



Republika e Kosovës
Republika Kosovo - Republic of Kosovo
Kuvendi - Skupština - Assembly

Law No. 04/L-150

ON CHAMBERS OF HEALTHCARE PROFESSIONALS

Assembly of Republic of Kosovo,

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves

LAW ON CHAMBERS OF HEALTHCARE PROFESSIONALS

CHAPTER I
GENERAL PROVISIONS

Article 1
Purpose

By this law, there shall be established the chambers of healthcare professionals as independent professional organizations that exercise public activities, there is regulated the membership in the chambers, the competencies of chambers, the organization and functioning of chambers, registry keeping of the registry of members of chambers, bodies of chambers, disciplinary responsibility of the members of the chambers, sources of financing of the chambers and other issues of importance for the work and functioning of chambers.

Article 2

1. The chambers of healthcare professionals in the Republic of Kosovo are independent organizations that protect and represent the professional interests of their members, assure high standards of the code of ethics and medical deontology, promote and protect the activity of healthcare professionals in public and private healthcare institutions, provide continuous professional education in order to offer more qualitative healthcare services and other services dealing with healthcare care.

2. In order to implement this mission and the aforesaid responsibilities, there are established;

2.1. the Chamber of Doctors;

2.2. the Chamber of Dentists;

2.3. the Chamber of Pharmacists;

2.4. the Chamber of Physiotherapists;

2.5. the Chamber of Nurses, Midwives and other healthcare professionals.

Article 3

The Purpose of Establishing the Chambers of Healthcare Professionals

1. Chambers of healthcare professionals (hereinafter: Chambers) will be established in order to:

1.1 provide healthcare professionals with professional independence;

1.2 provide self-governing professional organizations;

1.3 contribute to improving the quality of health care in general;

1.4. create conditions for exercising the profession of doctors, dentists, pharmacists, nurses, midwives, physiotherapists and other healthcare professionals;

1.5. protect their professional, social and economic interests;

1.6. provide counseling, information and various other services for members;

1.7. promote high standards of professional conduct;

1.8. promote the interests of patients for health care;

- 1.9. perform facilitation for exercising professional activities;
- 1.10. promote and protect the activities of health professionals in public and private healthcare institutions;
- 1.11. develop and implement a postgraduate specialization education programs and processes to ensure high quality healthcare services and other services related to health care;
- 1.12. promote and carry out ongoing professional development and long-term learning processes;
- 1.13. organize participation in improving and implementing health care and protecting the interests of patients in the exercise of their right to health care;
- 1.14. participate in establishing health principles and healthcare development and provide advice for those who are considered responsible for the formulation of health principles and their application.

Article 4 **Definitions**

1. Terms used in this Law shall have the following meaning:
 - 1.1. **Government** – Government of the Republic of Kosovo;
 - 1.2. **Ministry** – Ministry of Health;
 - 1.3. **Citizen** – person with citizenship of Republic of Kosovo according to the Law on Citizenship of Kosovo or the person qualified as a refugee in compliance with the Law;
 - 1.4. **User of Health Services** – person who uses health services;
 - 1.5. **Health Financing Agency (HFA)** – an executive agency of the Ministry that on behalf of the state fulfils the rights, obligations, responsibilities and authorization related to contracting, purchasing of healthcare services from health institutions in all forms of property, as well as collection of all financial means for this purpose;
 - 1.6. **List of drugs and medical consumables** - the list of medical products and medical consumables covered by the Government and by citizens` co-payments;
 - 1.7. **List of healthcare services** - list of forms and types of health care services that shall be covered by the Government and by co-payments (including the list of

drugs and medical consumables), prepared by a technical committee appointed by the Ministry;

1.8. **Health professional** - a worker providing healthcare services;

1.9. **Graduated** - a person who has completed the basic university studies;

1.10. **Specialist** - professional qualification gained during post-graduate specialist education completed in the Republic of Kosovo or abroad, recognized and verified in compliance with this Law;

1.11. **Sub-specialist** - narrow professional qualification gained during post-specialist education in the Republic of Kosovo or abroad, recognized and verified by the authorized or recognized authority in compliance with this Law;

1.12. **Health co-worker** - a person working in healthcare institutions who has not completed the formal medical education, but who is employed in a healthcare institution with the aim of realizing health activities;

1.13. **Healthcare** - the measures and activities undertaken by organizations, institutions and health professionals with the primary purpose to improve the health of the citizens and residents;

1.14. **Professional service** - the administrative and professional organization of healthcare institutions within one specialist field aiming to provide continuous healthcare at all levels of the healthcare services organization;

1.15. **Healthcare institution** - institution established by legal or natural person providing healthcare services under a working license issued in compliance with this Law;

1.16. **Professional confidentiality** - keeping confidential the data about the health status of the healthcare user from the access of unauthorized persons.

Article 5 **Legal Status of Chambers**

1. Chambers are independent professional organizations that exercise public activities and act as legal persons with rights and duties set forth in this Law, sub-legal acts other relevant legislation and Status of Chambers.

2. Chambers will have their headquarters in Prishtina and will not have branch offices.

3. Each chamber will act on behalf of itself and will be responsible for their obligations with all their assets.

4. Chambers will adopt statutes for internal functioning and organization, representation, powers and responsibilities, rights and obligations of members, the basic provisions for elections and appointments, financial matters, disciplinary responsibilities and other issues important for their operation.

Article 6 **Attributes of the Chambers**

Each Chamber should have its stamp, symbols and other attributes, which shall be introduced publicly. Further, these attributes shall be determined in their statutes.

Article 7

1. The activity of Chambers is transparent.
2. The transparency of the work of Chambers will be ensured in harmony with this law, by other laws and the statute of the chamber.

CHAPTER II **MEMBERSHIP IN CHAMBERS**

Article 8

1. The membership in Chambers is mandatory for all doctors of medicine, doctors of dentistry, graduated pharmacists, graduated nurses, graduated midwives, graduated physiotherapists, graduated phoniatriest, clinical psychologists, other healthcare professionals with secondary and higher qualification as determined in the official registry of the Ministry who exercise their healthcare activities in the Republic of Kosovo.
2. The membership in Chambers is mandatory also for other healthcare professionals from paragraph 1 of this Article, who exercise their activities in terms of social protection, other institutions of state authorities, faculties, respectively in professionals schools, in outpatient clinics of occupational medicine and in all other circumstances where there is exercised the healthcare activity in conformity with the laws in power.

CHAPTER III COMPETENCES OF THE CHAMBERS

Article 9 Public competences of chambers

1. Public competencies of the chamber are:
 - 1.1. approval of the code of professional ethics (code of ethics);
 - 1.2. registration and maintenance of the registry of health professionals and coworkers and keeps the register of all healthcare institutions;
 - 1.3. issuance of licenses, re-licensing and revocation of licenses;
 - 1.4. implementation of professional supervisions through the engagement of experts of corresponding fields;
 - 1.5. cooperation with state and local authorities addressing the issues of healthcare and cooperation with other professional associations in the country and abroad;
 - 1.6. performance of the professional and legal supervision of the work of healthcare professionals;
 - 1.7. verification of legality of the specialization process, organization of the specialization exam, organization and supervision of sub-specializations;
 - 1.8. planning and implementation of the continuous professional education;
 - 1.9. intermediation in disputes between the chamber and the users of healthcare services;
 - 1.10. organization of the honored courts regarding the determination of the violations and professional obligations of the members of chambers and imposes disciplinary measures;
 - 1.11. determination of the membership fee for the members of chambers;
 - 1.12. determination of the fee for licensing, re-licensing and other permits for the exercising of professional activities based on legal authorizations;
 - 1.13. issuance of ID cards and ID numbers for the members of chambers;
 - 1.14. at the request of members, issues certificates, certifications and other documents based on the official evidence of the chamber.

Article 10
Other competencies of chambers

1. Beside the public authorization from Article 9 of this Law, the chamber performs also the following duties:

1.1. represents and defends the professional interests of members of the chamber in exercising of the profession;

1.2. takes care for the maintenance of the authority of members of chambers in exercising the professional works in conformity with professional ethics;

1.3. maintains the registry of members of chambers exercising healthcare activities and who are registered in the registry of the competent authority in conformity with the Law;

1.4. cooperates with state and local authorities addressing the issues of healthcare and cooperates with other professional associations in the country and abroad;

1.5. cooperates in the preparation of laws, documents and other bylaws in the sector of healthcare and supervises their implementation;

1.6. proposes and initiates procedures for the issuance of general and special acts in conformity with the Law, Statute and other acts of the Chamber;

1.7. cooperates in determination of the pricelist of healthcare services and pharmaceutical services, in cooperation with the Health Insurance Fund and the user of health care services;

1.8. cooperates in determination of the pricelist of medicinal products in cooperation with other responsible institutions;

1.9. cooperates in the drafting of schedules for the continuous professional education for all healthcare professionals;

1.10. implements scientific and research activities in conformity with the duties and responsibilities of the Chamber;

1.11. represents of the professional and social interests of healthcare professionals and other cooperators;

1.12. consultation, providing help and representation of the interests of members in the field of legislation and in other fields related to the field of healthcare;

1.13. participates in decision-taking in entering of contracts with the Healthcare Insurance Fund;

- 1.14. establishing and managing the fund of the Chamber;
- 1.15. cooperates with relevant institutions in the prevention of the illegal healthcare activities;
- 1.16. prepares and issues forms and documents as well as magazines, books and other publications;
- 1.17. promotes the cooperation between the members of the Chamber;
- 1.18. promotes and implements cultural and social activities of the members, organization of cultural, sports and other social events;
- 1.19. nominates representatives of the Chamber on agreement with the institutions of all levels of healthcare care;
- 1.20. develops other activities in accordance with the law, statute and other general acts of the Chamber.

CHAPTER IV REGISTRATION OF HEALTHCARE PROFESSIONALS

Article 11

1. In accordance with this law, the chambers of healthcare professionals maintain the following registries of the chamber:
 - 1.1. register of all the members of the chamber;
 - 1.2. register of licenses issues and revoked;
 - 1.3. register of the disciplinary measures imposed against members of chambers.

Article 12

1. The competent authorities of the chambers of healthcare professionals, within the term of fifteen (15) days from the day of presentation of the request by healthcare professionals, by means of a decision allow the registration of the healthcare professional in the registry.
2. Against the decision from paragraph 1 of this Article, there may be submitted an appeal to the competent authority within the term of fifteen (15) days from the day when the decision is taken.

Article 13

The members of chambers of healthcare professionals are obliged to present to the competent authority of the chamber any important change from Article 11 of this Law as well as other important facts in competence of the chamber at the latest within thirty (30) days from the day when informed about the new changes, respectively facts.

Article 14

The registries from Article 11 of this Law are public documents.

Article 15

By means of special acts, the chambers determine the manner of registration, conformation and maintenance of registries, the content of the registries as well as the form of letters, certificates and other acts of the chamber based on the official evidence.

CHAPTER V BODIES OF CHAMBERS

Article 16

1. Bodies of Chambers are:

- 1.1. the Assembly;
- 1.2. the Chairman of the Chamber;
- 1.3. the Managing Council;
- 1.4. the Supervisory Council for Budget and Finances;
- 1.5. the Ethical Council;
- 1.6. the Court of Honor;
- 1.7. the Prosecutor of the Chamber;
- 1.8. the Permanent Commissions of the Chamber.

2. The members of the assembly of chambers are elected for a mandate of four (4) years.

3. The members of the assembly of chambers may be re-elected after the expiration of the mandate for another mandate of four (4) years.

4. The authorizations, competencies and the working manner of the bodies from paragraph 1 of this Article shall be regulated by the Statute.

Article 17

The Chairman of the Chamber, the Deputy Chairmen, the members of the managing council and the general secretary cannot be elected nor nominated to other public and political functions, except to functions in professional healthcare and teaching.

Article 18

Organs from Article 11 of this Law, in their composition, should ensure the equal representation of all levels of functional and professional organization.

Article 19

Competencies of the Assembly

1. The Assembly is the highest body of the chamber, and has the following responsibilities and authorizations:

- 1.1. approves, amends and supplements the statute and other normative acts;
- 1.2. approves the code of professional ethics;
- 1.3. approves the work program of the chamber;
- 1.4. approves the work regulation of the chamber;
- 1.5. elects and dismisses the chairman;
- 1.6. approves and dismisses the members of the managing council of the chamber;
- 1.7. elects and dismisses the chairman, deputy chairman and the members of the ethical council;
- 1.8. elects and dismisses the head and the members of the supervisory council;
- 1.9. elects and dismisses the head and the members of the court of honor;
- 1.10. elects and dismisses the prosecutor of the chamber;

1.11. elects and dismisses the head and the members of permanent commissions of the chamber;

1.12. determines the membership fee for the members of the chamber;

1.13. determines the compensation amount (fee) for the members of the chamber, the licensing and re-licensing fee and the amount of the fee for the issuance of certificates, certification and other documents for which the chambers maintain official evidence;

1.14. reviews and approves the work reports of the bodies of the chamber;

1.15. approves the financial report and the final calculation of the chamber;

1.16. takes the decision for the dismissal of the council of the chamber and declares the premature elections;

1.17. reviews and takes positions on important issues for the work of the chamber;

1.18. performs also other works as envisaged by the statute of the chamber.

Article 20 **Chairman of the Chamber**

1. Duties and responsibilities of the chairman of the assembly:

1.1. represent the chamber and acts on its behalf;

1.2. convenes and chairs assembly meetings;

1.3. exercises all the competencies, which are not explicitly reserved for the assembly of the chamber;

1.4. executes acts of the assembly of the chamber;

1.5. proposes to the assembly of the chamber nomination or dismissal of his/her deputies;

1.6. organizes the work and manages the policy of the chamber;

1.7. proposes regulations or other acts for approval in the assembly of the chamber;

1.8. reports before the assembly of the chamber on the economical-financial situation of the chamber, at least once per year or whenever requested by the assembly of the chamber;

- 1.9. performs other activities as set out by the statute.
2. In case of absence of the Chairman of the assembly of the chamber, he shall be substituted by one of the Deputy Chairmen of the chamber.

Article 21
The managing council of the chamber

1. The managing council of the chamber:
 - 1.1. is responsible for the implementation of the decision of the chamber;
 - 1.2. determines the proposal of the statute and other acts of the chamber;
 - 1.3. proposes to the Assembly the members of the bodies of the chamber;
 - 1.4. supervises and harmonizes the work of the bodies of the chamber;
 - 1.5. determines the proposal of the work program of the chamber;
 - 1.6. proposes to the state authorities the measures for the protection and advancing of healthcare protection and healthcare insurance;
 - 1.7. determines the financial plan of the chamber and takes care for its implementation;
 - 1.8. approves the periodical financial calculations;
 - 1.9. nominates and dismisses the general secretary of the chambers;
 - 1.10. reviews and approves the periodical reports of the work of chambers in the fields where he is responsible;
 - 1.11. approves the regulation on the organization and systematization of the works of the professional service of the chamber and undertakes measures in order to ensure the legitimacy and efficiency of the work of the professional service;
 - 1.12. decides in the second instance according to the appeals from the work relation of the employees in the professional service of the chamber;
 - 1.13. performs other works as envisaged by the statute of the chamber.

Article 22

1. The managing council of the chamber shall consist of eleven (11) members, among which one (1) member shall be from non majority community and one (1) member from other communities.
2. The president and the vice presidents of the assembly and the secretary of the chamber are members of the managing council according to official duty.
3. Five (5) members of the managing council shall be elected by the assembly of chamber from its members, whereas three (3) members of the managing council shall be delegated from the Ministry of Health.
4. The working manner of the managing council shall be regulated thoroughly by means of the statute.
5. The General Secretary of the Chamber is a permanent invitee in meetings of the managing council.
6. The General Secretary of the Chamber has no voting rights, but the right to propose items of the agenda of the day and their supporting documents.

Article 23

The Supervisory Council of the Chamber

1. The Supervisory Council of the Chamber:
 - 1.1. supervises and monitors the financial affairs of the chamber;
 - 1.2. supervises and monitors the realization of the rights and obligations of the members of the chamber;
 - 1.3. supervises and monitors the work of the professional service of the chamber;
 - 1.4. proposes to the managing council to undertake measures and actions in cases when it evaluates the violation of the laws and acts approved by the assembly of the chamber;
 - 1.5. performs also other works as envisaged by the statute and other acts of the chamber.
2. The Supervisory Council of the chamber consists of seven (7) members.
3. The Chairman, deputy chairman and three (3) other members of the council shall be elected by the assembly of the chamber from its members, whereas two (2) members shall be delegated by the Ministry of Health.

4. The Supervisory Council reports to the assembly of the chamber about its work.

Article 24 The Ethical Council

1. The Ethical Council:

1.1. supervises the implementation of the Ethical Code and the Medical Deontology;

1.2. ensures the ethical-moral and deontological management and promotes the principles of professional ethics;

1.3. undertakes the proper measures in case of violation of the ethical code and medical deontology;

1.4. receives and reviews the appeals made by citizens;

1.5. gives his opinions and assessments on the work of the members of the chamber in conformity with the code of professional ethics;

1.6. offers support to the citizens in the realization of the right on quality of services, type and content of services;

1.7. performs also other works as envisaged by the statute of the chamber and by special acts of the chamber;

1.8. the ethical council consists of five (5) members:

1.8.1. the Chairman, deputy chairman and two (2) other members of the ethic council are elected by the assembly of the chamber from its members, whereas one (1) member shall be delegated by the Ministry of Health.

CHAPTER VI DISCIPLINARY MEASURES

Article 25

1. The ethical council is a first instate authority which initiates the procedure for the determination of the responsibility of healthcare professionals for the violations of this law, statute of the chamber and the code of medical ethics and depending on the violations imposes the following disciplinary measures:

- 1.1. collegial recommendation;
- 1.2. excuse to the patient;
- 1.3. critique or public critique;
- 1.4. additional and mandatory post-graduate education and training;
- 1.5. mandatory treatment for alcohol, drugs and other addictions;
- 1.6. temporary or permanent withdrawal of the license and/or deletion of the health professional from the database;
- 1.7. fine in the amount of one thousand (1.000) to three thousand (3.000) Euro for any violation of Law, professional and ethical duties.

Article 26

1. In the procedure before the ethical council of the chamber there shall be implemented the provisions of the Law on Administrative Procedure, regarding the invitation of parties, the provision of evidence, hearing of the parties, preparation of minutes and other procedures.
2. The member of the chamber against whom there is initiated measure should be enabled to declare himself and to defend himself before the ethical council.
3. In the questioning procedure of the members of the chamber and the evaluation of the evidence in the disciplinary procedure, before the ethical council there shall be maintained the minutes.
4. The Court of Honor shall decide according to the appeal against the decision of the ethical council.

Article 27

The initiation of the procedure before the Court of Honor, regarding the determination of the violations of the member of the chamber from sub-paragraphs 1.4, 1.5, 1.6, and 1.7 of paragraph 1 of Article 25 of this Law may not be initiated after the expiration of the term of one (1) year from the day of the professional violation and the violation of the honor of the member of the chamber

CHAPTER VII THE COURT OF HONOR

Article 28

1. The Court of Honor consists of five (5) members, Chairman and his deputy and three (3) members elected from the assembly of the chamber.
2. One (1) member and his deputy shall be proposed by the Kosovo Judicial Council.

Article 29

The Court of Honor decides also regarding the appeals of the members, citizens and irregularities in the election process of the bodies of the chamber.

Article 30

Against the final decision, whereby there is imposed the disciplinary measure from subparagraph 1.4, 1.5, 1.6 and 1.7 of paragraph 1 of Article 25 of this Law, the healthcare professionals may file an appeal at the Court of Honor of Healthcare Professionals.

CHAPTER VIII PROSECUTOR OF THE CHAMBER

Article 31

The Prosecutor of the Chamber is an independent body for the initiation of the procedure against the members of the chamber against whom there exists grounded suspicion that they have violated the law, statute and the code of medical ethics.

Article 32

The cases of the violation from Article 25 of this Law can be denounced by: The Chamber of Healthcare Professionals, Ministry of Healthcare, Associations of Healthcare Professionals, Healthcare Institutions, the Healthcare Insurance Fund, State Prosecution and the damaged party.

Article 33

1. The prosecutor and his deputy shall be elected by the Assembly of the Chamber from the members of the chamber.
2. The prosecutor of the chamber shall report to the Assembly of the Chamber about his works.

CHAPTER IX PERMANENT COMMISSIONS OF THE CHAMBER

Article 34

The Chambers of Healthcare Professionals have their permanent and temporary commission. The members of the commissions of Assemblies of the chamber shall be elected by the assembly of the chamber from among the members of the chamber.

Article 35

1. The permanent commissions of the chamber are:
 - 1.1. commission for ethical matters;
 - 1.2. commission for licensing health professionals;
 - 1.3. commission for specialist education;
 - 1.4. commission for continuous professional education;
 - 1.5. commission for budget and finance;
 - 1.6. commission of solidarity and mutual help.

Article 36

The content and scope of the commission from Article 35 of this Law shall be determined by the statute and other normative acts of the chamber.

Article 37

1. The Assembly of the chamber, according to its need, may form also other temporary commissions.
2. By decision on foundation of the temporary commission, the assembly of the chamber determined the composition and scope of the temporary commission.

CHAPTER X SOURCES OF CHAMBERS' FINANCING

Article 38

1. The means for establishment and functioning of chamber shall be secured from:
 - 1.1. the Budget of the Republic of Kosovo for three (3) years transitory period;
 - 1.2. means realized according to Article 39 of this Law, for the first three (3) years from entry into force of this Law, shall be deposited in the budget of the Republic of Kosovo.

Article 39

1. Chambers of Healthcare professionals realize self-generated incomes from:
 - 1.1. membership;
 - 1.2. taxes for licensing and re-licensing and the fees for the issuance of certificates, certifications and other documentation for which it maintains an official evidence;
 - 1.3. gifts and other donations as well as other incomes in conformity with the law.

Article 40

1. The members of the chamber are obliged to regularly pay the membership, the compensation for registration, licensing and other administrative services in conformity with the law and other normative acts of the chamber.
2. In case of failure to meet the obligations, the bodies of the chamber may undertake disciplinary measures towards its members.

Article 41

1. The means of the chamber shall be deposited in the bank account of the chamber and shall be managed as in the following:

1.1. for the first three (3) transitory years from entrance into force of this Law, means shall be provided from the budget of Ministry of Health in accordance with the Law on Management of Public Finances and Accountabilities;

1.2. incomes foreseen for chamber's financing according to Article 39 of this Law shall begin to be implemented by establishing the chamber in compliance with this Law and for the first three (3) years shall be deposited into the Budget of the Republic of Kosovo. Collected means on the third year shall be kept in the Budget of the Republic of Kosovo as funds allocated for chamber according to the Law on Management of Public Finances and Accountabilities which shall be deposited in the chamber's bank account at the beginning of the fourth year with the aim of functioning of the chamber;

1.3. after the third year, the chamber shall be self financed according to the manner foreseen by this Law.

2. The chamber has its own account opened from the treasury.

3. The chairman of the chamber is responsible for finances of the chamber.

4. The chamber is responsible for its work and the entire property available to it.

Article 42

The chamber opens a special account, manages the means dedicated to the fund of solidarity and mutual aid to members of the chamber.

CHAPTER XI TRANSPARENCY OF THE WORK OF CHAMBERS

Article 43

1. Chambers of Healthcare Professionals are obliged to notify the opinion on importance issues from the field of work of chambers.

2. The chambers are obliged to notify the competent prosecution authorities, competent court authorities and the Ministry of Health for a disciplinary procedure against the members of the chamber and the bodies of the chamber and the procedure of licensing,

re-licensing and revocation of licenses if it is suspected that in these procedures there exists the grounded suspicion that there was committed any crime.

3. The chambers are obliged, at the request of the bodies from paragraph 2 of this Article, to make available all the facts and information it possesses.

Article 44

The chambers cooperate with the educational institutions of the health profile, health institutions, associations of health professionals, health insurance funds related to the matters important for the works of the chamber and citizens' health protection.

CHAPTER XII SUPERVISION OF THE WORK OF THE CHAMBER

Article 45

1. The Ministry for Health supervises the legitimacy of the work of the chamber in exercising public functions from Article 9 of this Law.

2. During the supervision from paragraph 1 of this Article, the Ministry for Health may request from the bodies of the chamber a report and information on certain issues.

3. The Chambers are obliged to offer to the Ministry for Health the reports and information from paragraph 2 of this Article within a term of thirty (30) days from the day of request, or to notify on the reasons due to which it is not able to submit the same within the requested term.

4. The Chambers are obliged to submit to the Ministry for Health the annual report for the previous year up to the 31st March of the oncoming year.

Article 46

1. For financing the activities and for financial reports of the chamber there should be implemented rules of financial business and accounting in accordance with the Laws of Kosovo.

2. Chambers of professionals that use funds of the Budget of the Republic of Kosovo and other public funds should implement provisions of the Law on Management of Public Finances and Accountabilities and the Law on Public Procurement in Republic of Kosovo. Used funds shall be audited by the Office of the Auditor General in accordance with the applicable legislation.

CHAPTER XIII GENERAL ACTS OF THE CHAMBER

Article 47

1. The chambers approve the statute and other general acts in conformity with the statute.
2. The statute of the chamber is the highest act of the chamber whereby there shall be regulated the following issues:
 - 2.1. duties and responsibilities within the legal authorizations;
 - 2.2. the manner of the implementation of the work of chambers;
 - 2.3. internal organization of the chambers;
 - 2.4. the composition of the bodies of the chamber;
 - 2.5. the manner and the procedure of election of the bodies of the chambers;
 - 2.6. competencies of the bodies of the chambers;
 - 2.7. the number of members of bodies of the chambers;
 - 2.8. manner and procedure of election, revocation and dismissal of the members of the bodies of chambers;
 - 2.9. the manner, procedure of proposition, election and nomination of the chairman of the chambers;
 - 2.10. the composition and the election of the members of chambers;
 - 2.11. slight and serious violations of the professional duties and the authority of members;
 - 2.12. the procedure for the initiation and determination of the responsibility of the members of chambers;
 - 2.13. the procedure before the ethical council of the chamber, the Court of Honor, the imposition of punitive measures and the realization of the imposed measures, the terms for the initiation of the procedure as well as other important issues dealing with the responsibility of the members of chambers;
 - 2.14. the organization of the professional service of the chamber and other important issues on the functioning of the service of chambers;

2.15. regulates also other issues that are not in contradiction with the law.

Article 48

The statute of the chambers is approved and may be amended at the voting of at least two thirds (2/3) of the assembly of the chamber.

Article 49

1. The Statute of the Chamber, after its approval by the chambers according to Articles 47 and 48 of this Law, shall be delivered to the Ministry of Health for approval.
2. If the Ministry responsible for Health does not declare itself within the term of thirty (30) days, on the draft-statute, it is deemed that it approves this draft-statute.

Article 50

1. The chambers issue also other general acts within the legal competency of the chambers.
2. The procedure for the approval of the general acts of the chambers shall be determined by the statute of chambers.

Article 51

1. The assembly of the chamber approves the ethical code, whereby there shall be regulated the ethical principles in the exercising of the professional activities of the members of the chamber.
2. The ethical code determined and regulates the reports between the members of the chamber and users of healthcare services and mutual reports between the members of the chamber.

CHAPTER XIV PROFESSIONAL SERVICE OF CHAMBERS

Article 52 Competencies

1. The Administrative Office, based on agreement between respective chambers of health professionals, exercises the following activities:

1.1. administrative and professional duties:

1.1.1. registration, licensing and authorization of health professionals and health associates, who are not members of Chambers;

1.1.2. maintenance of the health professionals' database;

1.1.3. other activities delegated to the Administrative Office by the Chambers;

1.1.4. exercises other administrative duties as set forth in Article 9 and 10 of this Law;

1.1.5. these duties shall be performed based on the contract on services concluded between the Chambers and the Administrative Office.

Article 53 Initial Financing and Transfer of Personnel

1. The Ministry of Health shall provide initial funds for the commencement of work of the Administrative Office and shall provide the payment for exercising public duties delegated to the Chambers as envisaged by Law.

2. The Ministry of Health shall transfer its administrative personnel for performing public duties, based on an agreement reached between the Ministry of Health and the Chambers.

3. The Administrative Office shall admit as agreed the number of personnel, employed so far at the Ministry of Health.

Article 54 Contract on Public Services and Administrative Inspection

1. The respective health chamber shall agree for each upcoming year on:

1.1. the planning of services to be performed during the upcoming year;

- 1.2. the compensation shall be paid proportionally with the workload of services;
 - 1.3. other rights and duties of the contracting parties.
2. The contract shall be signed at latest to the end of December for the upcoming year.
 3. For the first year, the contract shall be signed before the Administrative Office starts exercising the public duties.
 4. The administrative inspection of the Chambers and the Administrative Office shall be conducted upon decision of the Minister of Health. The administrative inspection can be undertaken only in relation to the exercising of delegated public duties.

Article 55
Contract for other services

The Administrative Office shall perform other services and duties on behalf of Chambers based on service contracts.

Article 56
Responsibility, accountability and reporting

1. The Administrative Office shall be fully responsible for the quality of work and performance of contracting parties and the recipients of their services.
2. The Administrative Office shall give account to the Chambers. It shall administer the finances allocated by the chambers in transparent ways for each Chamber separately.
3. For performance of public duties, the Administrative Office shall report in accordance to the founding acts, the statute and the service contracts. It shall report to the Chambers at least once every quarter of the year, and yearly until the end of January for the previous year.

CHAPTER XV
GENERAL SECRETARY

Article 57

1. The Administrative Office shall be directed by the General Secretary, elected by public competition.
2. The general secretary of the chamber performs duties which shall be determined by the chamber.

3. The general secretary of the chamber is elected by the managing council based on the public competition.

CHAPTER XVI PUNITIVE PROVISIONS

Article 58

1. The chamber shall be fined by a fine in the amount of five thousand (5.000) to ten thousand (10.000) Euro for the following violations:

1.1. if it refuses to register the healthcare professional who meets the requirements for registration of members of the chamber, respectively if it registers the healthcare professional who does not meet the legal requirements (sub-paragraph 1.2 of Article 9 of this Law);

1.2. if, at the request of the healthcare employee or the authorized legal representative, it does not issue certificates and certifications for which the chamber keeps official records (sub-paragraph 1.14 of Article 9 of this Law);

1.3. in case of unlawful licensing, re-licensing and revocation of the license in violation with the Law.

CHAPTER XVII TRANSITIONAL PROVISIONS

Article 59

1. The Ministry of Health, within fifteen (15) days from the day of approval of this law, shall establish the councils for preparation, foundation and commencement chambers' work.

2. The councils, within fifteen (15) days from the day of their appointment, shall prepare and approve the statutory decisions (interim statutes), determining important issues for the establishment of the bodies of chambers, the manner and procedure for electing the members of the chambers.

3. The chamber councils shall take the decision on the announcement of elections within fifteen (15) days from the day of approval of the statutory decisions.

4. The procedures for application and election of members of chamber bodies shall be conducted within forty five (45) days, as set forth in paragraph 3 of this Article.
5. The establishment of chamber bodies shall be done within thirty (30) days from the day of election of the chamber assembly members under paragraph 4 of this Article.
6. The chambers of health professionals shall commence their work within four (4) months from the day of approval of this Law.
7. The chambers are obliged, at the latest within thirty (30) days from the day of the establishment of the chamber bodies, to approve the statutes and other general acts of the chamber.
8. The chambers shall commence exercising the public functions upon approval of the statute, in compliance with this Law, within six (6) months from the day of establishment of the chamber assembly.
9. During the three (3) year transitional period, all acts of the chambers related to exercising of public authorizations, shall be signed also by the Minister of Health.

Article 60
Entry into Force

This law shall enter into force fifteen (15) after its publication in the Official Gazette of the Republic of Kosovo.

Law No. 04/L-150
30 May 2013

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI