

Act on Public Health Nurses, Midwives, and Nurses

(Act No. 203 of July 30, 1948)

Table of Contents

Chapter I General Provisions (Articles 1 to 6)

Chapter II Licensure (Articles 7 to 16)

Chapter III Examinations (Articles 17 to 28-2)

Chapter IV Practice (Articles 29 to 42-3)

Chapter IV-2 Miscellaneous Provisions (Article 42-4, Article 42-5)

Chapter V Penal Provisions (Article 43 to Article 45-2)

Supplementary Provisions

Chapter I General Provisions

(Purpose of the Act)

Article 1 The purpose of this Act is to improve the quality of Public Health Nurses, Midwives, and Nurses, and to thereby expand and improve medical care and public health.

(Definition of Public Health Nurse)

Article 2 The term "Public Health Nurse" as used in this Act means a person under licensure from the Minister of Health, Labour and Welfare to use the title of Public Health Nurse and provide health guidance as a profession.

(Definition of Midwife)

Article 3 The term "Midwife" as used in this Act means a woman under licensure from the Minister of Health, Labour and Welfare to practice midwifery or provide health guidance for pregnant women, puerperal women, or newborn babies, as a profession.

Article 4 Deletion

(Definition of Nurse)

Article 5 The term "Nurse" as used in this Act means a person under licensure from the Minister of Health, Labour and Welfare to provide medical treatment or assist in medical care for injured and ill persons or puerperal women, as a profession.

(Definition of Assistant Nurse)

Article 6 The term "Assistant Nurse" as used in this Act means a person under licensure from the prefectural governor to do as set forth in the preceding Articles under the direction of a physician, dentist, or Nurse, as a profession.

Chapter II Licensure

(Licensure of Public Health Nurses, Midwives, and Nurses)

Article 7 (1) A person seeking to become a Public Health Nurse must pass the National Public Health Nursing Examination and the National Nursing Examination and receive licensure from the Minister of Health, Labour and Welfare.

(2) A person seeking to become a Midwife must pass the National Midwifery Examination and National Nursing Examination and receive licensure from the Minister of Health, Labour and Welfare.

(3) A person seeking to become a Nurse must pass the National Nursing Examination and receive licensure from the Minister of Health, Labour and Welfare.

(Licensure of Assistant Nurses)

Article 8 A person seeking to become an Assistant Nurse must pass the Assistant Nursing Examination and receive licensure from the prefectural governor.

(Grounds for Disqualification)

Article 9 A person who falls under any of the following items may be denied the licensure set forth in the preceding two Articles (hereinafter referred to as "Licensure"):

(i) A person who has been sentenced to a criminal fine or severer punishment.

(ii) A person other than one falling under the preceding item, who has committed a crime or engaged in misconduct involving practice as a Public Health Nurse, Midwife, Nurse, or Assistant Nurse.

(iii) A person specified by Ordinance of the Ministry of Health, Labour and Welfare as being unable to appropriately practice as a Public Health Nurse, Midwife, Nurse, or Assistant Nurse, due to a physical disability or mental disorder.

(iv) A person who is addicted to narcotics, marijuana, or opium.

(Public Health Nurse Registry, Midwife Registry, and Nurse Registry)

Article 10 The Public Health Nurse Registry, the Midwife Registry, and the Nurse Registry are kept by the Ministry of Health, Labour and Welfare, and registration dates, the particulars of dispositions under the provisions of

Article 14, paragraph (1), and other particulars of Public Health Nurse Licensure, Midwife Licensure, and Nurse Licensure are registered therein.

(Assistant Nurse Registries)

Article 11 An Assistant Nurse Registry is kept by the prefectural government, and registration dates, the particulars of dispositions under the provisions of Article 14, paragraph (2), and other particulars of Assistant Nurse Licensure are registered therein.

(Granting of Licensure and Issuance of Licenses)

Article 12 (1) Public Health Nurse Licensure is done via registration in the Public Health Nurse Registry, on the application of a person who has passed the National Public Health Nursing Examination and the National Nursing Examination.

(2) Midwife Licensure is done via registration in the Midwife Registry, on the application of a person who has passed the National Midwifery Examination and the National Nursing Examination.

(3) Nurse Licensure is done via registration in the Nurse Registry, on the application of a person who has passed the National Nursing Examination.

(4) Assistant Nurse Licensure is done via registration in the Assistant Nurse Registry, on the application of a person who has passed the Assistant Nursing Examination.

(5) When the Minister of Health, Labour and Welfare or the prefectural governor grants Licensure, a Public Health Nurse License, Midwife License, Nurse License, or Assistant Nurse License is issued.

(Hearing of Opinions)

Article 13 (1) Before finding an applicant for Public Health Nurse Licensure, Midwife Licensure, or Nurse Licensure to fall under Article 9, item (iii) and deciding to deny the Licensure to which the application pertains pursuant to the provisions of said Article, the Minister of Health, Labour and Welfare shall notify the applicant of this, and, if so requested by the applicant, the Minister shall have the officials designated by the Minister hear the opinions of the applicant.

(2) Before finding an applicant for Assistant Nurse Licensure to fall under Article 9 item (iii) and deciding to deny the applicant Assistant Nurse Licensure pursuant to provisions of said Article, the prefectural governor shall notify the applicant of this, and, if so requested by the applicant, the prefectural governor shall have the officials designated by the prefectural governor hear the opinions of the applicant.

(Revocation, etc. of Licensure)

Article 14 (1) If a Public Health Nurse, Midwife, or Nurse has come to fall under any of the items of Article 9, or has conducted himself/herself in way that is damaging to the dignity of a Public Health Nurse, Midwife, or Nurse, the Minister of Health, Labour and Welfare may reach the following dispositions:

- (i) Admonition.
- (ii) Suspension of practice for up to three years.
- (iii) Revocation of Licensure.

(2) If an Assistant Nurse has come to fall under any of the items of Article 9, or has conducted himself/herself in a way that is damaging to the dignity of an Assistant Nurse, the prefectural governor may reach the following dispositions:

- (i) Admonition.
- (ii) Suspension of practice for up to three years.
- (iii) Revocation of Licensure.

(3) Even if a person has been subject to a disposition of revocation under the provisions of the preceding two paragraphs (excluding a person who has become subject to a disposition of revocation under the provisions of the preceding two paragraphs for falling under item (i) or (ii) of Article 9 or for conducting himself/herself in a way that is damaging to the dignity of a Public Health Nurse, Midwife, Nurse, or Assistant Nurse, and for whom five years have not elapsed since the date of that disposition), such person may be granted Licensure again if the particulars of the grounds for revocation have ceased to apply to such person, or when it has otherwise come to be found appropriate to grant said person relicensure due to subsequent circumstances. In such case, the provisions of Article 12 apply *mutatis mutandis*.

(Procedures for a Disposition of Licensure Revocation or Suspension of Practice)

Article 15 (1) Before seeking to reach any of the dispositions provided for in paragraph (1) or paragraph (3) of the preceding Article, the Minister of Health, Labour and Welfare shall hear the opinions of the Medical Ethics Council.

(2) Before seeking to reach any of the dispositions provided for in paragraph (2) or paragraph (3) of the preceding Article, the prefectural governor shall hear the opinions of the Assistant Nursing Examination Board.

(3) Before seeking to reach a disposition to revoke licensure pursuant to the provisions of paragraph (1) of the preceding Article, the Minister of Health, Labour and Welfare may request the prefectural governor to hear the opinion of the person to whom such disposition would pertain, and may substitute said hearing of opinion for the hearing by the Minister of Health, Labour and Welfare.

(4) The provisions of Chapter III, Section 2 (excluding Article 25, Article 26,

Article 28) of the Administrative Procedure Act (Act No.88 of 1993) apply mutatis mutandis to when the prefectural governor hears an opinion pursuant to the provisions of the preceding paragraph. In this case, the term "hearing" in said Section is deemed to be replaced with "hearing of opinions,"; the term "administrative agency" in Article 15, paragraph (1) of said Act is deemed to be replaced with "prefectural governor"; in paragraph (3) of the same Article (including as applied mutatis mutandis pursuant to Article 22, paragraph (3) of said Act) the phrase "the administrative agency shall" is deemed to be replaced with "the prefectural governor shall," the phrase "said administrative agency" is deemed to be replaced with "said prefectural governor," and the phrase "of said administrative agency" is deemed to be replaced with "of said prefecture"; the phrase "the administrative agency" in Article 16, paragraph (4) and Article 18, paragraphs (1) and (3) of said Act is deemed to be replaced with "the prefectural governor"; the phrase "official designated by the administrative agencies or such agencies or such other persons as may be provided for by a Cabinet Order" in Article 19, paragraph (1) of said Act is deemed to be replaced with "official designated by the prefectural governor"; the term "administrative agency" in Article 20, paragraphs (1), (2), and (4) of said Act is deemed to be replaced with "prefecture"; and the term "administrative agency" in paragraph (6) of the same Article and in Article 24, paragraph (3) and Article 27, paragraph (1) of the same Act is deemed to be replaced with "prefectural governor."

- (5) If so requested by the prefectural governor, the Minister of Health, Labour and Welfare shall promptly send the prefectural governor documents proving the facts that give cause for the relevant disposition and other documents necessary for the hearing of opinions.
- (6) If the prefectural governor conducts a hearing of opinions pursuant to the provisions of paragraph (3), and the record referred to in Article 24, paragraph (1) of the Administrative Procedure Act and the written report referred to in paragraph (3) of the same Article have been submitted thereto pursuant to the provisions of paragraph (3) of the same Article, as applied mutatis mutandis by replacing certain terms pursuant to paragraph (4) of this Article, in addition to preserving such record and written report, the prefectural governor shall prepare a written opinion detailing his/her opinion about a ruling in the relevant disposition, and shall submit this written opinion, along with copies of the record and the written report, to the Minister of Health, Labour and Welfare.
- (7) If the Minister of Health, Labour and Welfare finds it to be necessary in light of circumstances arising after the conclusion of a hearing of opinions, the Minister may return the written opinion submitted thereto pursuant to the provisions of preceding paragraph and request the prefectural governor to

- order the presiding official to reopen the hearing of opinions. The provisions of the main clause of Article 22, paragraph (2) and paragraph (3) of the Administrative Procedure Act apply mutatis mutandis in such case.
- (8) The Minister of Health, Labour and Welfare shall rule on a disposition only after careful consideration of the contents of the written opinion and of the copies of the record and written report submitted pursuant to the provisions of paragraph (6).
- (9) Before seeking to issue an order for the suspension of practice pursuant to the provisions of paragraph (1) of the preceding Article, the Minister of Health, Labour and Welfare may request the prefectural governor to hear the explanation of the person to whom such disposition would pertain, and may substitute said explanation hearing for the grant of an opportunity for explanation by the Minister of Health, Labour and Welfare.
- (10) If an explanation hearing is held pursuant to the provisions of the preceding paragraph, the prefectural governor shall notify the person to whom the disposition would pertain of the following matters in writing, an appropriate amount of time before the date for the explanation hearing:
- (i) That a disposition is being sought with the provisions of paragraph (1) of the preceding Article as the grounds therefor, and the contents of such disposition.
 - (ii) The facts that give cause for the relevant disposition.
 - (iii) The time, date, and place of the explanation hearing.
- (11) Other than in a case prescribed in the preceding paragraph (9), the Minister of Health, Labour and Welfare may have a member of the Medical Ethics Council hear the explanation of the person to whom the disposition would pertain, substituting this for the grant of an opportunity for explanation by the Minister of Health, Labour and Welfare. In such case, the phrase "preceding paragraph" in the preceding paragraph is deemed to be replaced with "following paragraph," the phrase "prefectural governor" is deemed to be replaced with "Minister of Health, Labour and Welfare," and the provisions of said paragraph apply.
- (12) A person who has received the notification referred to in paragraph (10) (including as applied mutatis mutandis by replacing certain terms and phases pursuant to the provisions of the second sentence of the preceding paragraph), may have a representative appear, and may submit documentary evidence or articles of evidence.
- (13) If the prefectural governor or a member of the Medical Ethics Council has heard an explanation pursuant to paragraph (9) or the first sentence of paragraph (11), in addition to creating and preserving the hearing record, the prefectural governor or member of the Medical Ethics Council shall prepare a written report detailing an opinion about the ruling for the relevant disposition

and submit this to the Minister of Health, Labour and Welfare.

- (14) If the prefectural governor conducts a hearing of opinions or an explanation hearing pursuant to the provisions of paragraph (3) or paragraph (9), the Minister of Health, Labour and Welfare shall notify the prefectural governor of the following particulars in advance:
- (i) The name and address of the person to whom the disposition would pertain.
 - (ii) The contents of the disposition and the specific provisions that are grounds for the disposition.
 - (iii) The facts that give cause for the relevant disposition.
- (15) The notification prescribed in Article 15, paragraph (1) of the Administrative Procedure Act, as applied mutatis mutandis by replacing certain terms pursuant to paragraph (4), or the notification prescribed in paragraph (10) for the hearing of an explanation pursuant to paragraph (9), must be based on the contents of the notification issued pursuant to the preceding paragraph.
- (16) Before seeking to issue an order for the suspension of practice pursuant to the provisions of paragraph (2) of the preceding Article, the prefectural governor may have a member of the Assistant Nursing Examination Board hear the explanation of the person to whom the disposition would pertain, substituting this for the grant of an opportunity for explanation by the prefectural governor.
- (17) The provisions of paragraph (10), paragraph (12), and paragraph (13) apply mutatis mutandis when a member of the Assistant Nursing Examination Board hears an explanation pursuant to the provisions of the preceding paragraph. In this case, in paragraph (10), the phrase "preceding paragraph" is deemed to be replaced with "paragraph (16)" and the phrase "paragraph (1) of the preceding Article" is deemed to be replaced with "paragraph (2) of the preceding Article"; in paragraph (12), the phrase "paragraph (10) (including as applied mutatis mutandis by replacing certain terms and phrases pursuant to the provisions of the second sentence of the preceding paragraph)" is deemed to be replaced with "paragraph (10) as applied mutatis mutandis pursuant to paragraph (17)"; in paragraph (13), the phrase "the prefectural governor or a member of the Medical Ethics Council" is deemed to be replaced with "a member of the Assistant Nursing Examination Board" the phrase "paragraph (9) or the first sentence of paragraph (11)" is deemed to be replaced with "paragraph (16)," and the phrase "Minister of Health, Labour and Welfare" is deemed to be replaced with "prefectural governor."
- (18) If the prefectural governor conducts a hearing of opinions or an explanation hearing pursuant to the provisions of paragraph (3) or paragraph (9), if a member of the Medical Ethics Council conducts an explanation hearing pursuant to the provisions of the first sentence of paragraph (11), or if a member of the Assistant Nursing Examination Board conducts an explanation

hearing pursuant to the provisions in paragraph (16), the provisions of Chapter III (excluding Article 12 and Article 14) of the Administrative Procedure Act do not apply.

(Re-education and Training for Public Health Nurses, etc.)

- Article 15-2 (1) The Minister of Health, Labour and Welfare may order to a Public Health Nurse, Midwife, or Nurse who has become subject to a disposition set forth in Article 14, paragraph (1) or paragraph (2), or a person seeking relicensure pursuant to provisions of paragraph (3) of said Article as a Public Health Nurse, Midwife, or Nurse, to undergo the training specified by Ordinance of the Ministry of Health, Labour and Welfare as training in maintaining ethics as a Public Health Nurse, Midwife, or Nurse, or as training in the knowledge and skills that a person needs as a Public Health Nurse, Midwife, or Nurse (hereinafter referred to as "Re-education and Training for Public Health Nurses, etc.").
- (2) The prefectural governor may order an Assistant Nurse who has become subject to a disposition prescribed in Article 14, paragraph (1) or paragraph (2), or a person seeking relicensure as an Assistant Nurse, pursuant to provisions of paragraph (3) of said Article, to undergo the training specified by Ordinance of the Ministry of Health, Labour and Welfare as training in maintaining ethics as an Assistant Nurse, or as training in the knowledge and skills a person needs as an Assistant Nurse (hereinafter referred to as "Re-education and Training for Assistant Nurses").
- (3) The Minister of Health, Labour, and Welfare shall register persons who have completed the Re-education and Training for Public Health Nurses, etc. under the provisions of paragraph (1) as having completed the Re-education and Training for Public Health Nurses, etc. , in the Public Health Nurse Registry, Midwife Registry, or Nurse Registry.
- (4) The prefectural governor shall register persons who have completed the Re-education and Training for Assistant Nurses under the provisions of paragraph (2) as having completed the Re-education and Training for Assistant Nurses, in the Assistant Nurse Registry.
- (5) After having made a registration referred to in the preceding two paragraphs, the Minister of Health, Labour, and Welfare or the prefectural governor shall issue a registration certificate for completion of re-education and training.
- (6) A person seeking registration under paragraph (3) or a person seeking updated issuance or reissuance of a registration certificate for completion of Public Health Nurse, Midwife, or Nurse re-education and training, shall pay the fee specified by Cabinet Order based on actual costs.
- (7) The provisions of paragraph (9) to paragraph (15) (excluding paragraph (11)) and paragraph (18) of the preceding Article apply mutatis mutandis when the

relevant person seeks to issue an order under the provisions of paragraph 1. The necessary technical replacement of terms for such a case is specified by Cabinet Order.

(Delegation to Cabinet Order, etc.)

Article 16 Beyond what is provided for in this Chapter, other necessary particulars concerning application for Licensure; registration in, corrections to, and deletions in the Public Health Nurse Registry, Midwife Registry, Nurse Registry, and Assistant Nurse Registry; the issuance, updated issuance, reissuance, return, or submission of a license; and address notifications, are specified by Cabinet Order; and the necessary particulars for implementing the Re-education and Training for Public Health Nurses, etc. referred to in paragraph (1) of the preceding Article and the Re-education and Training for Assistant Nurses referred to in paragraph (2) of said Article; for registration in the Public Health Nurse Registry, Midwife Registry, or Nurse Registry as referred to in paragraph (3) of said Article or registration in the Assistant Nurse Registry as referred to in paragraph (4) of said Article; or for the issuance, updated issuance, or reissuance of a registration certificate for completion of re-education and training as prescribed in paragraph (5) of said Article, are specified by Ordinance of the Ministry of Health, Labour and Welfare.

Chapter III Examinations

(Contents of the Examinations)

Article 17 The National Public Health Nursing Examination, National Midwifery Examination, National Nursing Examination, and Assistant Nursing Examination, are conducted with regard to the knowledge and skills required for Public Health Nurses, Midwives, Nurses, and Assistant Nurses, respectively.

(Administration of the Examinations)

Article 18 The Minister of Health, Labour and Welfare administers the National Public Health Nursing Examination, the National Midwifery Examination, and the National Nursing Examination; and the prefectural governor administers the Assistant Nursing Examination, at least once a year, in accordance with the criteria specified by the Minister of Health, Labour and Welfare.

(Qualifications to Sit for the National Public Health Nursing Examination)

Article 19 Only a person who falls under one of the following items may sit for the National Public Health Nursing Examination:

- (i) A person who has followed the required course of studies for becoming a Public Health Nurse for at least one year, at a school designated by the Minister of Education, Culture, Sports, Science and Technology as complying with the criteria specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare.
- (ii) A person who has graduated from a Public Health Nurse training school designated by the Minister of Health, Labour and Welfare as complying with the criteria specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare.
- (iii) A person who has graduated from a foreign school or training school for the practice provided for in Article 2 or who has received Licensure equivalent to Public Health Nurse Licensure in a foreign country, whom the Minister of Health, Labour and Welfare finds to have knowledge and skill equal to or greater than the persons set forth in the preceding two items.

(Qualifications to Sit for the National Midwifery Examination)

Article 20 Only a person who falls under one of the following items may sit for the National Midwifery Examination:

- (i) A person who has followed a course of studies in midwifery for at least one year, at a school designated by the Minister of Education, Culture, Sports, Science and Technology as complying with the criteria specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare.
- (ii) A person who has graduated from a Midwife training school designated by the Minister of Health, Labour and Welfare as complying with the criteria specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare.
- (iii) A person who has graduated from a foreign school or training school for the practice provided for in Article 3 or who has received Licensure equivalent to Midwife Licensure in a foreign country, whom the Minister of Health, Labour and Welfare finds to have knowledge and skill equal to or greater than the persons set forth in the preceding two items.

(Qualifications to Sit for the National Nursing Examination)

Article 21 Only a person who falls under one of the following items may sit for the National Nursing Examination:

- (i) A person who has graduated following completion of the required course of studies for becoming a Nurse at a university (excluding a junior college; the

- same applies in item (iv)) under the School Education Act (Act No. 26 of 1947) which is designated by the Minister of Education, Culture, Sports, Science and Technology as complying with the criteria specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare.
- (ii) A person who has followed the required course of studies for becoming a Nurse for at least three years, at a school designated by the Minister of Education, Culture, Sports, Science and Technology as complying with the criteria specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare.
 - (iii) A person who has graduated from a Nurse training school designated by the Minister of Health, Labour and Welfare as complying with the criteria specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare.
 - (iv) An Assistant Nurse who has practiced for at least three years after obtaining Licensure, or an Assistant Nurse who has graduated from a high school or junior school under the School Education Act and trained for at least two years at a university, school, or training school provided for in one of the preceding three items.
 - (v) A person who has graduated from a foreign school or training school for the practice provided for in Article 5 or who has received Licensure equivalent to Nurse Licensure in a foreign country, whom the Minister of Health, Labour and Welfare finds to have knowledge and skill equal to or greater than the persons set forth in items (i) to (iii).

(Qualifications to Sit for the Assistant Nursing Examination)

Article 22 Only a person who falls under one of the following items may sit for the Assistant Nursing Examination:

- (i) A person who has followed a course of studies in nursing for two years, at a school designated by the Minister of Education, Culture, Sports, Science and Technology as complying with the criteria specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare.
- (ii) A person who has graduated from an Assistant Nurse training school designated, in accordance with the criteria specified by the Minister of Health, Labour and Welfare, by the prefectural governor as complying with the criteria specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare.

- (iii) A person who falls under any of items (i) through (iii) or item (v) of the preceding Article.
- (iv) A person who has graduated from a foreign school or training school for the practice provided for in Article 5 or who has received Licensure equivalent to Nurse Licensure in a foreign country, who does not fall under item (v) of the preceding Article, and whom the prefectural governor finds to be appropriate, in accordance with the criteria specified by the Minister of Health, Labour and Welfare.

(Hearing of Opinions of the Medical Ethics Council)

Article 22-2 (1) The Minister of Health, Labour and Welfare shall hear the opinions of the Medical Ethics Council before seeking to establish the methods for deciding the subjects, administration, and successful examinees with regard to the National Public Health Nursing Examination, the National Midwifery Examination, and the National Nursing Examination, and before seeking to establish the criteria provided for in Article 18.

(2) The Minister of Education, Culture, Sports, Science and Technology or the Minister of Health, Labour and Welfare shall hear the opinions of the Medical Ethics Council before seeking to establish criteria pursuant to the provisions of Article 19, item (i) or item (ii); Article 20, item (i) or (ii); from Article 21, item (i) to item (iii); or item (i) or item (ii) of the preceding Article.

(Establishment of the Public Health Nursing, Midwifery, and Nursing Examination Board)

Article 23 (1) The Public Health Nursing, Midwifery, and Nursing Examination Board is established in the Ministry of Health, Labour and Welfare, for the purpose of handling the administrative functions involved in administering the National Public Health Nursing Examination, National Midwifery Examination, and National Nursing Examination.

(2) The necessary particulars of the Public Health Nursing, Midwifery, and Nursing Examination Board are specified by Cabinet Order.

Article 24 Deletion

(Assistant Nursing Examination Board)

Article 25 (1) Assistant Nursing Examination Boards are established in the prefectural governments, for the purpose of handling the administrative functions involved in administering the Assistant Nursing Examinations.

(2) The necessary particulars of the Assistant Nursing Examination Boards are specified by Prefectural Ordinance

Article 26 Deletion (Act No. 87 of 1999)

(Prohibition of Misconduct by Persons In Charge Of Administrative Functions for Examinations)

Article 27 Members of the Public Health Nursing, Midwifery, and Nursing Examination Board, members of the Assistant Nursing Examination Board, and any other person handling administrative functions for administrating the National Public Health Nursing Examination, National Midwifery Examination, National Nursing Examination, or Assistant Nursing Examination, shall maintain a strict attitude in the administration of such functions, and shall administer such functions so as to prevent any misconduct.

(Delegation to Cabinet Order and Ministerial Ordinance)

Article 28 Beyond what is provided for in this Chapter, other necessary particulars involved in the designation of a school or training school pursuant to the provisions in Articles 19 through 22 are specified by Cabinet Order, and examination subjects, examination procedures, and other necessary examination particulars for the National Public Health Nursing Examination, National Midwifery Examination, National Nursing Examination, or Assistant Nursing Examination are specified by Ordinance of the Ministry of Health, Labour and Welfare.

(Training for Public Health Nurses, Midwives, Nurses, and Assistant Nurses)

Article 28-2 Even after having received Licensure, Public Health Nurses, Midwives, Nurses, and Assistant Nurses shall undergo clinical and other training (excluding Re-education and Training for Public Health Nurses, etc., and Re-education and Training for Assistant Nurses), and strive to raise their level of professional quality.

Chapter IV Practice

(Restriction on Public Health Nursing Practice)

Article 29 No person other than a Public Health Nurse may use the title of Public Health Nurse or any title similar thereto, nor may any such person practice the profession provided for in Article 2.

(Restriction on Midwifery Practice)

Article 30 No person other than a Midwife may practice the profession provided for in Article 3; provided, however, that this does not apply if said person practices such profession pursuant to the provisions of the Medical Practitioners Act (Act No. 201 of 1948).

(Restriction on Nursing Practice)

Article 31 (1) No person other than a Nurse may practice the profession provided for in Article 5; provided, however, that this does not apply if said person practices such profession pursuant to the provisions of the Medical Practitioners Act or Dentists Act (Act No. 202 of 1948).

(2) A Public Health Nurse or Midwife may practice the profession provided for in Article 5, notwithstanding the provisions of the preceding paragraph.

(Restriction on Assistant Nursing Practice)

Article 32 No person other than an Assistant Nurse may practice the profession provided for in Article 6; provided, however, that this does not apply if said person practices such profession pursuant to the provisions of the Medical Practitioners Act or Dentists Act.

(Obligation to Report Name, Address, etc.)

Article 33 A practicing Public Health Nurse, Midwife, Nurse, or Assistant Nurse shall report his/her name, address, and any other particulars specified by Ordinance of the Ministry of Health, Labour and Welfare to the prefectural governor of the region in which he/she works, giving his/her current name, address, and said other particulars as of December 31 of the alternating years specified by Ordinance of the Ministry of Health, Labour and Welfare, by January 15 of the following year.

Article 34 Deletion

(Attending Physician's Instructions for a Public Health Nurse)

Article 35 A Public Health Nurse must be given instructions by the attending physician or dental practitioner, if there is one, in directing an injured or ill person's medical treatment.

(Health Center Director's Instructions for a Public Health Nurse)

Article 36 If a Public Health Nurse has been given instructions concerning his/her practice by the head of the health center having jurisdiction in the region in which he/she works, the Public Health Nurse shall follow such instructions; provided, however, that this does not preclude the application of the provisions of the preceding Article.

(Prohibited Conduct)

Article 37 Unless the attending physician or dental practitioner has instructed him/her to do so, a Public Health Nurse, Midwife, Nurse, or Assistant Nurse

may not use medical equipment, give a person medicine or instructions about medicine, or take any other action that carries the risk of harming a person's health if it is not done by a physician or dental practitioner; provided, however, that this does not apply when a Public Health Nurse, Midwife, Nurse, or Assistant Nurse provides emergency first-aid treatment, nor when a Midwife cuts an umbilical cord, administers an enema, or takes any other action concomitant with practice as a Midwife.

(Prohibition Against the Treatment of Women with Abnormal Pregnancies, etc.)

Article 38 If a Midwife discovers an abnormality in a pregnant, parturient, or puerperal woman, or in a fetus or a newborn baby, the Midwife is required to direct the relevant person to a physician for medical care, and may not personally treat such person; provided, however, that this does not apply to a Midwife providing emergency first-aid treatment.

(Obligation to Give Health Guidance and Obligation to Issue Certificates, etc.)

Article 39 (1) A practicing Midwife who has been requested to provide midwifery care or health guidance for a pregnant woman, a puerperal woman, or a newborn baby, may not deny such request without justifiable grounds.

(2) A Midwife who has assisted in a delivery or carried out a postmortem examination of a fetus may not, if requested to issue a birth certificate, certificate of stillbirth, or fetal postmortem examination certificate, deny such request without justifiable grounds.

(Restriction on the Issuance of Certificates, etc.)

Article 40 A Midwife must not issue a birth certificate, certificate of stillbirth, or fetal postmortem examination certificate without having personally assisted with the delivery or carried out the postmortem examination of the fetus.

(Obligation to Report Anomalous Stillbirths)

Article 41 If a Midwife, having conducted a postmortem examination of a stillborn fetus from a pregnancy that had entered its fourth or subsequent month, finds the stillbirth to have been an anomaly, the Midwife shall report this to the competent police station within 24 hours.

(Entry and Preservation of Midwifery Care Records)

Article 42 (1) When a Midwife assists in a delivery, the Midwife must enter the particulars of the midwifery care in a midwifery care record, without delay.

(2) The midwifery care record referred to in the preceding paragraph must be preserved for five years, by the administrator of the hospital, clinic, or

midwifery care center, if the midwifery care record is for midwifery care provided by a Midwife who works at the relevant hospital, clinic, or midwifery care center, or by the Midwife personally, if the midwifery care record is for other midwifery care.

- (3) The particulars to be entered in the midwifery care record under paragraph (1) are specified by Ordinance of the Ministry of Health, Labour and Welfare.

(Duty of Confidentiality)

Article 42-2 A Public Health Nurse, Nurse, or Assistant Nurse may not disclose the confidential information of any person he/she comes to know in the course of practice without justifiable grounds. The same applies even after the person ceases to be a Public Health Nurse, Nurse, or Assistant Nurse.

Article 42-3 (1) No person other than a Public Health Nurse may use the title of Public Health Nurse or any other misleadingly similar title.

(2) No person other than a Midwife may use the title of Midwife or any other misleadingly similar title.

(3) No person other than a Nurse may use the title of Nurse or any other misleadingly similar title.

(4) No person other than an Assistant Nurse may use the title of Assistant Nurse or any other misleadingly similar title.

Chapter IV-2 Miscellaneous Provisions

(Classification of Administrative Functions)

Article 42-4 Administrative functions that it has been decided will be handled by the relevant prefecture pursuant to the provisions of Article 15, paragraph (3), the first clause of Article 15, paragraph (7), and Article 15, paragraphs (9) and (10) (including as applied mutatis mutandis pursuant to Article 15-2, paragraph (7)); Article 15, paragraphs (1) and (3) of the Administrative Procedure Act (including as applied mutatis mutandis pursuant to Article 22, paragraph (3) of said Act), Article 16, paragraph (4) of said Act, Article 18, paragraphs (1) and (3) of said Act, Article 19, paragraph (1) of said Act, Article 20, paragraph (6) of said Act, and Article 24, paragraph (3) of said Act, as applied mutatis mutandis pursuant to Article 15, paragraph (4) of this Act; and Article 15, paragraph (3) of the Administrative Procedure Act as applied mutatis mutandis pursuant to Article 22, paragraph (3) of that Act, which is in turn applied mutatis mutandis pursuant to the second clause of Article 15, paragraph (7) of this Act; constitute item (i) statutorily entrusted functions provided for in item (i) of paragraph (9) of Article 2 of the Local Autonomy Act (Act No.67 of 1947).

Article 42-5 (1) The authority of the Minister of Health, Labour and Welfare provided for in this Act may be delegated to the Director General of the Regional Bureau of Health and Welfare pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

(2) The authority delegated to the Director General of the Regional Bureau of Health and Welfare pursuant to the provisions of the preceding paragraph may be further delegated to the Director General of each Regional Branch Bureau of Health and Welfare pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

Chapter V Penal Provisions

Article 43 (1) A person who falls under any of the following items is subject to imprisonment with work for not more than two years, a fine of not more than five hundred thousand yen, or both:

(i) A person who has violated any provision of Articles 29 through 32.

(ii) A person who has received Licensure based on false or wrong information.

(2) If a person who has committed one of the offenses provided for in item (i) of the preceding paragraph has used the title of Public Health Nurse, Midwife, Nurse, Assistant Nurse, or any other similar title, said person is subject to imprisonment with work for not more than 2 years, a fine of not more than one million yen, or both.

Article 44 A person who intentionally or through gross negligence leaks examination questions before the fact or who acts wrongfully in the scoring of an examination, in violation of Article 27, is subject to imprisonment with work for not more than 1 year or a fine of not more than five hundred thousand yen.

Article 44-2 A person who falls under any of the following items is subject to imprisonment with work for not more than six months, a fine of not more than five hundred thousand yen, or both:

(i) A person who has been ordered to suspend practice pursuant to the provisions of Article 14, paragraph (1) or paragraph (2), but who practices during the period said person has been ordered to suspend practice.

(ii) A person who has violated any of the provisions of Articles 35 through 38.

Article 44-3 (1) A person who has violated the provisions of Article 42-2 by disclosing the confidential information of any person he/she has come to know in the course of practice is subject to imprisonment with work for not more than six months or a fine of not more than one hundred thousand yen.

(2) The offense provided for in the preceding paragraph may only be prosecuted if a complaint is filed.

Article 45 A person who falls under any of the following items is subject to a fine not exceeding five hundred thousand yen:

- (i) A person who fails to undergo Re-education and Training for Public Health Nurses, etc. or Re-education and Training for Assistant Nurses, in violation of an order under the provisions of Article 15 paragraph (1) or (2).
- (ii) A person who violates the provisions of Article 33 or Articles 40 through 42.

Article 45-2 A person who violates the provisions of Article 42-3 is subject to a fine of not more than three hundred thousand yen.

Supplementary Provisions

(Effective Date)

Article 46 In this Act, portions concerning the designation of a school or training school and the provisions of Articles 47 through 50 inclusive come into effect on the date on which the Medical Practitioners Act comes into effect (October 27, 1948), the portions concerning female nurses come into effect on September 1, 1950, and all other portions come into effect on September 1, 1951.

(Abolition of the Order on Female Public Health Nurses, Midwives, and Nurses)

Article 47 The Order on Female Public Health Nurses, Midwives, and Nurses (Cabinet Order No. 124 of 1947) is hereby abolished.

(Validity of Designation by the Minister for Education or Minister for Health and Welfare under the Former Order)

Article 48 A designation conferred by the Minister for Education or the Minister for Health and Welfare pursuant to the provisions of Articles 21 through 24 inclusive of the Order on Female Public Health Nurses, Midwives, and Nurses is deemed to have been conferred pursuant to the corresponding provisions of this Act.

(Transitional Measures for Female Public Health Nurses and Midwives)

Article 49 (1) Up to August 31, 1951, any necessary particulars in connection with public health nurses and midwives are set forth by Orders.

(2) The Female Public Health Nurse Regulations (Health and Welfare Ministry Ordinance No. 21 of 1945; referred to as the Former Public Health Nurse Regulations hereinafter) under the National Medical Service Act and the

Female Midwife Regulations (Imperial Ordinance No. 345 of 1899; referred to as the Former Midwife Regulations hereinafter) under the same Act are deemed to be the Orders under the provisions of the preceding paragraph, up to August 31, 1951.

- (3) A person who, in violation of the provisions of one of the Orders under the provisions of paragraph (1), has practiced as a female public health nurse using the title of female public health nurse without receiving licensure, or who has practiced as a female midwife without being registered, is subject to imprisonment with work for not more than 6 months or a fine of not more than five thousand yen.
- (4) A person who, in violation of the provisions of one of the Orders under the provisions of paragraph (1), has failed in her duties in terms of her practice as a female public health nurse or midwife, or a female public health nurse or midwife who practices during a period that her practice is suspended, is subject to a fine of not more than five thousand yen.
- (5) A person who, in violation of the provisions of one of the Orders under the provisions of paragraph (1), has failed to follow the necessary procedures for licensure, registration, or reporting, is subject to a fine of not more than five hundred yen.

(Transitional Measures for Female Nurses)

- Article 50 (1) Up to August 31, 1950, any necessary particulars in connection with female nurses are set forth by Order.
- (2) The Female Nurse Regulations (Home Ministry Ordinance No. 9 of 1915; referred as the Former Nurse Regulations hereinafter) under the National Medical Service Act are deemed to be the Order under the preceding paragraph, up to August 31, 1950.
 - (3) A person who, in violation of the provisions of the Order under paragraph (1), has practiced as a female nurse without receiving licensure is subject to imprisonment without work for not more than 6 months or a fine of not more than five thousand yen.
 - (4) A person who, in violation of the provisions of the Order under the provisions of paragraph (1), has failed in her duties in terms of her practice as a female nurse, or a female nurse who practices during a period that her practice is suspended, is subject to a fine of not more than five thousand yen.
 - (5) A person who, in violation of the provisions of the Order under the provisions of paragraph (1), has failed to follow the necessary procedures for licensure, registration, or reporting, is subject to a fine of not more than five hundred yen.

(Persons Receiving Public Health Nurse Licensure under the Former Order)

- Article 51 (1) A person who has received licensure as a female public health

nurse from the prefectural governor pursuant to the Former Public Health Nurse Regulations may practice the profession provided for in Article 2 using the title Public Health Nurse, notwithstanding the provisions of Article 29.

- (2) The provisions of this Act which relate to Public Health Nurses apply mutatis mutandis to the person provided for in the preceding paragraph.
- (3) The person provided for in paragraph (1) may receive Licensure from the Minister of Health, Labour and Welfare, notwithstanding the provisions of Article 7.

(Persons Registered in the Female Midwife Registry under the Former Order)
Article 52 (1) A person who has been registered in the Female Midwife Registry pursuant to the Former Midwife Regulations may practice the profession provided for in Article 3, notwithstanding the provisions of Article 30.

- (2) The provisions of this Act which relate to Midwives (except the provisions of Article 31, paragraph (2)) apply mutatis mutandis to the person provided for in the preceding paragraph.
- (3) The person provided for in paragraph (1) may receive Licensure from the Minister of Health, Labour and Welfare, notwithstanding the provisions of Article 7.
- (4) The provisions of paragraph (2) of Article 31 do not apply to a person who has received Licensure pursuant to the provisions of the preceding paragraph.

(Persons Receiving Licensure as Female Nurses under the Former Order)
Article 53 (1) A person who has received licensure as a female nurse from the prefectural governor pursuant to the Former Nurse Regulations may practice the profession provided for in Article 5 under the title of Nurse, notwithstanding the provisions of Article 31 and paragraph (3) of Article 42-3.

- (2) The provisions of this Act which relate to Assistant Nurses apply mutatis mutandis to the person set forth in the preceding paragraph in connection with matters outside the scope of the practice in which such person is permitted to engage.
- (3) The person provided for in paragraph (1) may receive Licensure from the Minister of Health, Labor and Welfare, notwithstanding the provisions of Article 7.
- (4) A person provided for in paragraph (1) who falls under any of the items of Article 19 may sit for the National Public Health Nursing Examination, notwithstanding the provisions of that Article.
- (5) A person provided for in paragraph (1) who falls under any of the items of Article 20 may sit for the National Midwifery Examination, notwithstanding the provisions of that Article.

Article 54 through 56 Deletion

(Validity of Dispositions for the Suspension of Practice under the Former Order)

Article 57 A disposition suspending a person's practice which has been reached pursuant to the Former Public Health Nurse Regulations, the Former Midwife Regulations, or the Former Nurse Regulations is deemed to have been reached pursuant to the corresponding provisions of this Act. In such a case, the provisions in force at the time of the disposition remain applicable to the period of suspension.

(Validity of Specific Licensure in Areas with Insufficient Female Midwives)

Article 58 The provisions then in force remain applicable to a person who has received licensure from the prefectural governor pursuant to Article 19 of the Former Midwife Regulations.

(Female Assistant Nurses)

Article 59 The provisions then in force remain applicable to female assistant nurses under the Former Nurse Regulations.

(Application Mutatis Mutandis to Male Nurses)

Article 60 The provisions of Article 53 apply mutatis mutandis to a male nurse under the Former Nurse Regulations,.

Supplementary Provisions [Act No. 34 of March 31, 1950] [Supplementary Provisions [Act No. 34 of March 31, 1950]]

This Act comes into effect on April 1, 1951.

Supplementary Provisions [Act No. 147 of April 14, 1951] [Extract]

- (1) This Act comes into effect on September 1, 1951.
- (2) In this Act, "the New Act" means the Act on Female Public Health Nurses, Midwives, and Nurses as revised by this Act, and "the Former Act" means the Act on Female Public Health Nurses, Midwives, and Nurses that existed prior to this revision.
- (3) A person who has passed the National Qualifying Examination for Class-A Female Nurses pursuant to the provisions of the Former Act is deemed to have passed the National Qualifying Examination for Female Nurses under the provisions of the New Act.
- (4) A person who has already received licensure from the Minister for Health and

Welfare and been registered in the Class-A Female Nurse Registry as of the time that this Act comes into effect, automatically receives licensure from the Minister for Health and Welfare and is registered in the Female Nurse Registry pursuant to the provisions of the New Act.

- (5) A person who has already been entered on the Working Class-A Female Nurses Roster as of the time that this Act comes into effect, has automatically reported the particulars required for entry and been entered on the Working Female Nurses Roster pursuant to the provisions of the New Act.
- (6) Class-A Female Nurse Licenses and Proofs of Practice as a Class-A Female Nurse issued under the provisions of the Former Act are deemed to be Female Nurse Licenses and Proofs of Practice as a Female Nurse issued pursuant to the provisions of the New Act.
- (7) A school or class-A female nurse training school as provided for in Article 21, item (i) or (ii) of the Former Act, which already exists at the time that this Act comes into effect, becomes a school or female nurse training school as provided for in Article 21, item (i) or (ii) of the New Act, and the necessary provisions concerning persons currently undergoing training at said school or training school are established by the Minister for Education or the Minister for Health and Welfare.
- (8) Graduates of a school or class-A female nurse training school as provided for in Article 21, item (i) or (ii) of the Former Act may sit for the National Qualifying Examination for Female Nurses, notwithstanding the provisions of Article 21 of the New Act.
- (9) A school or class-B female nurse training school as provided for in Article 22, item (i) or (ii) of the Former Act, which already exists at the time that this Act comes into effect, may continue to exist based on the provisions of the Former Act until March 31, 1954.
- (10) The provisions then in force remain applicable to the Qualifying Examination for Class-B Female Nurses under the provisions of the Former Act, until March 31, 1988.
- (11) With regard to the application of the New Act, a person who has passed the Qualifying Examination for Class-B Female Nurses is deemed to have passed the Qualifying Examination for Female Nurses under the Female Nurse Regulations based on the National Medical Care Act (Home Ministry Ordinance No. 9 of 1915; hereinafter referred to as the Former Nurse Regulations).

Supplementary Provisions [Act No. 258 of November 6, 1951]

This Act comes into effect on the day of its promulgation.

Supplementary Provisions [Act No. 316 of December 22, 1952] [Extract]

This Act comes into effect on the day of its promulgation.

Supplementary Provisions [Act No. 213 of August 15, 1953] [Extract]

- (1) This Act comes into effect on September 1, 1953. [Further provisions omitted]
- (2) Dispositions such as licensing and authorization and procedures such as application and reporting which have been effected pursuant to the provisions of laws and regulations before this Act comes into force, are deemed to be dispositions and procedures effected based on the corresponding provisions after their revision.

Supplementary Provisions [Act No. 71 of April 22, 1954] [Extract]

(Effective Date)

- (1) This Act comes into effect on May 1, 1954.

Supplementary Provisions [Act No. 136 of June 1, 1954] [Extract]

- (1) This Act comes into effect on the day of its promulgation. [Further provisions omitted]

Supplementary Provisions [Act No. 120 of August 1, 1967] [Extract]

(Effective Date)

- (1) This Act comes into effect on the day of its promulgation.

(Transitional Provisions)

- (3) The penal provisions then in force remain applicable to conduct engaged in before this Act comes into force.

Supplementary Provisions [Act No. 84 of June 1, 1968] [Extract]

(Effective Date)

- (1) This Act comes into effect on the day of its promulgation.

Supplementary Provisions [Act No. 51 of June 25, 1969]

This Act . . . come[s] into effect on November 1, 1969.

Supplementary Provisions [Act No. 51 of May 25, 1981] [Extract]

This Act comes into effect on the day of its promulgation.

Supplementary Provisions [Act No. 69 of July 23, 1982] [Extract]

(Effective Date, etc.)

- (1) This Act comes into effect on the day of its promulgation. [Further provisions omitted]

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the date on which the Administrative Procedure Act comes into effect (Act No. 88 of 1993).

(Transitional Measures for Adverse Dispositions Under Consultation)

Article 2 Notwithstanding the provisions of the relevant Acts revised by this Act, if, pursuant to laws and regulations before this Act comes into effect, a request for an advisory consultation or any other request has been filed with a council or other body employing a council system, with regard to the necessity of instituting proceedings equivalent to the hearing proceedings, proceedings for granting an opportunity for explanation, or any other proceedings for hearing statements of opinion as provided for in Article 13 of the Administrative Procedure Act, the provisions then in force remain applicable to any adverse disposition proceedings connected with said request for consultation or other request.

(Transitional Measures Accompanying the Partial Amendment of the Act on Female Public Health Nurses, Midwives, and Nurses)

Article 8 If, before the provisions of Article 98 come into effect, the relevant person has given the notice set forth in the provisions of the latter clause of Article 15, paragraph (3) of the Act on Female Public Health Nurses, Midwives, and Nurses from before its revision by the provisions of Article 98, the provisions then in force remain applicable to the procedures for revoking licensure and suspending practice, notwithstanding the provisions of that Act from after its revision by the provisions of Article 98.

(Transitional Measures for Penal Provisions)

Article 13 The penal provisions then in force remain applicable to conduct engaged in before this Act comes into effect.

(Transitional Measures Accompanying the Reorganization of Provisions on Hearings)

Article 14 A hearing, questioning, hearing session (excluding those involved in an adverse disposition), or any proceeding therefor that has been implemented pursuant to legal provisions from before this Act comes into effect, is deemed to have been implemented pursuant to the corresponding provisions of the relevant Acts after their revision by this Act.

(Delegation to Cabinet Order)

Article 15 Beyond what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, necessary transitional measures in connection with this Act's coming into effect are provided for by Cabinet Order.

Supplementary Provisions [Act No. 90 of November 19, 1993] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day on which ten days have elapsed from the day of its promulgation.

(Transitional Measures)

Article 2 A school or female public health nurse training school that has been designated pursuant to the provisions of Article 19, item (i) or item (ii) of the Act on Female Public Health Nurses, Midwives, and Nurses as of the time that this Act comes into effect, is deemed to have been designated pursuant to the provisions of Article 19, item (i) or item (ii) as applied mutatis mutandis pursuant to the provisions of Article 59-2 after its revision by this Act.

Article 3 A person who has finished acquiring the knowledge and skills required of a male public health nurse at a school that has been designated pursuant to the provisions of Article 19, item (i) of the Act on Female Public Health Nurses, Midwives, and Nurses as of the time this Act comes into effect, or who is in the process of acquiring the knowledge and skills required of a male public health nurse at such school at the time this Act comes into effect and finishes such acquisition after this Act has come into effect, may sit for the national qualifying examination for becoming a male public health nurse.

Supplementary Provisions [Act No. 101 of June 12, 1998] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 1999. [Further provisions

omitted]

Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2000; provided, however, that the provisions set forth in the following items come into effect on the date specified in the relevant item:

- (i) . . . the provisions of Articles . . . 160, 163, 164 . . . of the Supplementary Provisions: the day of its promulgation. (1999, 1995, 2004)
- (ii) to (vi) [Omitted]

(Administrative Functions of the National Government, etc.)

Article 159 Beyond what is provided for in the respective Acts prior to their revision by this Act, the administrative functions of the national government, a local government other than the one concerned, or any other public entity (in Article 161 of the Supplementary Provisions hereinafter referred to as the "affairs of the national government, etc.") which, before this Act comes into effect, are managed or performed pursuant to laws or orders based thereon by a local government agency, are hereby declared to be administrative functions that the local government handles as its own pursuant to laws or orders based thereon, after this Act comes into effect.

(Transitional Measures for Dispositions, Applications, etc.)

Article 160 (1) With regard to the application of the relevant revised Acts after this Act comes into effect, with the exception of what is set forth in the provisions of Article 2 to the preceding Article of the Supplementary Provisions and in the provisions on transitional measures in the relevant revised Acts (including Orders based thereon), a disposition for permission, etc. or other act performed pursuant to the provisions of the relevant pre-revision Acts before this Act comes into effect (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, before the relevant provisions come into effect; hereinafter the same applies in this Article and Article 163 of the Supplementary Provisions) (such act is hereinafter referred to as a "Disposition or Other Act" in this Article), or an application for permission, etc. or other act that has been performed pursuant to the provisions of the relevant pre-revision Acts as of the time this Act comes into effect (hereinafter referred to as an "Application or Other Act" in this Article), in connection with which the person who is to carry out the relevant administrative functions will be a different person on the date this Act comes into effect, is deemed to be a Disposition or Other Act or an Application or Other Act performed pursuant to the

corresponding provisions of the relevant revised Acts.

- (2) Unless otherwise stipulated by this Act or by Cabinet Order based on this Act, any particular requiring that a procedure be followed, such as reporting, notification, or submission to a national or local government agency pursuant to the provisions of the relevant pre-revision Acts before this Act comes into effect, for which such procedure has not been followed as of the day before this Act comes into effect, is deemed to be a particular requiring that a procedure be followed, such as reporting, notification, or submission to a national or local government agency pursuant to the equivalent provisions of the relevant revised Acts, for which such procedure has not been followed, and the provisions of the relevant Acts revised by this Act apply.

(Transitional Measures for Appeals)

Article 161 (1) For an appeal under the Administrative Appeals Act against a disposition, ordered prior to the effective date, involving an administrative function of the national government, etc. , in connection with which the administrative agency that ordered the disposition (hereinafter referred to as the "Administrative Agency Ordering the Disposition" in this Article) had, before the effective date, a higher agency as defined in the Administrative Appeals Act (hereinafter referred to as a "Higher Administrative Agency" in this Article) above it, the relevant Administrative Agency Ordering the Disposition is deemed to continue to have a Higher Administrative Agency above it on and after the effective date, and the provisions of the Administrative Appeals Act apply. In this case, the administrative agency deemed to be the Higher Administrative Agency of such Administrative Agency Ordering the Disposition is the administrative agency that was the Higher Administrative Agency of such Administrative Agency Ordering the Disposition before the effective date.

- (2) In a case under the preceding paragraph, if the administrative agency deemed to be the Higher Administrative Agency is a local government agency, administrative functions that it has been decided said agency will handle pursuant to the provisions of the Administrative Appeals Act are item (i) statutorily entrusted functions as provided for in Article 2, paragraph (9), item (i) of the New Local Autonomy Act.

(Transitional Measures for Fees)

Article 162 Unless otherwise stipulated by this Act or by Cabinet Order based on this Act, the provisions then in force remain applicable for any fees that were to have been paid pursuant to the provisions of the relevant pre-revision Acts (including any Order based on those Acts) before the effective date.

(Transitional Measures for Penal Provisions)

Article 163 The penal provisions then in force remain applicable to conduct engaged in before this Act comes into effect.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 164 (1) Beyond what is provided for in the Supplementary Provisions, necessary transitional measures accompanying this Act's coming into effect (including transitional measures for penal provisions) are provided for by Cabinet Order.

(2) Particulars necessary for the application of the provisions of Article 18, Article 51 and Article 184 of the Supplementary Provisions are provided for by Cabinet Order.

(Review)

Article 250 As well as reviews being made of item (i) statutorily entrusted functions provided for in Article 2, paragraph (9), item (i) of the New Local Autonomy Act from the perspective of ensuring, to the greatest possible extent, that no new functions are created, reviews must also be made of the functions listed in Appended Table 1 of the New Local Autonomy Act and functions provided for by Cabinet Order based on the New Local Autonomy Act from the perspective of promoting decentralization, and these must be revised as appropriate.

Article 251 The government shall examine how to secure adequate sources of local tax revenue based on the sharing of roles between the national and local public entities in consideration of the prevailing economic trends, and take the necessary measures based on the results of its examination, in order to enable local public entities to perform their functions and undertakings autonomously and independently.

Article 252 The government shall review factors such as how best to treat the administrative processing systems for social insurance and the officials engaged therein in line with reforms in the medical insurance system, the pension system, and other such systems, from the perspective of securing convenience for insured persons, etc. and increasing the efficiency, etc. of administrative processing, and, whenever it finds them to be necessary, shall take the necessary measures based on the results of its review.

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(Effective Date)

Article 1 This Act . . . comes into effect on January 6, 2001; provided, however, that the provisions of the following items come into effect on the day set forth in the relevant item:

- (i) . . . the provisions of Article 1305, . . . and Article 1344: the day of its promulgation.
- (ii) [Omitted]

Supplementary Provisions [Act No. 87 of June 29, 2001] [Extract]

(Effective Date)

Article 1 This Act comes into effect within a period not exceeding one month from the day of its promulgation, on the date specified by Cabinet Order [July 16, 2001 by Cabinet Order No. 235 of 2001].

(Review)

Article 2 With a target of doing so five years after this Act comes into effect, the government shall review how best to treat the grounds for disqualification in the relevant Acts after their revision by this Act as relates to persons with disabilities, in consideration of the effective status of the provisions on said grounds for disqualification, and shall take the necessary measures based on the results of its review.

(Transitional Measures for Relicensure)

Article 3 If a person's licensure has been revoked on grounds for revocation of licensure provided for in the relevant Acts prior to their revision by this Act, which are equivalent to grounds for revocation that, pursuant to the relevant Acts after their revision by this Act, allow for a person to be granted relicensure (hereinafter referred to as "Grounds for Revocation of Licensure Which Allow Relicensure" in this Article), such person is deemed to have had his/her licensure revoked on Grounds for Revocation of Licensure Which Allow Relicensure, and the provisions on relicensure in the relevant Acts after their revision by this Act apply.

(Transitional Measures for Penal Provisions)

Article 4 The penal provisions then in force remain applicable to conduct engaged in before this Act comes into effect.

Supplementary Provisions [Act No. 153 of December 12, 2001] [Extract]

(Effective Date)

Article 1 This Act comes into effect within a period not exceeding six months

from the day of its promulgation, on the date specified by Cabinet Order [March 1, 2002 by Cabinet Order No. 3].

(Persons Receiving Licensure Under the Provisions of the Former Act)

Article 2 A person who, as of the time this Act comes into effect, has received female public health nurse licensure or licensure as a male public health nurse, female midwife licensure, female nurse licensure or licensure as a male nurse, or female assistant nurse licensure or licensure as a male assistant nurse under the Act on Female Public Health Nurses, Midwives, and Nurses (hereinafter referred to as "the Former Act") prior to its revision by this Act, is deemed to have received Public Health Nurse Licensure, Midwife Licensure, Nurse Licensure, or Assistant Nurse Licensure under the provisions of the Act on Public Health Nurses, Midwives, and Nurses after its revision by this Act (hereinafter referred to as "the New Act").

(Persons Who Have Passed Examinations Under the Former Act)

Article 3 A person who has passed the National Qualifying Examination for Female Public Health Nurses (including the national qualifying examination for becoming a male public health nurse; hereinafter the same applies in Article 6 and Article 7 of the Supplementary Provisions), the National Qualifying Examination for Female Midwives, the National Qualifying Examination for Female Nurses (including the national qualifying examination for becoming a male nurse; hereinafter the same applies in Article 6 and Article 7 of the Supplementary Provisions), or the Qualifying Examination for Female Assistant Nurses (including the qualifying examination for becoming a male assistant nurse; hereinafter the same applies in Article 6 and Article 7) under the provisions of the Former Act, is deemed to have passed the National Public Health Nursing Examination, the National Midwifery Examination, the National Nursing Examination, or the Assistant Nursing Examination under the provisions of the New Act.

(Registries Under the Former Act)

Article 4 The Female Public Health Nurse Registry and the Registry of Male Public Health Nurses, the Female Midwife Registry, the Female Nurse Registry and the Registry of Male Nurses, and the Female Assistant Nurse Registry and the Registry of Male Assistant Nurses under the provisions of the Former Act are deemed to be the Public Health Nurse Registry, the Midwife Registry, the Nurse Registry, and the Assistant Nurse Registry under the provisions of the New Act; and registration in the Female Public Health Nurse Registry or the Registry of Male Public Health Nurses, the Female Midwife Registry, the Female Nurse Registry or the Registry of Male Nurses, or the

Female Assistant Nurse Registry or the Registry of Male Assistant Nurses pursuant to the provisions of the Former Act is deemed to be registration in the Public Health Nurse Registry, the Midwife Registry, the Nurse Registry, or the Assistant Nurse Registry pursuant to the provisions of the New Act.

(Licenses Under the Provisions of the Former Act)

Article 5 A female public health nurse license or the license of a male public health nurse, a female midwife license, a female nurse license or the license of a male nurse, or a female assistant nurse license or the license of a male assistant nurse that has been issued pursuant to the provisions of the Former Act is deemed to be a Public Health Nurse License, Midwife License, Nurse License, or Assistant Nurse License issued pursuant to the provisions of the New Act.

(Transitional Measures for Examinations)

Article 6 The National Qualifying Examination for Female Public Health Nurses, National Qualifying Examination for Female Midwives, National Qualifying Examination for Female Nurses, and Qualifying Examinations for Female Assistant Nurses that have been conducted pursuant to the provisions of the Former Act in the year that includes the day on which this Act comes into effect, are deemed to be the National Public Health Nursing Examination, National Midwifery Examination, National Nursing Examination, and Assistant Nursing Examinations conducted pursuant to the provisions of the New Act.

(Transitional Measures Concerning Qualifications to Sit for Examinations)

Article 7 A person who, at the time this Act comes into effect, is permitted to sit for the National Qualifying Examination for Female Public Health Nurses, the National Qualifying Examination for Female Midwives, the National Qualifying Examination for Female Nurses, or the Qualifying Examination for Female Assistant Nurses is permitted to sit for the National Public Health Nursing Examination, the National Midwifery Examination, the National Nursing Examination, or the Assistant Nursing Examination.

(Schools and Training Schools Designated Under the Former Act)

Article 8 A school that, as of the time this Act comes into effect, has been designated pursuant to Article 19, item (i); Article 20, item (i); Article 21, item (i); or Article 22, item (i) of the Former Act (including when these provisions (excluding Article 20, item (i) of the Former Act) are applied mutatis mutandis pursuant to the provisions of Article 59-2 or Article 60, paragraph (1) of the Former Act) or a training school that, as of the time this Act comes into effect,

has been designated pursuant to Article 19, item (ii); Article 20, item (ii); Article 21, item (ii); or Article 22, item (ii) of the Former Act (including when these provisions (excluding Article 20, item (ii) of the Former Act) are applied mutatis mutandis pursuant to the provisions of Article 59-2 or Article 60, paragraph (1) of the Former Act) is deemed to be a school that has been designated pursuant to Article 19, item (i); Article 20, item (i); Article 21, item (i); or Article 22, item (i) of the New Act or a training school that has been designated pursuant to Article 19, item (ii); Article 20, item (ii); Article 21, item (ii); or Article 22, item (ii) of the New Act.

(Transitional Measures Concerning the Practice of Female Midwives)

- Article 9 (1) The provisions then in force remain applicable to any report under the provisions of Article 41 of the Former Act on a postmortem examination provided for in the same Article of the Former Act that a female midwife has conducted before this Act comes into effect.
- (2) The provisions then in force remain applicable to entry in midwifery care records and to the keeping of midwifery care records pursuant to the provisions of Article 42 of the Former Act for delivery assistance provided by a female midwife before this Act comes into effect.

(Transitional Measures Concerning the Duty to Maintain Confidentiality, etc.)

Article 10 The provisions of Article 42-2 of the Former Act (including the relevant penal provisions) remain in effect on and after the day on which this Act comes into effect with regard to the confidential information of any person which a person who is no longer a female public health nurse or male public health nurse, a female nurse or male nurse, or a female assistant nurse or male assistant nurse came to know in the course of practice as referred to in Article 42-2 of the Former Act (including as applied mutatis mutandis pursuant to the provisions of Article 59-2 and Article 60, paragraph (1) of the Former Act; hereinafter the same applies in this Article) before this Act came into effect.

(Transitional Measures Concerning Dispositions and Procedures, etc.)

Article 42 Unless otherwise stipulated in these Supplementary Provisions, a disposition, procedure, or other act performed pursuant to the provisions of the relevant pre-revision Acts before this Act comes into effect (including Orders based on these Acts; hereinafter the same applies in this Article) for which there are corresponding provisions in the revised Acts is deemed to have been performed pursuant to the corresponding provisions of the revised Acts.

(Transitional Measures Concerning Penal Provisions)

Article 43 The previous penal provisions remain applicable to conduct engaged in before this Act comes into effect and to conduct engaged in after this Act comes into effect to which the provisions previously in force are to remain applicable pursuant to these Supplementary Provisions.

(Delegation of Transitional Measures to Cabinet Order)

Article 44 Beyond what is provided for in the Supplementary Provisions, necessary transitional measures in connection with this Act's coming into effect are provided by Cabinet Order.

Supplementary Provisions [Act No. 84 of June 21, 2006] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2007; provided, however, that the provisions listed in the following items come into effect on the date set forth in the relevant item:

- (i) . . . the provisions of Article 31 of the Supplementary Provisions, and the provisions of Article 32 of the Supplementary Provisions: the day of its promulgation.
- (ii) [Omitted]
- (iii) . . . the provisions of Article 7, . . . the provisions of Article 14, paragraph (3) . . . of the Supplementary Provisions, . . . : April 1, 2008.

(Review)

Article 2 With a target of doing so five years after this Act comes into effect, the government shall review how best to treat regulations that are based on the provisions of the Medical Service Act and other similar laws and regulations after their revision by this Act in consideration of the effective status of this Act, and shall take the necessary measures based on the results of its review whenever it finds this to be necessary.

(Transitional Measures Concerning the Granting of Relicensure)

Article 14 (1) I. [Omitted]

(2) [Omitted]

(3) With regard to the application of the provisions of Article 14, paragraph (3) of the Act on Public Health Nurses, Midwives, and Nurses following its revision as under the provisions of Article 7, the provisions previously in force remain applicable to a person who, prior to the day on which the provisions set forth in Article 1, item (iii) of the Supplementary Provisions come into effect, became subject to a disposition for revocation under the provisions of Article 14, paragraph (1) or paragraph (2) of the Act on Public Health Nurses, Midwives,

and Nurses from prior to its revision as under the provisions of Article 7.
(4) [Omitted]

(Transitional Measures Concerning Restrictions on the Use of Titles)

Article 15 The provisions of Article 42-3 of the Act on Public Health Nurses, Midwives, and Nurses after its revision as under the provisions of Article 6 do not apply for six months following the effective date, to any person who is using the title of Public Health Nurse, Midwife, Nurse, Assistant Nurse, or any other misleadingly similar title at the time that this Act comes into effect.

(Transitional Measures for the Application of Penal Provisions)

Article 31 The previous penal provisions remain applicable to conduct engaged in before this Act comes into effect (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, conduct engaged in before the relevant provisions come into effect), to conduct engaged in after this Act comes into effect but to which the provisions previously in force are to remain applicable pursuant to the provisions of these Supplementary Provisions, and to conduct engaged in after this Act comes into effect but for which the provisions previously in force are to remain in effect pursuant to these Supplementary Provisions.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 32 Beyond what is provided for in the Article 3 to Article 16 and the preceding Article of the Supplementary Provisions, necessary transitional measures accompanying this Act's coming into effect are provided for by Cabinet Order.

Supplementary Provisions [Act No. 78 of July 15, 2009] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2010.

(Transitional Measures Accompanying the Partial Amendment of the Act on Public Health Nurses, Midwives and Nurses)

Article 2 A person falling under any of the following items may sit for the National Public Health Nursing Examination, notwithstanding the provisions of Article 19 of the Act on Public Health Nurses, Midwives, and Nurses after its revision as under Article 1 (hereinafter referred to as "the New Act"):

- (i) A person falling under Article 19, item (i) of the Act on Public Health Nurses, Midwives, and Nurses prior to its revision as under the provisions of Article 1 (hereinafter referred to as "the Former Act") at the time that this

Act comes into effect.

- (ii) A person enrolled at a school provided for in Article 19, item (i) of the Former Act before the date on which this Act comes into effect (hereinafter referred to as "the Effective Date"), who comes to fulfill the requirements set forth in said item on or after the Effective Date (excluding a person who first matriculated at a school provided for in said item on or after the Effective Date, who has followed the required course of studies for becoming a Public Health Nurse at such school for at least six months).

Article 3 A person falling under any of the following items may sit for the National Midwifery Examination, notwithstanding the provisions of Article 20 of the New Act:

- (i) A person falling under the provisions of Article 20, item (i) of the Former Act at the time that this Act comes into effect.
- (ii) A person enrolled at a school provided for in Article 20, item (i) of the Former Act before the Effective Date, who comes to fulfill the requirements set forth in said Article on or after the Effective Date (excluding a person who first matriculated at a school provided for in said item on or after the Effective Date, who has followed a course of studies in midwifery at such school for at least six months).

Article 4 (1) A university (excluding junior colleges; hereinafter the same applies in this Article) under the School Education Act (Act No. 26 of 1947) which has been designated pursuant to the provisions of Article 21, item (i) of the Former Act as of the time that this Act comes into effect is deemed to be a university designated pursuant to the provisions of Article 21, item (i) of the New Act; a school (excluding universities) that has been designated pursuant to Article 21, item (i) of the Former Act as of the time that this Act comes into effect is deemed to be a school designated pursuant to the provisions of Article 21, item (ii) of the New Act; and a training school that has been designated pursuant to the provisions of Article 21, item (ii) of the Former Act as of the time that this Act comes into effect is deemed to be a training school designated pursuant to the provisions of Article 21, item (iii) of the New Act.

- (2) With regard to the application of the provisions of Article 21, item (i) of the New Act to a university that is deemed, pursuant to the provisions of the preceding paragraph, to have been designated pursuant to the provisions of Article 21, item (i) of the New Act, a "person who has graduated following completion of the required course of studies for becoming a Nurse" as provided for in that item is a "person who has graduated following completion of the required course of studies for becoming a Nurse, or any other person who has followed said course of studies for at least three years," until otherwise

stipulated.