

Decree 11/1997. (V.28.) NM of the Minister of Welfare

naturapathy
on certain issues of the exercise of homoeopathic activity
and alternative medicaments.
(Ayurveda)

On the basis of the powers conferred to me by item (1) § 4. of the Government decree 40/1997. (III.5.) (hereinafter: R) on **homoeopathy** I order the following:

Naturapathy

§ 1.

The activity groups falling within the scope of *naturapathy* **homoeopathy** (hereinafter: activity) and the range of persons entitled to carry out **homoeopathic** activity are listed in *Appendix No.1.*

Naturapathic

§ 2.

corrected by

I. J. Riesen

Hung. Ayu. Med. Foundation

(1) The establishment of the illness, working out of the therapy and the monitoring of the health condition of the patient are medical tasks. Upon initiative of the doctor or the patient a person - not doctor - qualified for the performance of this activity can take part in the attendance of the patient and perform homoeopathy on his/her own - with the exception of item (2) - in accordance with his/her homoeopathic qualification after previous medical examination or specialist's attendance or parallel to the same, under regular medical control of the patient. If the co-operation of the not-doctor, person with homoeopathic qualification is initiated by the doctor the patient's consent is necessary. Before starting the activity also the doctor who wants to employ it can perform the preliminary specialist's examination if he/she has a specialist's qualification entitling him/her to specialist's examination and attendance of the patient. If the patient wants to involve a homoeopath in his/her treatment, his/her attending doctor cannot prevent that.

(2) The not-doctor qualified to perform the activity is not allowed to modify the diagnosis established by the doctor, to treat the patient without previous medical examination and in case of a

patient under medical treatment he/she is obliged to consult with the attending doctor; he/she cannot attend patients and cannot make interventions in organs or tissues, cannot acupuncture except acupuncture of the ear in case of healing addicts.

(3) Psychotherapeutic activities and methods on basis of homoeopathy, psychodiagnostical procedures can only be performed and employed by psychiatric specialists, doctors with psychotherapeutical qualification and by clinical psychological specialists - taking into consideration the provisions in item (1).

§ 3.

(1) The legal rules and ethical norms relating to health service employees apply for persons and organizations performing homoeopathic activity.

(2) Particularly the reasons of complementary homoeopathy, the patient's state and its alterations are to be recorded in the documentation prescribed in health and preventive treatment.

(3) The person performing homoeopathic activity has to keep records as per *Appendix No.2*.

§ 4.

(1) In the course of the performance of homoeopathic activity

a) only medicines registered as pharmaceutical product by Országos Gyógyszerészeti Intézet [National Pharmaceutical Institute - hereinafter: OGYI] and by the Állami Népegészségügyi és Tisztiorvosi Szolgálat Országos Tisztifőorvosi Hivatala [State Public Welfare and Health Service National Office of Senior Medical Officers - hereinafter: ÁNTSZ OTH],

b) curative substances or preparations not qualified as medicine and registered by OGYI under separate legal rule (Ayurvedic Medicines),

c) preparations authorized on ad hoc basis by OGYI i.e. ÁNTSZ OTH under separate legal rule,

d) food supplements for the satisfaction of special nourishment demands authorized by Országos Élelmezés- és Táplálkozástudományi Intézet [National Institute of Dietetics and Nutrition - hereinafter: OÉTI],

e) medicinal herbs qualified under separate legal rule can be used.

(2) Homoeopathic preparations not registered in Hungary can be employed only in the case if the process of registration is already in course and OGYI already registered the preparation.

(3) In case of the performance of homoeopathic activity to which instruments and tools are to be employed only those authorized by the Országos Kórház- és Orvostechnikai Intézet [National Institute for Hospital and Medical Technics] can be used.

§ 5.

(1) The examination as per items (1)-(2) of § 3. of the R are held by the Egészségügyi Szakképző és Továbbképző Intézet [Health Education and Complementary Training Institute - hereinafter: ETI]. The examination rules are released by the same institute. The members of the examining board are approved by the minister of welfare upon recommendation of ETI and this minister assigns the chairman of the board, too.

(2) ETI keeps records on the persons having passed the examination.

§ 6.

(1) This decree enters in force as per July 1, 1997.

(2) The prescriptions relating to the establishment of the homoeopathic consulting-room are specified in *Appendix No.3.* and

the professional and examination requirements of the groups of homoeopathic activity - except the examination as per (1)-(3) § 2. of R - are specified in *Appendix No.4.*

(3) Persons going in for an examination as per item (1)-(3) § 2. of R and items (1)-(2) § 3. until January 31, 1998 do not have to certify the completion of the professional practice as prescribed by Appendix 4. of this decree.

§ 7.

Simultaneously with the entering in force of this decree the § 30. 30/1989 (XI.15.) SZEM on medical, clinical psychological and the exercise of other health and social activities will be completed by the following items (5)-(10):

"(5) In case of private practice the performance of homoeopathic activity can be authorized to a specialist who completed the special course stipulated by legal rule and passed the examination. This degree entitles the person to use the expression of homoeopathy on his/her trade-sign and to indicate this activity.

(6) Clinical psychological specialists and persons with high health school degree are allowed to perform homoeopathic activity if they completed courses in conformity with their special field and regulated by special legal rules and passed the examination. This degree entitles to the use of the title of homoeopath on the sign-board and of the indication of the designation of homoeopath.

(7) In case of other private health activity the performance of homoeopathic activities are allowed to persons who have secondary school graduate degree, finished studies at the courses as prescribed by separate legal rules and passed examinations. This degree entitles to indicate the given qualification on the trade-sign.

(8) The issued permit has to contain the special qualification on basis of which the activity of homoeopathy can be performed. Only doctors, persons having completed the health high school and psychologists are entitled to bear the designation of homoeopath if they have passed the examination as per separate legal rule.

(9) The authorizing organ will keep records of the persons performing private practice or other health-related private practice.

(10) If the person carrying out private practice or other health-related private practice wants to suspend his/her activity he/she is obliged to announce the suspension to the authorizing organ."

(2) Simultaneously with the entering in force of this decree the item (3) § 5. of the decree 8/1993. (III.1.) NM on the supervision of health and preventive institutions and services is completed by the following item:

"(3) Homoeopathic activities are supervised by co-ordination of the persons assigned by the senior medical officer of the county."

Dr. Mihály Kökény
minister of welfare