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| **HA NAM PROVINCE PEOPLE’S COMMITTEE***No. 09/2016/QD-UBND* | **SOCIALIST REPUBLIC OF VIETNAM**Independence – Freedom – Happiness*Ha Nam, April 25th, 2016* |

**DECISION**

**About regulating functions, missions, powers and organizations of**

**Ha Nam Department of Health’s machine**

**PEOPLE’S COMMITTEE OF HA NAM PROVINCE**

 Pursuant to Law on Local Government Organizationdated June 19th, 2015;

 Pursuant to Decree No. 24/2014/ND-CP dated April 4th, 2014 by the Vietnamese Government about regulating organization of professional bodies under People’s Committee of central provinces and cities;

 Pursuant to Decree No. 83/2006/ND-CP dated August 17th, 2006 by the Vietnamese Government about regulating order, establishment procedure, re-organization, dissolution of administration organizations and state –career organizations;

 Pursuant to Joint Circular No.51/2015/TTLT-BYT-BNV dated December 11th, 2015 by Ministry of Health, and Ministry of Home Affairs, on guiding functions, missions, powers and organizational structure of Department of Health under People’s Committees of central provinces and cities and Office of Health under People’s Committees of provincial districts, towns and cities;

 According to suggestions of Chief Department of Health and Director of Chief Department of Home Affairs;

**DECIDES:**

**Article 1. Position and function**

1. Department of Health is a professional body under Provincial People’s Committee with function of staffing and assisting Provincial People’s Committee on state management about health; including of: Standby medicine, examination, disease treatment, function recovery, medical appraisal, forensic medicine, mental forensic medicine; traditional medicine; medical equipment; cosmetic; food security; medical insurance; population – family planning; reproductive health and other medical operations on the whole province under law’s regulation;

2. Department of Health has legal entity, seal and private account; and is under monitoring and managing on organization, personnel, and operation of Provincial people’s committee; as well as under monitoring, instructing, inspecting, and checking professional skills and operations of Ministry of Health Portal;

**Article 2. Missions and powers**

1. Submitting Provincial People’s Committee

a) Making draft of decision and instruction; yearly and 5-year planning, and long-term plan; program, project, methods to organize and implement missions of administration reform and other documents under issuing authority scope of Council of People and Provincial People’s Committee in medical field.

b) Making draft of texts regulating functions, missions, powers and organizational structure of Department of Health in detail;

c) Making draft of texts regulating conditions, standards, and positions in detail with Chiefs and Deputy Chiefs of organizations, and units under and directly under Department of Health, Chief and Deputy Chief of Medical Office under District People’s Committee

2. Submitting Chairman of Provincial People’s Committee

a) Making draft of decisions, particular instructions, and other texts under issuing authority of Chairman of Provincial People’s Committee in term of local medical field;

b) Making draft of decisions of establishment, integration, and splitting organizations, agents and unit under and directly under Department of Health under law’s regulation;

c) Making draft of texts regulating relationship among Department of Health with Departments, sectors, agents under Provincial, and District People’s Committee on medical operation at local; among Office of Health and units and organizations concerned about medical operations in the district;

d) Making draft of programs, mobilization solution, and inter-sector coordination in prevention and against diseases, food security, population - family planning and other medical operations in the local;

3. Staffing and organizing implementation of establishment operation of legal documents; reviewing, systematizing, checking, and processing legal documents; publicizing and educating law, monitoring situation of law enforcement, checking law implementation, planning, plans, programs and projects on health under management scope of Department of Health at locals in accordance with the law's provisions;

4. Confirming contents of advertisements with special products, goods and services under state management scope of Department of Health under the law's regulations;

5. In term of health communication and education:

a) Organizing and deploying implementation of operations for communicating and educating to improve health;

b) Making the clue providing information for press and the people on medical operation at locals;

6. In term of Standby medicine:

a) Monitoring, guiding and evaluating implementation of regulations on professions, and national technical norms about prevention and against of infectious diseases; HIV/AIDS; provision and treatment for addiction of some opium types; noninfectious diseases, occupational disease, accidents and injuries, environment health, school health, sanitation and labor health; community nutrition, chemicals, finished products to kill insects and anti-bacterial used in fields of household appliances and medicines in the province;

b) Monitoring, and organizing to supervise infectious diseases, non-infectious diseases, diseased without reason defined, early discovering and processing infectious diseases; implementing notifications on situation of epidemic diseases according to the law's provisions; staffing the Provincial People's Committee on declaring epidemic diseases and ending epidemic diseases under the law's regulations;

c) Monitoring and organizing implementation of vaccination and usage of medical products for objectives under law's regulation; organizing receipt of dossiers, granting license with enough conditions of vaccination in the province under law's regulations;

d) Granting, re-granting, and withdrawing Certificate of Biology Security with laboratories under the law's regulations;

đ) Making the clue on operation of prevention and against damage of cigarette, prevention and against harms of abusing of wine, beer, and alcoholic drinks in the province;

e) Standing Board of Monitor to prevent and against epidemic diseases and HIV/AIDS of the province;

7. In term of disease examination, treatment and function recovery:

a) Monitoring, guiding, and tracking implementation of legal documents, regulating profession, and national technical standards with every foundation of examination, disease treatment, function recovery, medicine examination and decision, forensic medicine appraisal, and mental forensic medicine appraisal under management decentralization and technical lining;

b) Granting, re-granting, postponing, and withdrawing practice certificates of examination, and disease treatment and granting, re-granting, adjusting, postponing and withdrawing operation certificates with foundations of examination, and disease treatment and addict treatment foundations of some opium types by replaced medicines in accordance with the law’s regulations;

c) Permitting foundations of examination, disease treatment to apply new technique and methods under law’s regulation;

8. In term of traditional medicine and pharmacy

a) Organizing implementation of inheriting, promoting and combining traditional medicine and pharmacy and modern medicine and pharmacy in disease prevention, examination treatment, function recovery, officer training, scientific research and production of traditional medicine and pharmacy at locals;

b) Monitoring, guiding, and tracking implementation of legal documents, regulating profession and national technical norms with foundations of examination, treatment and function recovery by local medicine and pharmacy in the province under subdivision;

c) Granting, re-granting, postponing, and withdrawing practice certificates of examination, and disease treatment by traditional medicine and granting, re-granting, adjusting, postponing and withdrawing operation certificates with foundations of examination, and disease treatment by traditional medicine in accordance with the law’s regulations;

9. In term of pharmacy and cosmetic:

a) Guiding deployment and supervising quality of medicine, and cosmetic in the province. Monitoring and tracking medicine withdrawal; under regulation;

b) Monitoring, and deploying business –management operations of medicine, and pharmacy practice (*granting, postponing, and withdrawing practice certificates of pharmacy),* granting certificates with enough conditions of medicine business, issuing declaration number of cosmetic under law’s regulation;

c) Implementing management of medicines’ prices and medicine auction under law’s regulations;

d) Monitoring and guiding organization and implementation of pharmacy operation at hospitals and other missions under subdivided competence;

10. In term of food security:

a) Sponsoring, developing, and submitting competence authorities for promulgation of local technical norms on food security with special foods of local under law’s regulation;

b) Supervising quality of products and production facilities, business of food additive, supporting substance of processing, contained devices, package material, bottled drink, natural mineral water, functional food, foods of micronutrient enhancement, and other foods in the province under subdivision of Ministry of Health Portal;

c) Organizing receipt of Conformity Declaration Minute or Confirmation of Declaration Minute suitable with regulations of food security; granting Certificate for facilities with enough conditions of food security; confirming knowledge about food security with business facilities of giving feasts, facilities of producing and trading food products in conformity with the law;

d) Managing food security in the province; managing conditions of safe assurance with facilities of producing and trading mom-and-pop foods, and street feasts and facilities of business and feast services, and food security at markets in the province and objectives under management subdivision;

đ) Inter-sector Standby Board of Monitor on food security at locals

11. In term of medical equipment and works:

Guiding and evaluating implementation of legal regulations on medical equipment and works;

12. In term of population – family planning and reproductive health:

a) Organizing implementation of systems of norms and indicators under field of population – family planning; monitoring and guiding national technical norms, professional processes, and professional skills about services of taking care of reproductive health and family planning;

b) Organizing implementation and guiding, checking, supervising, and evaluating implementation of policies, programs, projects, and models related to fields of population – family planning and taking care of reproductive health;

c) Deciding to permit implementing technique to definite gender again, and technique to support reproductive under law’s regulation;

d) Standby Board of Monitors on operation of population – family planning of the province;

13. In term of medical insurance:

Staffing, monitoring, and guiding implementation of policies and legislations of medical insurance;

14. In term of training medical manpower:

a) Organizing implementation of training plan, and improving medical manpower and development policies of medical manpower in the province;

b) Managing training facilities of medical manpower under assignment of the Provincial People’s Committee;

15. Assisting the Provincial People’s Committee on state management with enterprises, collective economic organization, and private economics; guiding and checking operation of non-governmental organizations and associations involved in operation in medical sector at local under law’s regulation;

16. Deploying implementation of administrative reform programs on medical field according to the objectives of state administrative reform programs of the Provincial People’s Committee;

17. Implementing international cooperation in field of medicine under assignment or authorization of the Provincial People’s Committee;

18. Taking responsibility for guiding professional skills on fields under management scope of Department of Health with Medicine Office under District and City People’s Committee;

19. Organizing to study and apply scientific – technical advances and technology; building systems of information and storage serving operation of stage management and professional skills in term of medicine scope;

20. Checking, inspecting and handling violation and adjustment of claims, accusing, prevention and against corruption, practicing savings, and against waste in medicine field under law’s regulation and under assignment or authorization of the Provincial People’s Committee;

21. Regulating functions, missions and powers in detail of organizations under Department that are suitable with functions, missions and powers of Department of Health; regulating functions, missions, powers, organizational structure and operation relationship in detail with public cause agencies and units under directly the Department according to the general instruction of Ministry of Health Portal, Ministry of Home Affairs and other concerned Ministries and under regulations of the Provincial People’s Committee;

22. Managing organization of machines, personnel of civil servants, category structure of civil servants, positions of employment, structure of officials based on titles of employment and number of workers in public cause units under directly the Department; implementing regimes of salary and policies, treatment regime, training, improving, rewarding and disciplining civil servants, officials, and employees under management scope of the Department under law’s regulation and under assignment or authorization of the Provincial People’s Committee;

23. Guiding, and checking implementation of self-control regime, and self-responsibility regime of public cause units under law’s regulation;

24. Managing and taking responsibility for assigned finance and assets under law’s regulation and under assignment or authorization of the Provincial People’s Committee;

25. Implementing operation of information, reporting at fixed period and suddenly about situation of implementing assigned missions with the Provincial People’s Committee and Ministry of Health Portal;

26. Implementing some other missions assigned by the Provincial People’s Committee, and Chairman of the Provincial People’s Committee and under law’s regulation;

**Article 3. Organizational structure and personnel**

1. Leaders of Department of Health include Chief Department and not over 3 Deputy Chiefs

a) Chief Department of Health is the header of Department of Health, taking responsibility with the Provincial People’s Committee, Chairman of the Provincial People’s Committee and the law on performing functions, missions and powers of state management in medical field in the province; taking responsibility for reporting operations with the Provincial People’s Committee, Chairman of the Provincial People’s Committee and Minister of Health; reporting with Provincial People’s Council, answering petitions from electors and questions from delegates of Provincial People’s Council;

b) Deputy Chief of Department of Health is the person assisting Chief of Department of Health to monitor some operations, taking responsibility with Chief of Department of Health and the law for assigned missions. When Chief of Department of Health is absent, one Deputy Chief of Department of Health is delegated to operate activities of the Department by Chief of Department of Health;

c) Appointing Chief of Department of Health and Deputy Chiefs of Department of Health is decided by Chairman of Provincial People’s Committee under title norms promulgated by Ministry of Health Portal and under regulations of law. Chief and Deputy Chiefs of Department of Health do not hold position of Heads of subordinate units with legal entity at the same time (*except case of text with higher legal value than other regulations);*

d) Dismiss, mobilization, circulation, reward, discipline, resignation, retirement and implementation of regimes and policies applied for Chief and Deputy Chiefs of Department of Health are decided by Chairman of Provincial People’s Committee according to the law’s regulation;

đ) Chief of Department of Health decides or submits competence authorities to decide appointment, and dismiss headers and deputy headers of headers at organizations, agents and units under and under directly the Department; to decide appointment, and dismiss headers and deputy headers of headers at offices of units under directly the Department that are graded from grade I and above under subdivision of the Provincial People’s Committee, and under title norms promulgated by the Provincial People’s Committee;

2. Organs and units under and under directly Department of Health:

a) General staffing and professional organizations:

- Office;

- Inspection;

- Office of Officer Organization;

- Office of Medicine Profession;

- Office of Pharmacy Profession;

- Office of Planning – Finance;

b) Under-directly organs

- Branch of Population – Family Planning;

- Branch of Food Hygiene and Security

c) Under-directly public cause units:

\* Provincial level:

- Center for Health Communication and Education;

- Center for Disease Control;

- Provincial Polyclinic Hospital;

- Provincial Traditional Medicine and Pharmacy Hospital;

- Eye Hospital;

- Tuberculosis and Embryopathia Hospital;

- Mental Hospital;

- Lazarine leprosy Hospital;

- Children – Obstetrics and Gynecology Hospital;

- Provincial Center for Testing Medicine, Cosmetic, and Food;

- Center for Forensic Medicine;

- Center for Medicine Examination and Decision;

- Medicine College;

\* District and City level:

- Medical Center of Phu Ly Center;

- Medical Center of Duy Tien District;

- Medical Center of Kim Bang District;

- Medical Center of Thanh Liem District;

- Medical Center of Ly Nhan District;

- Medical Center of Binh Luc District;

- Polyclinic Hospital at Nam Ly Area;

\* Commune, ward and town level: including 116 medical aid stations at communes, wards and towns as medical units under Center for Medicine at districts and cities;

3. Personnel

a) Personnel for civil servants, number of employees working in public cause units of Department of Health as assigned based on job positions connected with function, missions and operation scope and in the general personnel of civil servants at administrative organs and organizations, number of employees working in public cause units of the province assigned or approved by the competence authorities;

b) Based on functions, missions, organizational structure and lists of job positions, category structure of civil servants, structure of officials under titles of employment approved by the competence authorities, Department of Healthy sponsors and coordinates with Department of Home Affairs annually to build plans for civil servant personnel, number of employees working in public cause units and submits to the Provincial People’s Committee in order to submit competent authorities for consideration and decision under law’s regulation, ensuring implementation of assigned missions;

**Article 4. Transition term**

Units: Provincial Center for Standby Medicine, Provincial Center for Prevention and Against HIV/AIDS, and Provincial Center for Taking care of Reproductive Health continue working until when the Provincial People’s Committee promulgates establishment decisions: Provincial Center for Disease Control and Children – Obstetrics and Gynecology Hospital.

**Article 5. Execution validity**

The Decision has execution validity after 10 days since the signed date and replaces the Decision No. 725/QD-UBND dated June 23rd, 2008 by the Provincial People’s Committee on regulating functions, missions, powers and machine organization of Department of Health of Ha Nam Province;

Chief of the Secretariat of Provincial People’s Committee, Chiefs of Departments: Department of Health, Department of Home Affairs; Headers of concerned units take responsibility with implementing this Decision./.

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| - Ministry of Health;- Ministry of Home Affairs;- Inspection Bureau of Legal Documents – Ministry of Justice;- Standby Party Provincial Committee;- Chairman and Vice Chairmen of Provincial People’s Committee;- As stated in Article 5;- Saved: VT, NC | **ON BEHALF OF PEOPLE’S COMMITTEE** **CHAIRMAN***(signed and sealed)***Nguyen Xuan Dong** |