) who was hospitalized in a hospital or clinic other than the medical institutions designated to treat infections pursuant to the provisions of Article 19, Article 20 (including the case where these provisions are applied under Article 26), or Article 46, receives any of the medical care listed in Section 1 of Article 37 at such hospital or clinic, the prefectural government may pay the amount to be born by the prefectural governor which is determined according to the standard fees referred to in said section, in response to an application filed by such patient or the parent of such patient. The same shall be applied to cases where such patient receives any of the medical care listed in said section at a medical institution designated to treat infections without making an application referred to in the same section for any unavoidable reason such as emergency.

- 2 The provisions of Section 3 of Article 37 shall be applied to the application

referred to in the preceding section.

- 3 The medical fees specified in Section 1 shall be paid on condition that it is deemed that such medical care was necessary at the time it was provided to such patient.

(Demand for Report and Inspection)

Article 43 The Minister of Health and Welfare or the prefectural governor, if he/she deems it to be necessary in order to ensure that the expenses to be born under the provision of Section 1 of Article 37 is reasonable, may demand the necessary reports from the managers of the medical institutions designated to treat infections, or require its personnel to conduct an on-site inspection of the medical records, books and other documents of such institutions with the consent of its manager.

- 2 If a medical institution designated to treat infections does not comply with the demand or fails to submit the report provided for in the preceding section without good reason, or submits a falsified report, or its manager refuses to consent to the inspection provided in the preceding section, the Minister of Health and Welfare or the prefectural governor may suspend the payment of medical fees to such institution or cause such payment to be suspended.

(Matters to be Provided by the Ordinance of the Ministry of Health and Welfare)

Article 44 Other matters related to the payment of expenses specified in this chapter that are not provided for in this law, including the procedures to make application under Section 1 of Article 37, claims for and payment of medical fees under Article 40, and the procedures to entrust paperwork, shall be provided in the ordinance of the Ministry of Health and Welfare.

Chapter 7 New Infections

(Medical Examination of New Infections)

Article 45 Each prefectural governor, if he/she deems it to be necessary in order to prevent the spread of a new infection, may recommend the person who is reasonably suspected of having contracted such infection to undergo an examination by a doctor to establish whether such person has contracted said infection, or recommend the parent of said person to have such person undergo a medical examination.

- 2 If the person who receives a recommendation under the preceding section does not comply with such recommendation, the prefectural governor may require its personnel to conduct a medical examination of the person who is reasonably

suspected of having contracted the new infection referred to in such recommendation.

- 3 The provisions of Section 3 and Section 4 of Article 17 shall be applied when a prefectural governor issues a recommendation for medical examination or implements the procedures provided in the preceding section.

(Hospitalization of a Person Who Has the Symptoms of a New Infection)

Article 46 Each prefectural governor, if he/she deems it to be necessary in order to prevent the spread of a new infection, may recommend the person who has the symptoms of such new infection to be hospitalized in a specified medical institution designated to treat infections for the period of not more than 10 days specified by the governor, or recommend the parent of such person to hospitalize said person. Provided, however, that if there is any unavoidable reason such as emergency, the prefectural governor may recommend the person who has the symptoms of such new infection or the parent of such person to be hospitalized or to hospitalize said person in a hospital or clinic other than the specified medical institution designated to treat infections which the governor deems to be appropriate.

- 2 If the person who receives a recommendation issued under the preceding section does not comply with such recommendation, the prefectural governor may hospitalize the person who has the symptoms of the new infection referred to in such recommendation in a specified medical institution designated to treat infections (or, in the case of a recommendation under the provisory clause, a hospital or clinic other than specified medical institutions designated to treat infections which the governor deems to be appropriate), for the period of not more than 10 days specified by the governor.
- 3 If there is an unavoidable reason such as emergency, the prefectural governor may hospitalize the person who is in a hospital or clinic under the provisions of the preceding two sections in another hospital or clinic which the governor deems to be appropriate for the specified period of not more than 10 days counting from the date such person was hospitalized, pursuant to the provisions of the preceding two sections.
- 4 Upon the expiration of the period of hospitalization provided for in the preceding three sections, the prefectural governor may extend the period of hospitalization of the person who has the symptoms of the new infection referred to in the preceding sections for the period of not more than 10 days specified by the governor if the governor deems the extension to be necessary. The same shall be applied to the re-extension of the extended period pursuant to the preceding paragraph.