

この外国医師等が行う臨床修練に係る医師法第十七条等の特例等に関する法律の翻訳は、平成一八年法律第八四号までの改正（平成一九年四月一日施行）について、「法令用語日英標準対訳辞書」（平成一九年三月版）に準拠して作成したものです。なお、この法令の翻訳は公定訳ではありません。法的効力を有するのは日本語の法令自体であり、翻訳はあくまでその理解を助けるための参考資料です。この翻訳の利用に伴って発生した問題について、一切の責任を負いかねますので、法律上の問題に関しては、官報に掲載された日本語の法令を参照してください。

This English translation of the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners has been made (up to the revisions of Act No. 84 of 2006 (Effective April 1, 2007)) in compliance with the Standard Bilingual Dictionary (March 2007 edition). This is an unofficial translation. Only the original Japanese texts of laws and regulations have legal effect, and translations are to be used solely as reference material to aid in the understanding of Japanese laws and regulations. The Government of Japan will not be responsible for the accuracy, reliability or currency of the legislative material provided on this Website, or for any consequence resulting from use of the information on this Website. For all purposes of interpreting and applying the law to any legal issue or dispute, users should consult the original Japanese texts published in the Official Gazette.

外国医師等が行う臨床修練に係る医師法第十七条等の特例等に関する法律（昭和六十二年法律第二十九号）

Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners, etc. (Act No. 29 of May 26, 1987)

第一条（趣旨）

Article 1 (Purpose)

この法律は、医療に関する知識及び技能の修得を目的として本邦に入国した外国医師若しくは外国歯科医師又は外国看護師等が医業若しくは歯科医業又は保健師助産師看護師法(昭和二十三年法律第二百三号)第五条に規定する業等を行うことができるように、医師法(昭和二十三年法律第二百一号)第十七条及び歯科医師法(昭和二十三年法律第二百二号)第十七条並びに保健師助産師看護師法第三十一条第一項等の特例等を定めるものとする。

The purpose of this Law is to provide for special measures concerning Article 17 of the Medical Practitioners' Act (Act No. 201 of 1948), Article 17 of the Dentists Act (Act No. 202 of 1948), and Article 31, Paragraph 1 of the Act on Public Health Nurses, Midwives and Nurses (Act No. 203 of 1948), etc. to enable the foreign medical practitioners or dental practitioners, or foreign nurses, etc. who have entered Japan for the purpose of learning medical knowledge and skills, to engage in medical or dental practices or any practice prescribed by Article 5 of the Act on Public Health Nurses, Midwives and Nurses, etc.

第二条（定義）

Article 2 (Definitions)

この法律において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

In this Law, the meanings of the terms listed in the following Items shall be as prescribed respectively in those Items.

一 外国医師 外国において医師に相当する資格を有する者をいう。

(i) The term "foreign medical practitioner" means a person who has a license which corresponds to the license for a medical practitioner in a foreign country.

二 外国歯科医師 外国において歯科医師に相当する資格を有する者をいう。

(ii) The term "foreign dental practitioner" means a person who has a license which corresponds to the license for a dental practitioner in a foreign country.

三 外国看護師等 外国において助産師、看護師、歯科衛生士、診療放射線技師、歯科技工士、臨床検査技師、理学療法士、作業療法士、視能訓練士、臨床工学技士、義肢装具士、言語聴覚士又は救急救命士に相当する資格を有する者をいう。

(iii) The term "foreign nurse, etc." means a person who has a license which corresponds to the license for a midwife, nurse, dental hygienist (shikaeiseishi), medical radiology technician (shinryouhoushasengishi), dental technician (shikagikoushi), clinical laboratory technician (rinshoukensagishi), physical therapist (rigakuryouhoushi), occupational therapist (sagyouryouhoushi), orthoptist (shinoukunrenshi), clinical engineer (rinshoukougakugishi), prosthetist (gishisougushi), speech-language-hearing therapist (gengochoukakushi) or emergency life-saving technician (kyuukyuuuumeishi) in a foreign country.

四 臨床修練 医療に関する知識及び技能の修得を目的として本邦に入国した外国医師若しくは外国歯科医師又は外国看護師等(外国において救急救命士に相当する資格を有する者(以下「外国救急救命士」という。))を除く。以下この号において同じ。)が厚生労働大臣の指定する病院(以下この号において「指定病院」という。)において臨床修練指導医若しくは臨床修練指導歯科医又は臨床修練指導者(当該外国看護師等が外国において有する資格に相当する次のハからカまでに掲げる資格を有する者に限る。)の実地の指導監督の下にその外国において有する次のイからカまでに掲げる資格に相当する資格の区分に応じ、それぞれイからカまでに定める業を行うこと並びに医療に関する知識及び技能の修得を目的として本邦に入国した外国救急救命士が指定病院に救急救命士法(平成三年法律第三十六号)第二条第一項に規定する重度傷病者(以下この号において「重度傷病者」という。)を搬送する同法第四十四条第二項に規定する救急用自動車等(以下この号において「救急用自動車等」という。)において、又は当該指定病院への搬送のため重度傷病者を救急用自動車等に乗せるまでの間において同法第二条第一項に規定する救急救命処置を行うことが必要と認められる場合に臨床修練指導者(医師又は救急救命士に限る。)の実地の指導監督の下に次のヨに定める業を行うことをいう。

(iv) The term "advanced clinical training" means the practices listed in the following (a) to (n) inclusive, conducted by foreign medical practitioners or

dental practitioners, or foreign nurses, etc. (excluding a person who has a license which corresponds to the license for an emergency life-saving technician in a foreign country (hereinafter referred to as a "foreign emergency life-saving technician"); hereinafter the same shall apply in this Item), who have entered Japan for the purpose of learning medical knowledge and skills, which are conducted at a hospital designated by the Minister of Health, Labour and Welfare (hereinafter referred to as a "designated hospital" in this Item) based on the classification of the license which corresponds to the license listed in the following (a) to (n) inclusive, in such foreign country respectively, under the on-site instruction and supervision of a medical or dental clinical instructor, or a clinical instructor (limited to a person who has any of the licenses listed in the following (c) to (n) inclusive, which corresponds to the license held by the applicable foreign nurse, etc. in a foreign country), and the practices listed in the following (o) conducted by foreign emergency life-saving technicians, who have entered Japan for the purpose of learning medical knowledge and skills, which are conducted in an ambulance, etc. prescribed by Article 44, Paragraph 2 of the Emergency Life-saving Technicians Act (Act No. 36 of 1991), (hereinafter referred to as an "ambulance, etc." in this Item) transporting a patient in a serious condition prescribed by Article 2, Paragraph 1 of such Act (hereinafter referred to as a "serious patient" in this Item) to a designated hospital or before and until the serious patient is put into the ambulance, etc. for transportation to such designated hospital, to the extent an emergency medical treatment or care prescribed by Article 2, Paragraph 1 of such Act is found necessary and under the on-site instruction and supervision of a clinical instructor (limited to a medical practitioner or an emergency life-saving technician).

イ 医師 医業(政令で定めるものを除く。)

(a) Medical practitioner: medical practices (excluding the practices specified by a Cabinet Order)

ロ 歯科医師 歯科医業(政令で定めるものを除く。)

(b) Dental practitioner: dental practices (excluding the practices specified by a Cabinet Order)

ハ 助産師 保健師助産師看護師法第三条及び第五条に規定する業

(c) Midwife: practices prescribed by Article 3 and Article 5 of the Act on Public Health Nurses, Midwives and Nurses

ニ 看護師 保健師助産師看護師法第五条に規定する業

(d) Nurse: practices prescribed by Article 5 of the Act on Public Health Nurses, Midwives and Nurses

ホ 歯科衛生士 歯科衛生士法(昭和二十三年法律第二百四号)第二条第一項及び第二項に規定する業

(e) Dental hygienist: practices prescribed by Article 2, Paragraph 1 and

- Paragraph 2 of the Dental Hygienists Act (Act No. 204 of 1948)
- へ 診療放射線技師 診療放射線技師法(昭和二十六年法律第二百二十六号)第二条第二項及び第二十四条の二に規定する業
- (f) Medical radiology technician: practices prescribed by Article 2, Paragraph 2 and Article 24-2 of the Act on Medical Radiology Technicians (Act No. 226 of 1951)
- ト 歯科技工士 歯科技工士法(昭和三十年法律第百六十八号)第二条第二項に規定する業
- (g) Dental technician: practices prescribed by Article 2, Paragraph 2 of the Dental Technicians Act (Act No. 168 of 1955)
- チ 臨床検査技師 臨床検査技師等に関する法律(昭和三十二年法律第七十六号)第二十条の二第一項に規定する業
- (h) Clinical laboratory technician: practices prescribed by Article 20-2, Paragraph 1 of the Act on Clinical Laboratory Technicians, etc. (Act No. 76 of 1958)
- リ 理学療法士 理学療法士及び作業療法士法(昭和四十年法律第百三十七号)第十五条第一項に規定する業(理学療法に限る。)
- (i) Physical therapist: practices prescribed by Article 15, Paragraph 1 of the Physical Therapists and Occupational Therapists Act (Act No. 137 of 1965) (limited to the physical therapy)
- ヌ 作業療法士 理学療法士及び作業療法士法第十五条第一項に規定する業(作業療法に限る。)
- (j) Occupational therapist: practices prescribed by Article 15, Paragraph 1 of the Physical Therapists and Occupational Therapists Act (limited to the occupational therapy)
- ル 視能訓練士 視能訓練士法(昭和四十六年法律第六十四号)第十七条第二項に規定する業
- (k) Orthoptist: practices prescribed by Article 17, Paragraph 2 of the Orthoptists Act (Act No. 64 of 1971)
- ヲ 臨床工学技士 臨床工学技士法(昭和六十二年法律第六十号)第三十七条第一項に規定する業
- (l) Clinical engineer: practices prescribed by Article 37, Paragraph 1 of the Clinical Engineers Act (Act No. 60 of 1987)
- ワ 義肢装具士 義肢装具士法(昭和六十二年法律第六十一号)第三十七条第一項に規定する業
- (m) Prosthetist: practices prescribed by Article 37, Paragraph 1 of the Prosthetists Act (Act No. 61 of 1987)
- カ 言語聴覚士 言語聴覚士法(平成九年法律第百三十二号)第四十二条第一項に規定する業
- (n) Speech-language-hearing therapist: practices prescribed by Article 42,

Paragraph 1 of the Speech-Language Hearing Therapists Act (Act No. 132 of 1997)

ヨ 救急救命士 救急救命士法第四十三条第一項に規定する業

(o) Emergency life-saving technician: practices prescribed by Article 43, Paragraph 1 of the Emergency Life-saving Technicians Act

五 臨床修練外国医師 次条第一項の許可を受けた外国医師をいう。

(v) The term "foreign medical practitioner under advanced clinical training" means a foreign medical practitioner who has been granted a permission prescribed by Article 3, Paragraph 1.

六 臨床修練外国歯科医師 次条第一項の許可を受けた外国歯科医師をいう。

(vi) The term "foreign dental practitioner under advanced clinical training" means a foreign dental practitioner who has been granted a permission prescribed by Article 3, Paragraph 1.

七 臨床修練外国看護師等 次条第一項の許可を受けた外国看護師等をいう。

(vii) The term "foreign nurse, etc. under advanced clinical training" means a foreign nurse, etc. who has been granted a permission prescribed by Article 3, Paragraph 1.

八 臨床修練指導医 外国医師が行う臨床修練を実地に指導監督する第八条の認定を受けた医師(外国救急救命士が行う臨床修練を実地に指導監督する場合を除く。)をいう。

(viii) The term "medical clinical instructor" means a medical practitioner authorized pursuant to the provision of Article 8 to instruct and supervise a foreign medical practitioner's advanced clinical training on site (excluding the cases where such instruction and supervision is given or provided in respect of the advanced clinical training performed by a foreign emergency life-saving technician on site).

九 臨床修練指導歯科医 外国歯科医師が行う臨床修練を実地に指導監督する第八条の認定を受けた歯科医師をいう。

(ix) The term "dental clinical instructor" means a dental practitioner authorized pursuant to the provision of Article 8 to instruct and supervise a foreign dental practitioner's advanced clinical training on site.

十 臨床修練指導者 第八条の認定を受けた医師(外国救急救命士が行う臨床修練を実地に指導監督する場合に限る。)及び第四号ハからヨまでに掲げる資格を有する者をいう。

(x) The term "clinical instructor" means a medical practitioner authorized pursuant to the provision of Article 8 (limited to the cases where such medical practitioner instructs and supervises the advanced clinical training performed by a foreign emergency life-saving technician on site) and a person who has a license listed in Item (iv), (c) to (o) inclusive.

第三条 (臨床修練の許可)

Article 3 (Permission for Advanced Clinical Training)

1 外国医師若しくは外国歯科医師又は外国看護師等は、その外国において有する次の各号に掲げる資格に相当する資格の区分に応じ、それぞれ当該各号に定める法律の規定にかかわらず、厚生労働省令で定めるところにより厚生労働大臣の許可を受けて、臨床修練を行うことができる。

(1) A foreign medical practitioner or dental practitioner, or a foreign nurse, etc. may engage in advanced clinical training based on the classification of the license which corresponds to any of the licenses listed in the following Items in such foreign country respectively, notwithstanding the provisions of the Acts listed in each of the following Items by obtaining permission of the Minister of Health, Labour and Welfare pursuant to the provisions of the Ordinance of the Ministry of Health, Labour and Welfare.

一 医師 医師法第十七条

(i) Medical practitioner: Article 17 of the Medical Practitioners' Act

二 歯科医師 歯科医師法第十七条

(ii) Dental practitioner: Article 17 of the Dentists Act

三 助産師 保健師助産師看護師法第三十条及び第三十一条第一項

(iii) Midwife: Article 30 and Article 31, Paragraph 1 of the Act on Public Health Nurses, Midwives and Nurses

四 看護師 保健師助産師看護師法第三十一条第一項

(iv) Nurse: Article 31, Paragraph 1 of the Act on Public Health Nurses, Midwives and Nurses

五 歯科衛生士 保健師助産師看護師法第三十一条第一項及び第三十二条並びに歯科衛生士法第十三条

(v) Dental hygienist: Article 31, Paragraph 1 and Article 32 of the Act on Public Health Nurses, Midwives and Nurses, and Article 13 of the Dental Hygienists Act

六 診療放射線技師 保健師助産師看護師法第三十一条第一項及び第三十二条並びに診療放射線技師法第二十四条

(vi) Medical radiology technician: Article 31, Paragraph 1 and Article 32 of the Act on Public Health Nurses, Midwives and Nurses, and Article 24 of the Act on Medical Radiology Technicians

七 歯科技工士 歯科技工士法第十七条第一項

(vii) Dental technician: Article 17, Paragraph 1 of the Dental Technicians Act

八 臨床検査技師、理学療法士、作業療法士、視能訓練士、臨床工学技士、義肢装具士、言語聴覚士又は救急救命士 保健師助産師看護師法第三十一条第一項及び第三十二条

(viii) Clinical laboratory technician, physical therapist, occupational therapist, orthoptist, clinical engineer, prosthetist, speech-language-hearing therapist or

emergency life-saving technician: Article 31, Paragraph 1 and Article 32 of the Act on Public Health Nurses, Midwives and Nurses

2 厚生労働大臣は、前項の許可(以下「許可」という。)を受けようとする者が次の各号に掲げる基準に適合していると認めるときでなければ、許可を与えてはならない。

(2) The Minister of Health, Labour and Welfare shall not grant the permission pursuant to the provision of the preceding Paragraph (hereinafter referred to as the "permission") unless it finds that the applicant for the permission meets the standards listed in the following Items.

一 医療に関する知識及び技能の修得を目的として本邦に入国していること。

(i) Having entered Japan for the purpose of learning medical knowledge and skills.

二 許可の申請に係る前条第四号イからヨまでに掲げる資格の区分に応じそれぞれ医業若しくは歯科医業を行うのに必要な医学若しくは歯科医学に関する知識及び技能又は同号ハからヨまでに定める業に関する必要な知識及び技能を有すること。

(ii) Having the knowledge and skills concerning the medical or dental science necessary for engaging in medical or dental practices, or the necessary knowledge and skills concerning the practices prescribed by Article 2, Item (iv), (c) to (o) inclusive, based on the classification of the licenses prescribed by Article 2, Item (iv), (a) to (o) inclusive, respectively, pertaining to the application for the permission.

三 許可の申請に係る前条第四号イからヨまでに掲げる資格の区分に応じそれぞれ外国において医師若しくは歯科医師に相当する資格を取得した後三年以上診療した経験又は外国において同号ハからヨまでに掲げる資格に相当する資格を取得した後三年以上当該資格に係る業務に従事した経験を有すること。

(iii) Having the experience of engaging in medical examination and/or treatment for not less than 3 years after obtaining the license which corresponds to the license of a medical practitioner or dental practitioner in a foreign country, or in any practice pertaining to the applicable license which corresponds to any of the licenses prescribed by Article 2, Item (iv), (c) to (o) inclusive, respectively, for not less than 3 years after obtaining the license, based on the classification of the licenses prescribed by Article 2, Item (iv), (a) to (o) inclusive, respectively, pertaining to the application for the permission.

四 臨床修練を行うのに支障のない程度に日本語又は厚生労働省令で定める外国語を理解し、使用する能力を有すること。

(iv) Having the competence to understand and speak Japanese or other foreign languages specified by the Ordinance of the Ministry of Health, Labour and Welfare to the extent not posing a problem in performing the advanced clinical training.

五 患者に与えた損害を賠償する能力を有すること。

(v) Having the capacity to compensate for the loss and damage caused to a

patient.

3 厚生労働大臣は、許可を受けようとする者が前項各号に掲げる基準に適合していると認める場合であつても、次の各号のいずれか(外国看護師等にあつては、第二号)に該当する者には、許可を与えてはならない。

(3) Even if the applicant for the permission is found to meet the standards listed in each Item of the preceding Paragraph, the Minister of Health, Labour and Welfare shall not grant the permission to any person who falls under any one of the following Items (or Item (ii) in case of a foreign nurses, etc.).

一 医師法第三条又は歯科医師法第三条に規定する者

(i) A person prescribed by Article 3 of the Medical Practitioners' Act or Article 3 of the Dentists Act.

二 外国の法令による処分であつて、医師法第七条第二項、歯科医師法第七条第二項、保健師助産師看護師法第十四条第一項、歯科衛生士法第八条第一項、診療放射線技師法第九条第一項若しくは歯科技工士法第八条第一項の規定による業務の停止の命令又は臨床検査技師等に関する法律第八条第一項、理学療法士及び作業療法士法第七条第一項、視能訓練士法第八条第一項、臨床工学技士法第八条第一項、義肢装具士法第八条第一項、言語聴覚士法第九条第一項若しくは救急救命士法第九条第一項の規定による名称の使用の停止の命令に相当するものを受け、当該外国においてその者が有する資格に係る業務を行うことができない者

(ii) A person who has been subject to punishment under the laws and regulations of a foreign country which corresponds to the business suspension order pursuant to the provision of Article 7, Paragraph 2 of the Medical Practitioners' Act, Article 7, Paragraph 2 of the Dentists Act, Article 14, Paragraph 1 of the Act on Public Health Nurses, Midwives and Nurses, Article 8, Paragraph 1 of the Dental Hygienists Act, Article 9, Paragraph 1 of the Act on Medical Radiology Technicians or Article 8, Paragraph 1 of the Dental Technicians Act, or the order to suspend the use of the name or title pursuant to the provision of Article 8, Paragraph 1 of the Act on Clinical Laboratory Technicians, etc., Article 7, Paragraph 1 of the Physical Therapists and Occupational Therapists Act, Article 8, Paragraph 1 of the Orthoptists Act, Article 8, Paragraph 1 of the Clinical Engineers Act, Article 8, Paragraph 1 of the Prosthetists Act, Article 9, Paragraph 1 of the Speech-Language Hearing Therapists Act or Article 9, Paragraph 1 of the Emergency Life-saving Technicians Act, and who is unable to practice the profession pertaining to the license he/she has obtained in such foreign country accordingly.

三 成年被後見人又は被保佐人と外国の法令上同様に取り扱われている者

(iii) A person who is treated in the same manner as an adult ward or a person under curatorship under the applicable foreign laws and regulations.

4 厚生労働大臣は、許可を受けようとする者が第二項各号に掲げる基準に適合していると認める場合であつても、次の各号のいずれかに該当する者には、許可を与えない

ことができる。

(4) Even if the applicant for the permission is found to meet the standards listed in each Item of Paragraph 2, the Minister of Health, Labour and Welfare may choose not to grant the permission if the applicant for the permission falls under either of the following Items.

一 医師法第四条各号、歯科医師法第四条各号、保健師助産師看護師法第九条各号、歯科衛生士法第四条各号、診療放射線技師法第四条各号、歯科技工士法第四条各号、臨床検査技師等に関する法律第四条各号、理学療法士及び作業療法士法第四条各号、視能訓練士法第四条各号、臨床工学技士法第四条各号、義肢装具士法第四条各号、言語聴覚士法第四条各号又は救急救命士法第四条各号に掲げる者

(i) A person listed in each Item of Article 4 of the Medical Practitioners' Act, each Item of Article 4 of the Dentists Act, each Item of Article 9 of the Act on Public Health Nurses, Midwives and Nurses, each Item of Article 4 of the Dental Hygienists Act, each Item of Article 4 of the Act on Medical Radiology Technicians, each Item of Article 4 of the Dental Technicians Act, each Item of Article 4 of the Act on Clinical Laboratory Technicians, etc., each Item of Article 4 of the Physical Therapists and Occupational Therapists Act, each Item of Article 4 of the Orthoptists Act, each Item of Article 4 of the Clinical Engineers Act, each Item of Article 4 of the Prosthetists Act, each Item of Article 4 of the Speech-Language Hearing Therapists Act or each Item of Article 4 of the Emergency Life-saving Technicians Act.

二 罰金以上の刑に相当する外国の法令による刑に処せられた者(許可の申請に係る資格の区分が前条第四号へからちまでに掲げるものである場合を除く。)

(ii) A person who has been subject to criminal punishment under the laws and regulations of the applicable foreign country which corresponds to pecuniary penalty or more (excluding the cases where the classification of the license pertaining to the application for the permission is any of the licenses listed in Article 2, Item (iv), (f) to (h) inclusive).

5 許可の有効期間は、許可の日から起算して二年(外国看護師等にあつては、一年)を超えない範囲内において厚生労働大臣が定める期間とする。

(5) The effective term of the permission shall be the term designated by the Minister of Health, Labour and Welfare within a period not exceeding 2 years (or 1 year in case of foreign nurses, etc.) from the date of the permission.

6 許可には、条件を付し、及びこれを変更することができる。

(6) The permission may be conditioned and amended.

7 前項の条件は、許可に係る事項の確実な実施を図るため必要な最小限度のものに限り、かつ、許可を受ける者に不当な義務を課することとなるものであつてはならない。

(7) The condition of the preceding Paragraph shall be limited to the minimum extent necessary for facilitating secure implementation of the matters pertaining to the permission, and shall not impose unreasonable obligation on the person who is

granted the permission.

8 許可を申請する者は、実費を勘案して政令で定める額の手数料を納めなければならない。

(8) The applicant shall pay the fees specified by a Cabinet Order by taking into consideration of the actual costs incurred.

第四条 (許可証の交付等)

Article 4 (Issuance of Certificate of Permission, etc.)

1 厚生労働大臣は、外国医師若しくは外国歯科医師又は外国看護師等に対し許可をしたときは、厚生労働省令で定めるところにより、臨床修練許可証を交付するものとする。

(1) The Minister of Health, Labour and Welfare shall, upon granting the permission to a foreign medical practitioner or dental practitioner, or a foreign nurse, etc., issue a certificate of permission of advanced clinical training pursuant to the provisions of the Ordinance of the Ministry of Health, Labour and Welfare.

2 臨床修練外国医師若しくは臨床修練外国歯科医師又は臨床修練外国看護師等は、臨床修練を行うときは、厚生労働省令で定めるところにより、臨床修練許可証を着用しなければならない。

(2) A foreign medical practitioner or dental practitioner, or a foreign nurse, etc. under advanced clinical training shall, when he/she performs advanced clinical training, bring the certificate of permission of advanced clinical training with him/her pursuant to the provisions of the Ordinance of the Ministry of Health, Labour and Welfare.

第五条 (許可の失効)

Article 5 (Cessation of Permission)

許可は、その有効期間が満了したとき及び次条の規定により取り消されたときのほか、許可を受けた者が外国において当該許可に係る第二条第四号イからヨまでに掲げる資格に相当する資格を有する者でなくなつたときは、その効力を失う。

The permission shall cease upon expiration of the effective term or rescission of the permission pursuant to the provision of the following Article, or if the permitted person becomes not qualified to have the license pertaining to such permission which corresponds to any of the licenses prescribed by Article 2, Item (iv), (a) to (o) inclusive.

第六条 (許可の取消し)

Article 6 (Rescission of Permission)

1 厚生労働大臣は、許可を受けた者が第三条第三項各号(外国看護師等にあつては、同項第二号)に掲げる者に該当するに至つたときは、その許可を取り消すものとする。

(1) The Minister of Health, Labour and Welfare shall rescind the permission if the

permitted person comes to fall under any of the persons listed in each Item of Article 3, Paragraph 3 (or Item (ii) of such Paragraph in case of a foreign nurse, etc.).

2 厚生労働大臣は、許可を受けた者が次の各号のいずれかに該当するときは、その許可を取り消すことができる。

(2) The Minister of Health, Labour and Welfare may rescind the permission if the permitted person falls under any of the cases listed in the following Items.

一 第三条第二項第一号又は第五号に掲げる基準に適合しなくなつたと認めるとき。

(i) If the permitted person is found to have failed to meet the standards prescribed by Article 3, Paragraph 2, Item (i) or (v).

二 第三条第四項各号に掲げる者に該当するに至つたとき。

(ii) If the permitted person comes to fall under any of the persons listed in each Item of Article 3, Paragraph 4.

三 第三条第六項の規定による条件に違反したとき。

(iii) If the permitted person violates any condition prescribed by Article 3, Paragraph 6.

四 この法律又はこの法律に基づく命令に違反したとき。

(iv) If the permitted person violates this Law or any order issued pursuant to the provisions of this Law.

第七条 (許可証の返納)

Article 7 (Return of Certificate of Permission)

許可を受けた者は、その許可の効力が失われたときは、五日以内に、臨床修練許可証を厚生労働大臣に返納しなければならない。

If the permission becomes invalid, the permitted person must return the certificate of permission of advanced clinical training to the Minister of Health, Labour and Welfare within 5 days.

第八条 (臨床修練指導医及び臨床修練指導歯科医並びに臨床修練指導者の認定)

Article 8 (Authorization of Medical or Dental Clinical Instructor or Clinical Instructor)

厚生労働大臣は、その申請に基づき、第二条第四号イからヨまでに掲げる資格を有する者(同号イ又はロに掲げる資格を有する者であつて、医師法第七条の二第一項又は歯科医師法第七条の二第一項の規定による厚生労働大臣の命令を受けたものにあつては、それぞれ医師法第七条の二第二項又は歯科医師法第七条の二第二項の規定による登録を受けた者に限る。)であつて次の各号に掲げる基準に適合すると認める者を臨床修練指導医若しくは臨床修練指導歯科医又は臨床修練指導者として認定する。

The Minister of Health, Labour and Welfare shall authorize a person who has the license prescribed by Article 2, Item (iv), (a) to (o) inclusive (limited to those who have received the registration pursuant to the provision of Article 7-2, Paragraph 2 of

the Medical Practitioners' Act or Article 7-2, Paragraph 2 of the Dentists Act if the person has the license prescribed by Article 2, Item (iv), (a) or (b) and has received an order by the Minister of Health, Labour and Welfare pursuant to the provision of Article 7-2, Paragraph 1 of the Medical Practitioners' Act or Article 7-2, Paragraph 1 of the Dentists Act) respectively, and who is found to meet the standards listed in the following Items, as a medical or dental clinical instructor, or a clinical instructor based on their application.

- 一 医学若しくは歯科医学に関する専門的な知識及び技能又は第二条第四号ハからヨまでに定める業に関する専門的な知識及び技能を有すること。
 - (i) Having the professional knowledge and skills concerning the medical or dental science or the professional knowledge and skills concerning the practices prescribed by Article 2, Item (iv), (c) to (o) inclusive.
- 二 臨床修練を実地に指導監督するのに支障のない程度に第三条第二項第四号の厚生労働省令で定める外国語を理解し、使用する能力を有すること。
 - (ii) Having the competence to understand and speak the foreign languages specified by the Ordinance of the Ministry of Health, Labour and Welfare as prescribed by Article 3, Paragraph 2, Item (iv), to the extent not posing a problem in instructing and supervising the advanced clinical training.
- 三 臨床修練の指導監督について熱意と識見を有すること。
 - (iii) Having the enthusiasm and insight for the instruction and supervision of the advanced clinical training.

第九条（職務及び責務）

Article 9 (Duties and Responsibilities)

- 1 臨床修練指導医若しくは臨床修練指導歯科医又は臨床修練指導者は、臨床修練外国医師若しくは臨床修練外国歯科医師又は臨床修練外国看護師等が行う臨床修練を実地に指導監督するものとし、その指導監督に当たっては、臨床修練が適切に行われるように努めなければならない。
 - (1) The medical or dental clinical instructor, or the clinical instructor shall give instruction and provide supervision for advanced clinical training performed by a foreign medical practitioner or dental practitioner under advanced clinical training, or a foreign nurse, etc. under advanced clinical training on site, and shall make efforts to ensure that the advanced clinical training is performed properly in the course of giving and providing such instruction and supervision.
- 2 臨床修練指導者(医師を除く。)は、診療の補助、歯科衛生士法第二条第一項に規定する業、診療放射線技師法第二条第二項に規定する業又は歯科技工士法第二条第二項に規定する業に係る臨床修練に関して医師又は歯科医師の指示を受けたときは、これに従って指導監督しなければならない。
 - (2) Upon receiving an instruction of a medical practitioner or dental practitioner, and by following such instruction, the clinical instructor (excluding the medical

practitioner) shall give instruction and provide supervision for advanced clinical training pertaining to medical assistance or to the practices prescribed by Article 2, Paragraph 1 of the Dental Hygienists Act, the practices prescribed by Article 2, Paragraph 2 of the Act on Medical Radiology Technicians or the practices prescribed by Article 2, Paragraph 2 of the Dental Technicians Act.

第十条（認定の取消し）

Article 10 (Rescission of Authorization)

1 厚生労働大臣は、臨床修練指導医若しくは臨床修練指導歯科医又は臨床修練指導者が次の各号のいずれかに該当するに至つたときは、その認定を取り消すものとする。

(1) The Minister of Health, Labour and Welfare shall rescind the authorization if the medical or dental clinical instructor, or the clinical instructor comes to fall under any of the cases listed in the following Items.

一 当該認定に係る第二条第四号イからヨまでに掲げる資格を有する者でなくなつたとき。

(i) If the person becomes not qualified to have the licenses prescribed by Article 2, Item (iv), (a) to (o) inclusive.

二 医師法第七条第二項第一号若しくは第二号若しくは歯科医師法第七条第二項第一号若しくは第二号に掲げる戒告若しくは業務の停止、保健師助産師看護師法第十四条第一項、歯科衛生士法第八条第一項、診療放射線技師法第九条第一項若しくは歯科技工士法第八条第一項の規定による業務の停止又は臨床検査技師等に関する法律第八条第一項、理学療法士及び作業療法士法第七条第一項、視能訓練士法第八条第一項、臨床工学技士法第八条第一項、義肢装具士法第八条第一項、言語聴覚士法第九条第一項若しくは救急救命士法第九条第一項の規定による名称の使用の停止を命ぜられたとき。

(ii) If the person becomes subject to admonition or suspension of business prescribed by Article 7, Paragraph 2, Item (i) or (ii) of the Medical Practitioners' Act or Article 7, Paragraph 2, Item (i) or (ii) of the Dentists Act, or to suspension of business pursuant to the provision of Article 14, Paragraph 1 of the Act on Public Health Nurses, Midwives and Nurses, Article 8, Paragraph 1 of the Dental Hygienists Act, Article 9, Paragraph 1 of the Act on Medical Radiology Technicians, Article 8, Paragraph 1 of the Dental Technicians Act, or to an order to suspend the use of the name or title pursuant to the provision of Article 8, Paragraph 1 of the Act on Clinical Laboratory Technicians, etc., Article 7, Paragraph 1 of the Physical Therapists and Occupational Therapists Act, Article 8, Paragraph 1 of the Orthoptists Act, Article 8, Paragraph 1 of the Clinical Engineers Act, Article 8, Paragraph 1 of the Prosthetists Act, Article 9, Paragraph 1 of the Speech-Language Hearing Therapists Act or Article 9, Paragraph 1 of the Emergency Life-saving Technicians Act.

2 厚生労働大臣は、臨床修練指導医若しくは臨床修練指導歯科医又は臨床修練指導者

がこの法律に違反したとき又は第八条各号に掲げる基準に適合しなくなつたと認めるときは、その認定を取り消すことができる。

- (2) The Minister of Health, Labour and Welfare may rescind the permission if the medical or dental clinical instructor, or the clinical instructor is found to have failed to meet the standards listed in each Item of Article 8.

第十一条（診療録の記載等）

Article 11 (Keeping of Medical Records, etc.)

- 1 医師法第二十四条又は歯科医師法第二十三条の規定は、臨床修練外国医師又は臨床修練外国歯科医師について準用する。この場合において、医師法第二十四条第二項中「病院又は診療所に勤務する医師」とあるのは「外国医師等が行う臨床修練に係る医師法第十七条等の特例等に関する法律第三条第一項の規定により厚生労働大臣の指定を受けた病院において臨床修練を行う同法第二条第五号に規定する臨床修練外国医師」と、「その病院又は診療所」とあるのは「その病院」と、歯科医師法第二十三条第二項中「病院又は診療所に勤務する歯科医師」とあるのは「外国医師等が行う臨床修練に係る医師法第十七条等の特例等に関する法律第三条第一項の規定により厚生労働大臣の指定を受けた病院において臨床修練を行う同法第二条第六号に規定する臨床修練外国歯科医師」と、「その病院又は診療所」とあるのは「その病院」と読み替えるものとする。

- (1) The provision of Article 24 of the Medical Practitioners' Act or Article 23 of the Dentists Act shall apply mutatis mutandis to the foreign medical practitioner or dental practitioner under advanced clinical training. In this case, the terms "medical practitioner working at a hospital or clinic" and "such hospital or clinic" in Article 24, Paragraph 2 of the Medical Practitioners' Act shall be deemed to be replaced with "foreign medical practitioner under advanced clinical training prescribed by Article 2, Item (v) of the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners, who performs the advanced clinical training at a hospital designated by the Minister of Health, Labour and Welfare pursuant to the provision of Article 3, Paragraph 1 of such Law" and "such hospital", respectively, and the terms "dental practitioner working at a hospital or clinic" and "such hospital or clinic" in Article 23, Paragraph 2 of the Dentists Act shall be deemed to be replaced with "foreign dental practitioner under advanced clinical training prescribed by Article 2, Item (vi) of the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners, who performs the advanced clinical training at a hospital designated by the Minister of Health, Labour and Welfare pursuant to the provision of Article 3, Paragraph 1 of such Law" and "such hospital", respectively.

- 2 臨床修練指導医又は臨床修練指導歯科医は、臨床修練外国医師又は臨床修練外国歯科医師が行う臨床修練を実地に指導監督したときは、臨床修練外国医師又は臨床修練

外国歯科医師が前項において準用する医師法第二十四条第一項又は歯科医師法第二十三条第一項の規定により記載した診療録にその旨を記載し、署名しなければならない。

- (2) The medical or dental clinical instructor shall, when he/she gives instruction and provides supervision on site for the advanced clinical training performed by a foreign medical practitioner or dental practitioner under advanced clinical training, record as such in the medical record made by the foreign medical practitioner or dental practitioner under advanced clinical training pursuant to the provision of Article 24, Paragraph 1 of the Medical Practitioners' Act or Article 23, Paragraph 1 of the Dentists Act, both of which are applied mutatis mutandis to the foreign medical practitioner or dental practitioner under advanced clinical training pursuant to the preceding Paragraph, and append his/her signature on such record.

第十二条（助産録の記載等）

Article 12 (Keeping of Midwifery Records, etc.)

- 1 保健師助産師看護師法第四十二条の規定は、許可を受けた外国において助産師に相当する資格を有する者(以下「臨床修練外国助産師」という。)について準用する。この場合において、同条第二項中「病院、診療所又は助産所に勤務する助産師」とあるのは「外国医師等が行う臨床修練に係る医師法第十七条等の特例等に関する法律第三条第一項の規定により厚生労働大臣の指定を受けた病院において臨床修練を行う同法第十二条第一項に規定する臨床修練外国助産師」と、「その病院、診療所又は助産所」とあるのは「その病院」と読み替えるものとする。

- (1) The provision of Article 42 of the Act on Public Health Nurses, Midwives and Nurses shall apply mutatis mutandis to the permitted person who has a license which corresponds to the license of a midwife in a foreign country (hereinafter referred to as the "foreign midwife under advanced clinical training"). In this case, the terms "midwife working at a hospital or clinic" and "such hospital or clinic" in Article 42, Paragraph 2 of the Act on Public Health Nurses, Midwives and Nurses shall be deemed to be replaced with "foreign midwife under advanced clinical training prescribed by Article 12, Paragraph 1 of the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners, who performs the advanced clinical training at a hospital designated by the Minister of Health, Labour and Welfare pursuant to the provision of Article 3, Paragraph 1 of such Law" and "such hospital", respectively.

- 2 臨床修練指導者は、臨床修練外国助産師が行う臨床修練を実地に指導監督したときは、臨床修練外国助産師が前項において準用する保健師助産師看護師法第四十二条第一項の規定により記載した助産録にその旨を記載し、署名しなければならない。

- (2) The clinical instructor shall, when he/she gives instruction and provides supervision on site for the advanced clinical training performed by a foreign midwife under advanced clinical training, record as such in the midwifery record

made by the foreign midwife under advanced clinical training pursuant to the provision of Article 42, Paragraph 1 of the Act on Public Health Nurses, Midwives and Nurses, which is applied mutatis mutandis to the foreign midwife under advanced clinical training pursuant to the preceding Paragraph, and append his/her signature on such record.

第十三条 （照射録の記載等）

Article 13 (Keeping of Exposure Records, etc.)

1 診療放射線技師法第二十八条の規定は、許可を受けた外国において診療放射線技師に相当する資格を有する者(以下「臨床修練外国診療放射線技師」という。)について準用する。

(1) The provision of Article 28 of the Act on Medical Radiology Technicians shall apply mutatis mutandis to the permitted person who has a license which corresponds to the license of a medical radiology technician in a foreign country (hereinafter referred to as the "foreign medical radiology technician under advanced clinical training").

2 臨床修練指導者は、臨床修練外国診療放射線技師が行う臨床修練を実地に指導監督したときは、臨床修練外国診療放射線技師が前項において準用する診療放射線技師法第二十八条第一項の規定により記載した照射録にその旨を記載し、署名しなければならない。

(2) The clinical instructor shall, when he/she gives instruction and provides supervision on site for the advanced clinical training performed by a foreign medical radiology technician under advanced clinical training, record as such in the exposure record made by the foreign medical radiology technician under advanced clinical training pursuant to the provision of Article 28, Paragraph 1 of the Act on Medical Radiology Technicians, which is applied mutatis mutandis to the foreign medical radiology technician under advanced clinical training pursuant to the preceding Paragraph, and append his/her signature on such record.

第十四条 （救急救命処置録の記載等）

Article 14 (Keeping of Emergency Medical Records, etc.)

1 救急救命士法第四十六条の規定は、許可を受けた外国救急救命士(以下「臨床修練外国救急救命士」という。)について準用する。この場合において、同条第二項中「厚生労働省令で定める機関に勤務する救急救命士」とあるのは「外国医師等が行う臨床修練に係る医師法第十七条等の特例等に関する法律第二条第四号に規定する指定病院(以下この項において「指定病院」という。)に第二条第一項に規定する重度傷病者を搬送すべき同法第十四条第一項に規定する臨床修練外国救急救命士」と、「その機関」とあるのは「その指定病院」と読み替えるものとする。

(1) The provision of Article 46 of the Emergency Life-saving Technicians Act shall apply mutatis mutandis to the permitted emergency life-saving technician

(hereinafter referred to as the "foreign emergency life-saving technician under advanced clinical training"). In this case, the terms "emergency life-saving technician working at an institution specified by the Ordinance of the Ministry of Health, Labour and Welfare" and "such institution" in Article 46, Paragraph 2 of the Emergency Life-saving Technicians Act shall be deemed to be replaced with "foreign emergency life-saving technician under advanced clinical training prescribed by Article 14, Paragraph 1 of the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners, who is supposed to transport a serious patient prescribed by Article 2, Paragraph 1 of such Law to a designated hospital prescribed by Article 2, Item (iv) of such Law" and "such designated hospital", respectively.

2 臨床修練指導者は、臨床修練外国救急救命士が行う臨床修練を実地に指導監督したときは、臨床修練外国救急救命士が前項において準用する救急救命士法第四十六条第一項の規定により記載した救急救命処置録にその旨を記載し、署名しなければならない。

(2) The clinical instructor shall, when he/she gives instruction and provides supervision on site for the advanced clinical training performed by a foreign emergency life-saving technician under advanced clinical training, record as such in the emergency medical record made by the foreign emergency life-saving technician under advanced clinical training pursuant to the provision of Article 46, Paragraph 1 of the Emergency Life-saving Technicians Act, which is applied mutatis mutandis to the foreign emergency life-saving technician under advanced clinical training pursuant to the preceding Paragraph, and append his/her signature on such record.

第十五条（歯科技工指示書による歯科技工等）

Article 15 (Dental Technological Works pursuant to Statement of Dental Technological Works, etc.)

歯科技工士法第十八条及び第十九条の規定は、許可を受けた外国において歯科技工士に相当する資格を有する者について準用する。この場合において、同法第十八条中「病院又は診療所」とあるのは、「外国医師等が行う臨床修練に係る医師法第十七条等の特例等に関する法律第二条第四号に規定する指定病院」と読み替えるものとする。

The provisions of Article 18 and Article 19 of the Dental Technicians Act shall apply mutatis mutandis to the permitted person who has a license which corresponds to the license of a dental technician in a foreign country. In this case, the term "hospital or clinic" in Article 18 of the Dental Technicians Act shall be deemed to be replaced with "designated hospital prescribed by Article 2, Item (iv) of the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."

第十六条（業務上の制限等）

Article 16 (Restrictions on Practices, etc.)

- 1 保健師助産師看護師法第三十七条(臨時応急の手当に係る部分を除く。)及び第三十八条本文の規定は臨床修練外国助産師について、同法第三十七条(臨時応急の手当に係る部分を除く。)の規定は許可を受けた外国において看護師に相当する資格を有する者(以下「臨床修練外国看護師」という。)について準用する。

(1) The provision of Article 37 (excluding the part pertaining to the first-aid treatment) and the main clause of Article 38 of the Act on Public Health Nurses, Midwives and Nurses shall apply mutatis mutandis to the foreign midwife under advanced clinical training, and the provision of Article 37 (excluding the part pertaining to the first-aid treatment) of such Act shall apply mutatis mutandis to the person who has a license which corresponds to the license of a nurse in a foreign country in which he/she obtained the license (hereinafter referred to as the "foreign nurse under advanced clinical training").
- 2 歯科衛生士法第十三条の二本文の規定は、許可を受けた外国において歯科衛生士に相当する資格を有する者について準用する。

(2) The main clause of Article 13-2 of the Dental Hygienists Act shall apply mutatis mutandis to the person who has a license which corresponds to the license of a dental hygienist in a foreign country in which he/she obtained the license.
- 3 診療放射線技師法第二十六条第一項及び第二項本文並びに第二十七条の規定は、臨床修練外国診療放射線技師について準用する。この場合において、同項本文中「病院又は診療所」とあるのは、「外国医師等が行う臨床修練に係る医師法第十七条等の特例等に関する法律第二条第四号に規定する指定病院」と読み替えるものとする。

(3) The provisions of Article 26, Paragraph 1 and Paragraph 2 (main clause), and Article 27 of the Act on Medical Radiology Technicians shall apply mutatis mutandis to the foreign medical radiology technician under advanced clinical training. In this case, the term "hospital or clinic" in the main clause of such Paragraph shall be deemed to be replaced with "designated hospital prescribed by Article 2, Item (iv) of the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."
- 4 歯科技工士法第二十条の規定は、許可を受けた外国において歯科技工士に相当する資格を有する者について準用する。

(4) The provision of Article 20 of the Dental Technicians Act shall apply mutatis mutandis to the person who has a license which corresponds to the license of a dental technician in a foreign country in which he/she obtained the license.
- 5 理学療法士及び作業療法士法第十五条第二項の規定は、許可を受けた外国において理学療法士に相当する資格を有する者について準用する。この場合において、同項中「病院若しくは診療所」とあるのは、「外国医師等が行う臨床修練に係る医師法第十

七条等の特例等に関する法律第二条第四号に規定する指定病院」と読み替えるものとする。

(5) The provision of Article 15, Paragraph 2 of the Physical Therapists and Occupational Therapists Act shall apply mutatis mutandis to the person who has a license which corresponds to the license of a physical therapist in a foreign country in which he/she obtained the license. In this case, the term "hospital or clinic" in such Paragraph shall be deemed to be replaced with "designated hospital prescribed by Article 2, Item (iv) of the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."

6 視能訓練士法第十八条及び第十八条の二の規定は、許可を受けた外国において視能訓練士に相当する資格を有する者について準用する。

(6) The provisions of Article 18 and Article 18-2 of the Orthoptists Act shall apply mutatis mutandis to the person who has a license which corresponds to the license of an orthoptist in a foreign country in which he/she obtained the license.

7 臨床工学技士法第三十八条及び第三十九条の規定は、許可を受けた外国において臨床工学技士に相当する資格を有する者について準用する。

(7) The provisions of Article 38 and Article 39 of the Clinical Engineers Act shall apply mutatis mutandis to the person who has a license which corresponds to the license of a clinical engineers in a foreign country in which he/she obtained the license.

8 義肢装具士法第三十八条及び第三十九条の規定は、許可を受けた外国において義肢装具士に相当する資格を有する者について準用する。

(8) The provisions of Article 38 and Article 39 of the Prosthetists Act shall apply mutatis mutandis to the person who has a license which corresponds to the license of a prosthetists in a foreign country in which he/she obtained the license.

9 言語聴覚士法第四十三条の規定は、許可を受けた外国において言語聴覚士に相当する資格を有する者について準用する。

(9) The provision of Article 43 of the Speech-Language Hearing Therapists Act shall apply mutatis mutandis to the person who has a license which corresponds to the license of a speech-language-hearing therapist in a foreign country in which he/she obtained the license.

10 救急救命士法第四十四条及び第四十五条の規定は、臨床修練外国救急救命士について準用する。この場合において、同法第四十四条第二項中「救急用自動車その他の」とあるのは「外国医師等が行う臨床修練に係る医師法第十七条等の特例等に関する法律第二条第四号に規定する指定病院(以下この項において「指定病院」という。)に重度傷病者を搬送する救急用自動車その他の」と、「この項及び第五十三条第二号」とあるのは「この項」と、「病院又は診療所」とあるのは「指定病院」と読み替えるものとする。

(10) The provisions of Article 44 and Article 45 of the Emergency Life-saving

Technicians Act shall apply mutatis mutandis to the foreign emergency life-saving technician under advanced clinical training. In this case, the terms "ambulance and other", "in this Paragraph and in Article 53, Item (ii)" and "hospital or clinic" in Article 44, Paragraph 2 of such Act shall be deemed to be replaced with "an ambulance transporting a patient in a serious condition to a designated hospital prescribed by Article 2, Item (iv) of the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners (hereinafter referred to as a "designated hospital" in this Paragraph) and other", "in this Paragraph" and "designated hospital", respectively.

第十七条 (秘密を守る義務)

Article 17 (Obligation of Confidentiality)

臨床修練外国医師若しくは臨床修練外国歯科医師又は臨床修練外国看護師等は、正当な理由がある場合を除き、その業務上知り得た人の秘密を他に漏らしてはならない。臨床修練外国医師若しくは臨床修練外国歯科医師又は臨床修練外国看護師等でなくなった後においても、同様とする。

A foreign medical practitioner or dental practitioner under advanced clinical training, or a foreign nurse, etc. under advanced clinical training shall not disclose any confidential information of any person he/she comes to know in the course of practice, unless he/she has justifiable grounds. The same shall apply after the foreign medical practitioner or dental practitioner under advanced clinical training, or a foreign nurse, etc. under advanced clinical training leaves his/her profession.

第十八条 (保健師助産師看護師法の特例)

Article 18 (Special Provisions for Act on Public Health Nurses, Midwives and Nurses)

- 1 臨床修練外国医師が臨床修練を行う場合における保健師助産師看護師法第三十条の規定の適用については、同条中「医師法(昭和二十三年法律第二百一号)」とあるのは、「外国医師等が行う臨床修練に係る医師法第十七条等の特例等に関する法律」とする。

(1) With regard to the application of the provision of Article 30 of the Act on Public Health Nurses, Midwives and Nurses to the cases where a foreign medical practitioner performs advanced clinical training, the term "the Medical Practitioners' Act (Act No. 201 of 1948)" in such Article shall be deemed to be replaced with "the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."

- 2 臨床修練外国医師又は臨床修練外国歯科医師が臨床修練を行う場合における保健師助産師看護師法第三十一条第一項の規定の適用については、同項中「医師法又は歯科医師法(昭和二十三年法律第二百二号)」とあるのは、「外国医師等が行う臨床修練に

係る医師法第十七条等の特例等に関する法律」とする。

- (2) With regard to the application of the provision of Article 31, Paragraph 1 of the Act on Public Health Nurses, Midwives and Nurses to the cases where a foreign medical practitioner or dental practitioner performs advanced clinical training, the term "the Medical Practitioners' Act or the Dentists Act (Act No. 202 of 1948)" in such Paragraph shall be deemed to be replaced with "the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."

第十九条 (歯科衛生士法の特例)

Article 19 (Special Provisions for Dental Hygienists Act)

臨床修練外国歯科医師が臨床修練を行う場合における歯科衛生士法第十三条の規定の適用については、同条中「歯科医師法(昭和二十三年法律第二百二号)」とあるのは、「外国医師等が行う臨床修練に係る医師法第十七条等の特例等に関する法律」とする。

With regard to the application of the provision of Article 13 of the Dental Hygienists Act to the cases where a foreign dental practitioner performs advanced clinical training, the term "the Dentists Act (Act No. 202 of 1948)" in such Paragraph shall be deemed to be replaced with "the Law concerning the Exceptional Cases of the Medical Practitioners' Act, Article 17, on the Advanced Clinical Training of Foreign Medical Practitioners."

第二十条 (診療放射線技師法の特例)

Article 20 (Special Provisions for Act on Medical Radiology Technicians)

臨床修練外国医師又は臨床修練外国歯科医師は、臨床修練を行う場合には、診療放射線技師法第二十四条の規定にかかわらず、同法第二条第二項に規定する業務を行うことができる。

Notwithstanding the provision of Article 24 of the Act on Medical Radiology Technicians, a foreign medical practitioner or dental practitioner under advanced clinical training may perform the practices prescribed by Article 2, Paragraph 2 of such Act.

第二十一条 (歯科技工士法の特例)

Article 21 (Special Provisions for Dental Technicians Act)

臨床修練外国歯科医師が臨床修練において患者のために自ら行う歯科技工士法第二条第一項本文に規定する行為は、同項ただし書に規定する行為とみなす。

The acts prescribed in the main clause of Article 2, Paragraph 1 of the Dental Technicians Act performed by a foreign dental practitioner under advanced clinical training by himself for a patient in the course of advanced clinical training shall be deemed as the acts prescribed in the provision of such Paragraph.

第二十二条 (法務大臣との協議)

Article 22 (Consultation with Minister of Justice)

厚生労働大臣は、許可をしようとするときは、当該許可に係る者が第三条第二項第一号に掲げる基準に適合していることについて、あらかじめ、法務大臣と協議しなければならない。

The Minister of Health, Labour and Welfare, intending to grant a permission, shall consult with the Minister of Justice in advance in respect of the compliance by a person pertaining to such permission with the standards prescribed by Article 3, Paragraph 2, Item (i).

第二十三条 (罰則)

Article 23 (Penal Provisions)

第十六条第一項において準用する保健師助産師看護師法第三十七条(臨時応急の手当に係る部分を除く。)又は第三十八条本文の規定に違反した者は、六月以下の懲役若しくは五十万円以下の罰金に処し、又はこれを併科する。

A person who has violated the provision of Article 37 (excluding the part pertaining to the first-aid treatment) or the main clause of Article 38 of the Act on Public Health Nurses, Midwives and Nurses, both of which are applied pursuant to the provision of Article 16, Paragraph 1, shall be punished by imprisonment with work for not more than 6 months or a fine of not more than 500,000 yen, or both.

第二十四条

Article 24

次の各号のいずれかに該当する者は、六月以下の懲役若しくは三十万円以下の罰金に処し、又はこれを併科する。

A person who falls under any of the following Items shall be punished by imprisonment with work for not more than 6 months or a fine of not more than 300,000 yen, or both.

一 第十六条第二項において準用する歯科衛生士法第十三条の二本文の規定に違反した者

(i) A person who has violated the main clause of Article 13-2 of the Dental Hygienists Act which is applied pursuant to the provision of Article 16, Paragraph 2.

二 第十六条第三項において準用する診療放射線技師法第二十六条第一項又は第二項本文の規定に違反した者

(ii) A person who has violated the provision of Article 26, Paragraph 1 or Paragraph 2 (main clause) of the Act on Medical Radiology Technicians, both of which are applied pursuant to the provision of Article 16, Paragraph 3.

三 第十六条第六項において準用する視能訓練士法第十八条の規定に違反した者

(iii) A person who has violated the provision of Article 18 of the Orthoptists Act

which is applied pursuant to the provision of Article 16, Paragraph 6.

四 第十六条第七項において準用する臨床工学技士法第三十八条の規定に違反した者

(iv) A person who has violated the provision of Article 38 of the Clinical Engineers Act which is applied pursuant to the provision of Article 16, Paragraph 7.

五 第十六条第八項において準用する義肢装具士法第三十八条の規定に違反した者

(v) A person who has violated the provision of Article 38 of the Prosthetists Act which is applied pursuant to the provision of Article 16, Paragraph 8.

六 第十六条第十項において準用する救急救命士法第四十四条の規定に違反した者

(vi) A person who has violated the provision of Article 44 of the Emergency Life-saving Technicians Act which is applied pursuant to the provision of Article 16, Paragraph 10.

第二十五条

Article 25

1 第十七条の規定に違反して人の秘密を漏らした臨床修練外国医師若しくは臨床修練外国歯科医師若しくは臨床修練外国助産師若しくは臨床修練外国看護師又はこれらであつた者は、六月以下の懲役又は十万円以下の罰金に処する。

(1) A foreign medical practitioner or dental practitioner or foreign midwife or foreign nurse under advanced clinical training, or a person who used to be engaged in such professions, who has disclosed any confidential information of any person in violation of the provision of Article 17 shall be punished by imprisonment with work for not more than 6 months or a fine of not more than 100,000 yen.

2 第十七条の規定に違反して人の秘密を漏らした臨床修練外国看護師等(臨床修練外国助産師又は臨床修練外国看護師を除く。)又はこれらであつた者は、五十万円以下の罰金に処する。

(2) A foreign nurse, etc. under advanced clinical training (excluding the foreign midwives or foreign nurses under advanced clinical training), or a person who used to be engaged in such profession, who has disclosed any confidential information of any person in violation of the provision of Article 17 shall be punished by a fine of not more than 500,000 yen.

3 前二項の罪は、告訴がなければ公訴を提起することができない。

(3) The offenses prescribed in the preceding two Paragraphs may not be prosecuted without a complaint.

第二十六条

Article 26

次の各号のいずれかに該当する者は、五十万円以下の罰金に処する。

A person who falls under either of the following Items shall be punished by a fine of not more than 500,000 yen.

一 第十一条第一項において準用する医師法第二十四条又は歯科医師法第二十三条の

規定に違反した者

(i) A person who has violated the provision of Article 24 of the Medical Practitioners' Act or Article 23 of the Dentists Act, both of which are applied pursuant to the provision of Article 11, Paragraph 1.

二 第十二条第一項において準用する保健師助産師看護師法第四十二条の規定に違反した者

(ii) A person who has violated the provision of Article 42 of the Act on Public Health Nurses, Midwives and Nurses which is applied pursuant to the provision of Article 12, Paragraph 1.

第二十七条

Article 27

次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

A person who falls under either of the following Items shall be punished by a fine of not more than 300,000 yen.

一 第十四条第一項において準用する救急救命士法第四十六条の規定に違反した者

(i) A person who has violated the provision of Article 46 of the Emergency Life-saving Technicians Act which is applied pursuant to the provision of Article 14, Paragraph 1.

二 第十五条において準用する歯科技工士法第十八条又は第十九条の規定に違反した者

(ii) A person who has violated the provision of Article 18 or Article 19 of the Clinical Technicians Act which is applied pursuant to the provision of Article 15.

第二十八条

Article 28

第十三条第一項において準用する診療放射線技師法第二十八条第一項の規定に違反した者は、二十万円以下の過料に処する。

A person who has violated the provision of Article 28, Paragraph 1 of the Act on Medical Radiology Technicians which is applied pursuant to the provision of Article 13, Paragraph 1 shall be punished by a non-penal fine of not more than 200,000 yen.

第二十九条

Article 29

第十一条第二項、第十二条第二項、第十三条第二項又は第十四条第二項の規定に違反した者は、十万円以下の過料に処する。

A person who has violated the provision of Article 11, Paragraph 2, Article 12, Paragraph 2, Article 13, Paragraph 2 or Article 14, Paragraph 2 shall be punished by a non-penal fine of not more than 100,000 yen.

附 則 抄

Supplementary Provisions (Extract)

第一条（施行期日）

Article 1 (Effective Date)

この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

This Law shall come into effect as from the date specified by a Cabinet Order within a period not exceeding 1 year from the date of promulgation.