

The Professional Nursing and Midwifery Act, B.E. 2528 (1985)

As Amended by the Professional Nursing and Midwifery Act, B.E. 2540 (1997)

Translation

Bhumibol Adulyadej, Rex.

Given on the 20th Day of August B.E. 2528

In the 40th Year of the Present Reign

His Majesty King Bhumibol Adulyadej is graciously pleased to proclaim that;

Whereas it is deemed expedient to stipulate laws dealing with the profession of nursing and midwifery;

Be it, therefore, enacted by the king, by and with the advice and consent of the Parliament, as follows:

Section 1

This Act shall be called "The Professional Nursing and Midwifery Act, B.E. 2528 (1985)"

Section 2

This Act shall come into force on the next day following its publication in the Royal Government Gazette.

Section 3

This Act shall supersede all previous laws and regulations which stipulated the same subject matter as this Act or which are in conflict or contrary to the provisions of this Act.

Section 4

In this Act:

"professional nursing and midwifery" means the profession relating to nursing and midwifery.

"Nursing" means actions to people, related to caring and helping when they are sick, including rehabilitation, disease prevention and health promotion, as well as assisting physicians to perform curative treatment. In doing so, it shall be based on scientific principles and the art of nursing.

"Midwifery" means actions related to caring and helping pregnant women, post delivery women, and their newborns, including a physical examination, conducting delivery of the baby, promotion of health, and prevention of complications during pregnancy, delivery, and post delivery, as well as assisting physicians in performing curative treatment. In doing so, it shall be based on scientific principles and the art of midwifery.

"Professional Practice of Nursing" means practice of nursing to individual, family and the community in the following actions:

- (1) to provide education, advice, counseling, as well as solving health problems;
- (2) to act and assist individuals physically and mentally, including their environment, in order to solve problems of illness, alleviate symptoms, prevent dissemination of diseases and provide rehabilitation;
- (3) to provide treatment, as mentioned in primary medical care and immunization;
- (4) to assist physicians to perform treatments.

These actions shall be based on scientific principles and the art of nursing in performing health assessment, nursing diagnosis, planning, nursing intervention and evaluation.

"Professional Practice of Midwifery" means practice of midwifery to pregnant women, post delivery women, their newborns and families in the following actions:

- (1) to provide education, advice, counseling, as well as solving health problems;
- (2) to act and assist pregnant women, post delivery women, and their newborns physically and mentally, in order to prevent complications during pregnancy, delivery, and post delivery;
- (3) to provide physical examinations, delivery of the baby and family planning services;
- (4) to assist physicians to perform treatments.

These actions shall be based on scientific principles and the art of midwifery in performing health assessment, diagnosis, planning, intervention and evaluation.

"Practitioner of nursing profession" means a person who has been registered and received a license granted by the Nursing and Midwifery Council to perform to this profession.

"Practitioner of midwifery profession" means a person who has been registered and received a license granted by the Nursing and Midwifery Council to perform this profession.

"Practitioner of the nursing and midwifery profession" means a person who has been registered and received a license granted by the Nursing and Midwifery Council to perform both professions.

"License" means a license issued by the Nursing and Midwifery Council to a person qualified to perform the profession of nursing or midwifery or both.

"Member" means anyone who is a member of the Nursing and Midwifery Council.

"Committee member" means a committee member of the Nursing and Midwifery Council.

"Nursing and Midwifery Council Officer" means a person who has been appointed by the Minister, to mandate according to this Act.

"Committee" means the Nursing and Midwifery Council Committee.

"Secretary-General" means the secretary-general of the Nursing and Midwifery Council.

"Council Officer" means a person appointed by the Minister of Health to take action according to this Act.

"Minister" means the minister in charge according to this Act.

Section 5

The Minister of Public Health shall be the Minister in charge according to this Act. The Minister shall have the power to appoint the Nursing and Midwifery Council Officer and to issue Ministerial Regulations prescribing fees not exceeding the amount stated in or appended to this Act. The contents of the regulations and proclamations must also be in accordance with this Act.

The Ministerial Rules and Regulations shall be effective after its publication in the Government Gazette.

Chapter 1

Nursing and Midwifery Council

Section 6

A Nursing and Midwifery Council is hereby established with the objectives and authority in accordance with this Act.

The Nursing and Midwifery Council shall hold a juristic person status.

Section 7

The Nursing and Midwifery Council shall have the following objectives:

- (1) to regulate the conduct of those who are practitioners of nursing and/ or midwifery to ensure that it is in accordance with the ethics of this particular profession;
- (2) to promote education service research and career advancement of the profession;
- (3) to promote solidarity among and uphold the dignity of the members;
- (4) to assist, advise, educate, and disseminate information to public and other organizations regarding to the scientific knowledge base of nursing, midwifery and public health;
- (5) to provide consultation and recommendation to the government concerning problems related to nursing, midwifery and public health;
- (6) to be the professional voice of nurses/midwives and represent their interest and concerns;
- (7) to help in the search for justice and to promote welfare to members.

Section 8

The Nursing and Midwifery Council shall have the following authority:

- (1) to arrange for the registration and licensing of those who apply for the permission to practice nursing and/or midwifery;
- (2) to suspend or revoke a nursing and/or midwifery license.
- (3) to approve the curriculum of an institute that wants to offer education, related to professional nursing and midwifery before forwarding to the Ministry of University Affairs for accreditation;
- (4) to accredit curriculum at certificate level of an institute that wants to offer education related to professional nursing and midwifery;
- (5) to accredit training courses of an institute that wants to offer education, related to professional nursing and midwifery;
- (6) to endorse accreditation of academic institutions that offer teaching and training specified in (4) and (5);
- (7) to approve the degree, certificate equivalent to degree, certificate or specialist certificate issued by an educational institute that offers a program in this field;
- (8) to issue a letter of approval or certification of specialization or other forms of certification to those who practice the profession of nursing and/or midwifery;
- (9) to function according to the objectives of the Nursing and Midwifery Council"

Section 9

The Nursing and Midwifery Council may receive, take and disburse the following kinds of income and funds:

- (1) grants from the government fiscal budget;
- (2) registration fees and membership fees from ordinary members or any other kinds of fees;
- (3) benefits derived from other activities of the council according to the objectives in Section 7;
- (4) cash and other assets donated to the council;
- (5) interest accrued to cash or other assets in (1), (2), (3) and (4) above.

Section 10

The Minister shall act as a special President of the Nursing and Midwifery Council and has the power and responsibility according to this Act.

Chapter 2

Members

Section 11

The Nursing and Midwifery Council comprises two types of members:

- (1) Ordinary members who shall have the following qualifications:
 - (a) being at least 18 years old;
 - (b) being knowledgeable in the fields of nursing or midwifery by obtaining a degree, certificate equivalent to a degree or certificate in the fields of nursing, midwifery or nursing and midwifery from institutions approved by the Council;
 - (c) having no record of such misbehavior that the committee feels is threatening to the honor and reputation of the profession;
 - (d) have no record of conviction by a final court judgment or a lawful order to serve an imprisonment sentence in a case which the committee finds threatening to the honor and reputation of the profession;
 - (e) being not insane, of unsound mind or infected with some kinds of diseases specified in the Council regulations.
- (2) Honorary Members are qualified persons who the council invites to be a honorary member.

Section 12

An ordinary member shall have the following rights and duties:

- (1) to be registered and granted a license to conduct the profession of nursing and/or midwifery and a certificate of specialization or other related document as particularly required by each respective field;
- (2) to express written opinion concerning the Nursing and Midwifery Council's activities which shall be submitted to the Committee for consideration. In the case where 50 or more ordinary members propose that a matter concerning The Nursing and Midwifery Council's activities be considered by the Committee, the latter shall consider it and notify the results to those concerned without delay;
- (3) to cast a vote or be elected or nominated to be a committee member;
- (4) to uphold the dignity and honor of the profession according to this Act.

Section 13

Membership shall be terminated in the case of following events:

- (1) death;
- (2) resignation;
- (3) lack of qualifications as stated in Section 11 (1).

Chapter 3

The Committee

Section 14

The Nursing and Midwifery Council Committee shall be composed of 5 representatives from the Ministry of Public health, 3 representatives from the Ministry of Defense, one representative from the Ministry of Interior, 4 representatives from the Ministry of Education, one representative from Bangkok Metropolitan, one representative from the Thai Red Cross Society, President of Thai Nurses Association and 16 members who are elected by ordinary members of the Nursing and Midwifery Council. The Secretary-General of the Nursing and Midwifery council shall serve as the member and secretary of this committee.

Section 15

The committee may appoint honorary members or ordinary members to be advisory committee. The number of advisory committee shall not be more than one-fourth of members of the Committee.

Term of advisory committee shall be the same as the term of committee from election.

Section 16

The Committee shall select two of its members to be the First and Second Vice-President respectively.

The President of the Nursing and Midwifery Council, with the approval of the Committee, shall select an ordinary member whose qualifications meet the requirements in Section 18 to serve as Secretary-General. Deputy Secretary-General, Public Relations Officer and Treasurer shall be selected from the committee members.

The committee members appointed for the positions in paragraph one or two shall serve the same term as the appointed or elected committee members except for the Secretary-General who shall serve for the same term as the elected committee members.

The President of the Nursing and Midwifery Council, with the approval of the Committee, shall have the power to remove the Secretary-General before the end of the term in paragraph three.

Section 17

The election of the committee members in Section 14, the appointment of advisory committee in section 15 and the selection of Committee members in Section 16 shall comply with the regulations of the Council.

Section 18

The committee members, except the Permanent Secretary of the Ministry of Public Health, shall have the following qualifications:

- (1) being a professional nurse, midwife or nurse-midwifery;
- (2) having never had their license suspended or revoked;
- (3) having never been declared bankrupt.

Section 19

The appointed and elected committee members shall serve a term of 4 years and may be reelected or reappointed for not more than two consecutive terms.

Section 20

Apart from being discharged according to their term, a committee member shall be discharged in the following events.

- (1) expiration of membership according to Section 13;
- (2) being disqualified according to Section 18;
- (3) resignation.

Section 21

In the event that fewer than half of the elected positions are vacant before the end of the term of such committee members, the committee shall designate ordinary members whose qualifications meet those specified in Section 18 to fill the vacancy within 30 days.

However, if the number of vacant positions of elected members exceeds half the total number of such members, new committee members shall be elected by the ordinary members within 90 days after the vacancy occurs.

If, on the other hand, the vacancy occurs when the remaining term of service is less than 90 days, a reelection may be omitted.

The replacement members shall serve for a period equivalent to the remaining term of the members whom they replace.

Section 22

The committee shall have the following powers and responsibilities:

- (1) to administer the Nursing and Midwifery Council according to the objectives stated in Section 7;
- (2) to appoint sub-committee on ethics, on enquiry or any other sub-committees to carry out or consider various matters within the bounds of the objectives of the Council;
- (3) to issue Nursing Council Regulations concerning:
 - (a) membership;
 - (b) specifying diseases according to Section 11 (1) (e);
 - (c) prescribing fees charged for ordinary membership registration, membership fees and any other fees other than those specified in the section appended to this Act;
 - (d) selection, election and appointment of committee members and an advisor according to Section 17;
 - (e) criteria for registration, issuing of a license, forms, and types of licenses;
 - (f) criteria for issuing a letter of approval or a certificate proving qualifications or expertise of a specific field and any other proof of merit in the nursing and midwifery profession;
 - (g) limitations and conditions governing the conduct of the nursing and midwifery profession;
 - (h) maintenance of the ethics of the nursing and midwifery profession;
 - (i) meetings of the committee and the sub-committees;
 - (j) criteria for approving an institute offering courses in nursing and midwifery;
 - (k) criteria for academic examination in the field according to the power and responsibilities of the Council;
 - (l) criteria for an investigation or enquiry when an allegation or accusation arises concerning a violation of the ethics of the nursing and midwifery profession;
 - (m) Other matters within the objectives or the powers and responsibilities of the Council according to other related laws.

The Regulations shall be enforced after publication in the Government Gazette.

Section 23

The President of the Nursing and Midwifery Council, its First and Second Vice-President, the Secretary-General, the Deputy Secretary-General, the Public Relations Officer and the Treasurer shall have the following powers and authority:

- (1) The President of the Nursing and Midwifery Council shall have the following powers and responsibilities:
 - (a) to carry out the function of the Council in an accordance with this Act or the resolution of the Committee;
 - (b) to represent the Council in various activities;
 - (c) to act as the chairperson at Committee meetings.The President may authorize in writing any other committee member to act on his/her behalf as deemed appropriate.
- (2) The First Vice-President shall assist the President in carrying out his duties as he/she is duly assigned to and act on the behalf of the President in his/her absence or inability to carry out his/her duties.
- (3) The Second Vice President shall assist the President in his duties as he/she is duly assigned and act on the behalf of the President when both the President and the First Vice-President are absent or are unable to carry out their duties.
- (4) The Secretary-General shall have the following powers and responsibilities:
 - (a) to oversee the personnel of the Council at all levels;
 - (b) to supervise the secretarial or the clerical work of the Council;
 - (c) to keep a registration of members, registration of professional nurse, midwife or nurse-midwife and other related records;
 - (d) to oversee the finance and assets of the council;
 - (e) to serve as Secretary of the Committee.
- (5) The Deputy Secretary-General shall assist the Secretary-General in all matters under his/her authority and responsibility or as assigned by the Secretary-General. He/she shall also act on behalf of the Secretary-General when the latter is absent or unable to carry out his/her duties.
- (6) The Public Relations Officer shall have a duty to publicize, advice, disseminate information concerning the work of the Nursing and Midwifery Council and to educate the general public and other organizations involved in nursing, midwifery and public health.
- (7) The Treasurer shall have the powers and responsibility to oversee the finance, accounting and budgeting of the council.

Chapter 4

The Functioning of the Committees

Section 24

A Committee meeting shall require the attendance of at least half of its members to constitute a quorum.

Decisions taken at a meeting shall be taken by a majority vote.

Each Committee member shall have one vote. If the votes are equal, the chairperson shall cast a decisive vote.

A decision to terminate the membership of a Committee member due to lack of qualifications listed in Section 11 (1) (c) (d) and (e) shall be taken by at least a two-thirds majority vote.

The provisions in paragraphs one and two above shall apply to sub-Committee meetings *mutatis mutandis*.

Section 25

The Special President may attend and express his/her opinions at a meeting or send a written opinion to the Committee concerning any matter.

Section 26

The committee's decisions on the following matters shall be approved by the Special President of the Council before they are implemented:

- (1) issuing regulations;
- (2) budgeting of the Council;
- (3) terminating the membership of a member according to Section 24, paragraphs (3);
- (4) making a final decision according to Section 41, paragraphs (3), (4) or (5).

The President of the Nursing and Midwifery Council shall inform the Special President without delay of the decisions taken in paragraph one and the Special President may order a suspension of the decision. If no suspension order is made within 15 days after the notification of the decision, the Special President shall be deemed to have approved the decision.

Any decision suspended by the Special President shall be reconsidered by the Committee within 30 days after notification of the suspension. If the decision is confirmed by a two-thirds majority, it shall be implemented.

Chapter 5

Controlling the Practice of the Nursing and Midwifery Profession

Section 27

It is prohibited for any person who is not a registered practitioner of the nursing profession and / or midwifery to perform professional activities or to do anything that misleads other people that he/she has a right to conduct the action without registration or obtaining a license for such purpose with the following exceptions.

- (1) The act of nursing or midwifery performed oneself.
- (2) Treatment of others as required by law or in accordance with ethical practices without receiving any remuneration.

However, such treatment shall not involve injection of any substance into the body of the patient or giving the patient any dangerous drug, specially controlled drug, mental or conscience suppressive drug or narcotic drug which are regulated by the respective laws.

- (3) Students, trainees under the supervision of a State nursing or midwifery institute or those granted permission by the government or approved by an authorized Committee. These persons shall be under the supervision of a trainer who is a practitioner of nursing and/or midwifery.
- (4) Persons who authorized by a Ministry, Bureau, Government Department, Bangkok Metropolitan Area, Pattaya City, a Provincial Administrative Organization, a Municipal, a Sanitary District or other Local Administrative Organizations according to a Ministerial Notification in the Government Gazette or by the Red Cross Society of Thailand to conduct nursing or midwifery activities under the supervision of a professional practitioner of nursing and/or midwifery according to regulations prescribed by the Minister in the Government Gazette.
- (5) A licensed practitioner of healing arts, a practitioner of medicine or other practitioner according to limitations and conditions regulation by laws of that professions.

- (6) Nursing and Midwifery practice of a consultant or an expert of government organization or a professor in educational institute, who obtained a license from a foreign country in nursing, midwifery, shall follow the regulations of The Nursing and Midwifery Council.
- (7) Persons who perform nursing or midwifery activities to assist a professional official of nursing and / or midwifery in the event of a public danger or a disaster.
- (8) Persons who help in taking care of patients in a clinics or hospitals under the supervision of a professional nurse or midwifery practitioner according to regulations announced in the Royal Government Gazette.

Section 28

Registration, licensing, renewing of license, issuing of letters of approval or certificates of specialization and issuing of other professional qualification documents in the nursing and midwifery, shall be in accordance with regulations of the Nursing and Midwifery Council.

Section 29

Registration and licensing shall be classified into three categories: namely Nursing Practitioner, Midwifery Practitioner and Nursing and Midwifery Practitioner.

The practitioner of each category in paragraph one shall be divided into 2 levels: First Class and Second Class.

Every category of license is effective after the date of issue, for five years.

Section 30

A person who has the right to register and obtain a professional license, according to Section 29, must reach the following levels of qualifications:

- (1) to be entitled to perform as professional nurse, midwife or nurse–midwife at First Class, shall have obtained:
 - (a) a degree or a certificate equivalent to a degree in nursing, midwifery, or nursing and midwifery from an accredited educational institute in Thailand or
 - (b) a degree or certificate equivalent to a degree in nursing, midwifery, or nursing and midwifery from an educational institute in a foreign country and has obtained a license to practice in the respective country. The person must satisfactorily pass the examination required by the Nursing and Midwifery Council. However, a person who holds Thai nationality may not need to obtain a professional license from the country where he/she graduated from.
- (2) to be entitled to perform as nurse, midwife or nurse–midwife at Second Class , shall have obtained:
 - (a) a certificate in nursing, midwifery, or nursing and midwifery at the technical level from an accredited educational institute in Thailand or
 - (b) a certificate in nursing, midwifery, or nursing and midwifery from an educational institute in a foreign country and has obtained a license to practice in the respective country. The person must satisfactorily pass the examination required by the Council. However, a person who holds Thai nationality may not need to obtain a professional license from the country where he/she graduated from.

Section 31

A person who applies for registration or a license must be an ordinary member of the Nursing and Midwifery Council and have other qualifications required by the Council.

A license for pursuing a nursing, midwifery or nursing–midwifery profession shall automatically be terminated as soon as the membership of a license practitioner is terminated.

A license practitioner whose membership has been terminated in paragraph (2) above must return the license to the Secretary-General within 15 days after the membership is terminated.

Section 32

Any person conducting the nursing, midwifery or nursing-midwifery profession shall observe the ethics of the profession as stipulated in the Nursing and Midwifery Council Regulations.

Section 33

Any person who has suffered damage as a result of a violation of ethical practices has a right to make allegation against the person who has caused the damage by submitting the complaint to the Council.

The Committee has the right to accuse a person conducting a nursing, midwifery or nursing-midwifery profession of an ethical violation through notification of the matter to the Council.

The right to file complaints in paragraph one and the right to make an allegation in paragraph two above shall terminate one year after the plaintiff has learned of the offense and not more than 3 years after the offense has been committed.

Withdrawal of a complaint or an allegation shall not constitute ground for stopping any process instituted according to this Act.

Section 34

After the receipt by the Nursing and Midwifery Council of a complaint or an allegation made under Section 33 or where the Committee has decided that there exist circumstances which make it appropriate to consider non-observance of professional ethics in a particular case, the Secretary-General shall submit the matter to the chairperson of the sub-committee on ethics without delay.

Section 35

The Committee shall appoint a sub-committee on ethics from the ordinary committee members consisting of a chairperson and at least three sub-committee members to investigate a case referred to in Section 34 in order to compile a report and recommendations to the Committee for consideration.

Section 36

Upon receipt of the report and recommendations from the sub-committee on ethics, the Committee shall consider them and make any of the following resolutions:

- (1) assigning the sub-committee on ethics to seek additional facts for further consideration;
- (2) assigning the sub-committee on enquiry to conduct an investigation if the Committee considers that the accusation is well-grounded;
- (3) dismissing the accusation or allegation in a case where it is found that the accusation is not well-grounded.

Section 37

The Committee shall appoint an enquiry subcommittee from the ordinary members. The sub-committee shall consist of a chairperson and at least 3 sub-committee members. It shall have powers to conduct an investigation into a case, summarize the results of an investigation and submit the account of the investigation along with their opinions to the Committee for a final decision.

Section 38

The sub-committees on ethics and on inquiry as specified in this Act shall be the officers according to the Penal Code with the power to summon any person to testify and power to ask any person in writing to provide any documents or material necessary for the investigation.

Section 39

The chairperson of the enquiry sub-committee shall inform the alleged offender of the complaint or accusation and send him/her a copy of such complaint or accusation at least 15 days prior to the date when the inquiry commences.

The accused or the alleged offender has the right to submit an explanation of the matter or present evidence to the inquiry sub-committee by submitting it to the chairperson within 15 days after he/she has been informed of the accusation against him/her or within the time allowed by the subcommittee.

Section 40

After completion of the enquiry, the sub-committee shall immediately present the account and recommendations to the Committee without delay for a final decision.

Section 41

Upon receiving the report of the investigation, the committee shall consider the matter.

The Committee may request the enquiry sub-committee to conduct further investigation before making a final decision.

The decision of the Committee shall be one of the following:

- (1) dismissing the case;
- (2) giving a reprimand;
- (3) putting the offender on probation;
- (4) suspending the license for a certain period not exceeding 2 years;
- (5) revoking of the license

Subject to Section 26, the Committee's decision under this provision shall be executed through an order of the Nursing and Midwifery Council and shall be deemed to be final.

Section 42

The Secretary-General shall, without delay, inform the alleged offender of the Nursing and Midwifery Council order made under Section 41. He/she shall also record the order in the professional record of the person.

Section 43

Subject to Section 27, it is prohibited for any person whose professional nursing, midwifery or nursing-midwifery license has been revoked or suspended to pursue the profession or to mislead any other person by any means to assume that he/she the right to conduct such professional activities. This provision shall be effective on the date of the notification of the suspension or revocation.

Section 44

Where a person whose license has been suspended violates the provision in Section 43 and is sentenced to imprisonment according to Section 46 by a final court judgment, the committee shall revoke his/her license from the date when the judgment was given.

Section 45

After the 2 year period of revocation of a license, a person may request the Committee to re-issue the license. But if his/her request is rejected, the person may resubmit the request after a one-year period from the time of the first refusal. However, if the request is rejected for the second time, the person shall permanently be prohibited from applying for a license.

Chapter 5⁽²⁾

The Officer

Section 45 (2)

The officers shall have the power to patrol the following places to seek out for license, search for any evidence to take documents or material that could be used as evidence for consideration whether to take action. The seek out and searching activity shall be taken in daytime or during working hour of that place.

- (1) Workplace that has persons practice nursing, midwifery or nursing and midwifery.
- (2) Place that suspects to have practice of nursing, midwifery or both.
- (3) Place that has teaching or suspects having teaching courses/subjects in nursing, midwifery or both.

Section 45 (3)

During on duty, the officer has to provide identification card to concerning persons.

Identification card of the officer shall be conformed with the form determined by the Ministerial rule.

Section 45 (4)

During on duty, the Council's officer shall be the officer according to the Penal Code.

Section 45 (5)

The responsible person of the place in Section 45 (2) shall have to facilitate the work of the officers while they are on duty.

Chapter 6

Penalties

Section 46

Any person who violates Section 27 or Section 43 shall be liable to imprisonment for a period not exceeding two years or a fine not exceeding Baht 20,000 or both.

Section 47

Any person who violates Section 31 paragraph 3 is liable to a fine not exceeding Baht 1,000.

Section 48

Any person who fails to respond to a summons or to submit documents or any other materials requested according to Section 38 is liable to imprisonment for a period not exceeding one month or a fine not exceeding Baht 1,000 or both.

Section 48 (2)

Any person who fails to facilitate Nursing and Midwifery Council Officer according to Section 45 (5) is liable to imprisonment for a period not exceeding one month or a fine not exceeding Baht 1,000 or both.

Transitional Provisions

Section 49

Any person who has been registered and granted a professional nursing/midwifery/nursing-midwifery license according to the laws concerning the art of nursing on the date this Act is published in the Government Gazette shall be deemed an ordinary member of Thailand Nursing and Midwifery Council according to this Act.

Section 50

Any person who has been registered and granted a professional nursing/midwifery/nursing-midwifery license according to the law of the healing arts whose license is valid on the date this Act is published in the Government Gazette shall be deemed to have registered and granted a professional license of the specified level and class according to this Act.

Section 51

In the initial period before the election of the Standing Committee, an interim committee shall be appointed consisting of the Permanent Secretary of the Ministry of Public Health acting as Chairperson and other members appointed according to Section 14. The appointment shall be completed within 30 days after this Act comes into force.

The Permanent Secretary of the Ministry of Public Health shall appoint representatives of the Ministry who have been appointed in accordance with Section 14 to act as the Secretary-General, Deputy Secretary-General and the Treasurer to serve the Committee until the election of the Nursing and Midwifery Council Committee from the ordinary members is completed.

The election of the Nursing and Midwifery Council committee must be completed within 180 days after this Act comes into force.

Section 52

In the period before rules and regulations under this Act are enacted, the Ministerial Regulations and Ministerial Notifications governing the practice of the healing arts related to the nursing and midwifery professions shall apply *mutatis mutandis* for a period not exceeding one year from the date this Act comes into force.

Countersigned by

General Prem Tinasulanonda

Prime Minister

Fees (Baht)

1) Registration and license for 1st class professional nursing practitioners.	3,000
2) Registration and license for 1st class professional midwifery practitioners.	3,000
3) Registration and license for 1st class professional nursing- midwifery practitioners.	3,000
4) Registration and license for 2nd class professional nursing practitioners.	2,400
5) Registration and license for 2nd class professional midwifery practitioners	2,400
6) Registration and license for 2nd class professional nursing- midwifery practitioners.	2,400
7) A letter of approval or a certificate of expertise or any other related proof of qualification	2,400
8) A letter certifying the registration of professional nursing / midwifery/ nursing midwifery.	1,800
9) A certified copy of a license and any other document as specified in 7)	1,800

Note:

- (1) The reasons for the enactment of this Act are to separate the control of the nursing/midwifery/nursing-midwifery from the control of the over-all art of healing which in the past included the control of the practice of dentistry, pharmacy, nursing, midwifery, physiotherapy and associated medical sciences including the traditional practice of medical treatment, pharmacy, and midwifery. Also, at present the number of practitioners of nursing and midwifery has increased. Therefore, it is deemed appropriate to separate the control and to set up a Nursing Council with the Committee consisting of representatives from the relevant government units as well as those who conduct the profession and have been elected as Committee members. This organization will ensure flexibility, freedom and efficiency in the control and promotion of professional nursing standards.
- (2) Reasons for the enactment of the Professional Nursing and Midwifery Act, B.E. 2540 (1997) are to define the scope of nursing, to determine the term of license, to enforce licensing examination of newly-graduates, to increase member of Council committee and advisory committee and to adjust the fees.

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