

保健師助産師看護師法 Act on Public Health Nurses, Midwives, and Nurses

(昭和二十三年七月三十日法律第二百三号)
(Act No. 203 of July 30, 1948)

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第一章 総則

Chapter I General Provisions

（法律の目的）

(Purpose of the Act)

第一条 この法律は、保健師、助産師及び看護師の資質を向上し、もつて医療及び公衆衛生の普及向上を図ることを目的とする。

Article 1 The purpose of this Act is to improve the qualities of Public Health Nurses, Midwives, and Nurses, and to thereby promote and improve medical care and public health.

（保健師の定義）

(Definition of Public Health Nurse)

第二条 この法律において「保健師」とは、厚生労働大臣の免許を受けて、保健師の名称を用いて、保健指導に従事することを業とする者をいう。

Article 2 The term "public health nurse" as used in this Act means a person who has acquired a public health nurse license from the Minister of Health, Labour

and Welfare to use the title of public health nurse and provides health guidance as a profession.

(助産師の定義)

(Definition of Midwife)

第三条 この法律において「助産師」とは、厚生労働大臣の免許を受けて、助産又は妊婦、じよく婦若しくは新生児の保健指導を行うことを業とする女子をいう。

Article 3 The term "midwife" as used in this Act means a woman who has acquired a midwife license from the Minister of Health, Labour and Welfare to practice midwifery or provides health guidance for pregnant women, puerperal women, or newborn babies, as a profession.

第四条 削除

Article 4 Deletion

(看護師の定義)

(Definition of Nurse)

第五条 この法律において「看護師」とは、厚生労働大臣の免許を受けて、傷病者若しくはじよく婦に対する療養上の世話又は診療の補助を行うことを業とする者をいう。

Article 5 The term "nurse" as used in this Act means a person who has acquired a nursing license from the Minister of Health, Labour and Welfare to provides medical treatment or assists in medical care for injured and ill persons or puerperal women, as a profession.

(准看護師の定義)

(Definition of Assistant Nurse)

第六条 この法律において「准看護師」とは、都道府県知事の免許を受けて、医師、歯科医師又は看護師の指示を受けて、前条に規定することを行うことを業とする者をいう。

Article 6 The term "assistant nurse" as used in this Act means a person who has acquired a nursing assistant license from the prefectural governor to nursing practice what is set forth in the preceding Article under the direction of a physician, dentist, or nurse, as a profession.

第二章 免許

Chapter II License

(保健師・助産師・看護師の免許)

(Licenses Issued to Public Health Nurses, Midwives, and Nurses)

第七条 保健師になろうとする者は、保健師国家試験及び看護師国家試験に合格し、厚生労働大臣の免許を受けなければならない。

Article 7 (1) A person intends to become a public health nurse must pass the National Public Health Nursing Examination and the National Nursing Examination and acquire a license from the Minister of Health, Labour and Welfare.

2 助産師になろうとする者は、助産師国家試験及び看護師国家試験に合格し、厚生労働大臣の免許を受けなければならない。

(2) A person intends to become a midwife must pass the National Midwifery Examination and National Nursing Examination and acquire a license from the Minister of Health, Labour and Welfare.

3 看護師になろうとする者は、看護師国家試験に合格し、厚生労働大臣の免許を受けなければならない。

(3) A person intends to become a nurse must pass the National Nursing Examination and acquire a license from the Minister of Health, Labour and Welfare.

(准看護師の免許)

(License Issued to Assistant Nurses)

第八条 准看護師になろうとする者は、准看護師試験に合格し、都道府県知事の免許を受けなければならない。

Article 8 A person intends to become an assistant nurse must pass the Nursing Assistant Examination and acquire a license from the prefectural governor.

(欠格事由)

(Grounds for Disqualification)

第九条 次の各号のいずれかに該当する者には、前二条の規定による免許（以下「免許」という。）を与えないことがある。

Article 9 A person who falls under any of the following items may be granted the license under the provisions of the preceding two Articles (hereinafter referred to as a "license"):

一 罰金以上の刑に処せられた者

(i) a person who has been sentenced to a fine or severer punishment.

二 前号に該当する者を除くほか、保健師、助産師、看護師又は准看護師の業務に関し犯罪又は不正の行為があつた者

(ii) in addition to a person falling under the preceding item, who has committed a crime or engaged in misconduct in the practice of public health nurses, midwives, nurses, or assistant nurses.

三 心身の障害により保健師、助産師、看護師又は准看護師の業務を適正に行うことができない者として厚生労働省令で定めるもの

(iii) a person specified by Order of the Ministry of Health, Labour and Welfare as being unable to appropriately practice nursing as a public health nurse, midwife, nurse, or assistant nurse, due to a physical disability or mental

disorder.

四 麻薬、大麻又はあへんの中毒者

(iv) a person who is addicted to narcotics, marijuana, or opium.

(保健師籍、助産師籍、看護師籍)

(Public Health Nurse Registry, Midwife Registry, and Nurse Registry)

第十条 厚生労働省に保健師籍、助産師籍及び看護師籍を備え、登録年月日、第十四条第一項の規定による処分に関する事項その他の保健師免許、助産師免許及び看護師免許に関する事項を登録する。

Article 10 The Public Health Nurse Registry, the Midwife Registry, and the Nurse Registry are kept by the Ministry of Health, Labour and Welfare, and the registration dates, the particulars of dispositions under the provisions of Article 14, paragraph (1), and other particulars of public health nurse license, midwife licensure, and nursing licensure are registered therein.

(准看護師籍)

(Nursing Assistant Registry)

第十一条 都道府県に准看護師籍を備え、登録年月日、第十四条第二項の規定による処分に関する事項その他の准看護師免許に関する事項を登録する。

Article 11 An Nursing Assistant Registry is kept by the prefectural government, and the registration dates, the particulars of dispositions under the provisions of Article 14, paragraph (2), and other particulars of nursing assistant license are registered therein.

(免許の付与及び免許証の交付)

(Granting of Licenses and Issuance of Licenses)

第十二条 保健師免許は、保健師国家試験及び看護師国家試験に合格した者の申請により、保健師籍に登録することによつて行ふ。

Article 12 (1) A public health nurse license is registered in the Public Health Nurse Registry, upon application filed by a person who has passed the National Public Health Nursing Examination and the National Nursing Examination.

2 助産師免許は、助産師国家試験及び看護師国家試験に合格した者の申請により、助産師籍に登録することによつて行ふ。

(2) A midwife licensure is registered in the midwife registry, upon application filed by a person who has passed the National Midwifery Examination and the National Nursing Examination.

3 看護師免許は、看護師国家試験に合格した者の申請により、看護師籍に登録することによつて行ふ。

(3) A nurse licensure is registered in the Nurse Registry, upon application filed by a person who has passed the National Nursing Examination.

4 准看護師免許は、准看護師試験に合格した者の申請により、准看護師籍に登録する

ことによつて行ふ。

(4) A nursing assistant license is registered in the Nursing Assistant Registry, upon application filed by a person who has passed the Nursing Assistant Examination.

5 厚生労働大臣又は都道府県知事は、免許を与えたときは、それぞれ保健師免許証、助産師免許証若しくは看護師免許証又は准看護師免許証を交付する。

(5) When the Minister of Health, Labour and Welfare or the prefectural governor grants a licensure, the minister or the prefectural governor issues a public health nurse license, midwife license, nursing license, or nursing assistant license respectively.

(意見の聴取)

(Hearing of Opinions)

第十三条 厚生労働大臣は、保健師免許、助産師免許又は看護師免許を申請した者について、第九条第三号に掲げる者に該当すると認め、同条の規定により当該申請に係る免許を与えないこととするときは、あらかじめ、当該申請者にその旨を通知し、その求めがあつたときは、厚生労働大臣の指定する職員にその意見を聴取させなければならない。

Article 13 (1) When the Minister of Health, Labour and Welfare finds that an applicant for a public health nurse licensure, midwife licensure, or nursing licensure falls under a person set forth in Article 9, item (iii) and decides not to grant the license pursuant to the provisions of that Article, the minister must notify the applicant of this, and, if so requested by the applicant, the minister must have the official(s) designated by the minister hear the opinions of the applicant.

2 都道府県知事は、准看護師免許を申請した者について、第九条第三号に掲げる者に該当すると認め、同条の規定により准看護師免許を与えないこととするときは、あらかじめ、当該申請者にその旨を通知し、その求めがあつたときは、当該都道府県知事の指定する職員にその意見を聴取させなければならない。

(2) When the prefectural governor finds that an applicant for a nursing assistant licensure falls under a person set forth in Article 9 item (iii) and decides not to grant the nursing assistant licensure pursuant to provisions of that Article, the prefectural governor must notify the applicant of this, and, if so requested by the applicant, the prefectural governor must have the official(s) designated by the prefectural governor hear the opinions of the applicant.

(免許の取消し等)

(Revocation of Licenses)

第十四条 保健師、助産師若しくは看護師が第九条各号のいずれかに該当するに至つたとき、又は保健師、助産師若しくは看護師としての品位を損するような行為のあつたときは、厚生労働大臣は、次に掲げる処分をすることができる。

Article 14 (1) If a public health nurse, midwife, or nurse falls under any of the items of Article 9, or engages in discreditable conduct as a public health nurse, midwife, or nurse, the Minister of Health, Labour and Welfare may implement the following dispositions:

一 戒告

(i) admonition.

二 三年以内の業務の停止

(ii) suspension of practice for up to three years.

三 免許の取消し

(iii) revocation of license.

2 准看護師が第九条各号のいずれかに該当するに至つたとき、又は准看護師としての品位を損するような行為のあつたときは、都道府県知事は、次に掲げる処分をすることができる。

(2) If a nursing assistant falls under any of the items of Article 9, or engages in discreditable conduct as a nursing assistant, the prefectural governor may implement the following dispositions:

一 戒告

(i) admonition.

二 三年以内の業務の停止

(ii) suspension of practice for up to three years.

三 免許の取消し

(iii) revocation of licenses.

3 前二項の規定による取消処分を受けた者（第九条第一号若しくは第二号に該当し、又は保健師、助産師、看護師若しくは准看護師としての品位を損するような行為のあつた者として前二項の規定による取消処分を受けた者にあつては、その処分の日から起算して五年を経過しない者を除く。）であつても、その者がその取消しの理由となつた事項に該当しなくなつたとき、その他その後の事情により再び免許を与えるのが適当であると認められるに至つたときは、再免許を与えることができる。この場合においては、第十二条の規定を準用する。

(3) Even if a person whose license has been revoked pursuant to the provisions of the preceding two paragraphs (excluding a person whose license has been revoked pursuant to the provisions of the preceding two paragraphs as a person falling under item (i) or (ii) of Article 9 or as a person engaged in discreditable conduct as a public health nurse, midwife, nurse, or nursing assistant, and for whom five years have not elapsed since the date of disposition), the person may be granted a license for the second time when the person does not fall under the particulars of the grounds for revocation, or when it is otherwise found to be appropriate to grant the person a relicense due to subsequent circumstances. In this case, the provisions of Article 12 apply *mutatis mutandis*.

(免許取消し又は業務停止の処分の手続き)

(Procedures for Revocation of License or Suspension of Nursing License)

第十五条 厚生労働大臣は、前条第一項又は第三項に規定する処分をしようとするときは、あらかじめ医道審議会の意見を聴かなければならない。

Article 15 (1) When the Minister of Health, Labour and Welfare intends to implement any of the dispositions provided for in paragraph (1) or paragraph (3) of the preceding Article, the minister must hear the opinions of the Medical Ethics Council.

2 都道府県知事は、前条第二項又は第三項に規定する処分をしようとするときは、あらかじめ准看護師試験委員の意見を聴かなければならない。

(2) When the prefectural governor intends to implement any of the dispositions provided for in paragraph (2) or paragraph (3) of the preceding Article, the prefectural governor must hear the opinions of the Nursing Assistant Examination Board.

3 厚生労働大臣は、前条第一項の規定による免許の取消処分をしようとするときは、都道府県知事に対し、当該処分に係る者に対する意見の聴取を行うことを求め、当該意見の聴取をもつて、厚生労働大臣による聴聞に代えることができる。

(3) When the Minister of Health, Labour and Welfare intends to revoke a license pursuant to the provisions of paragraph (1) of the preceding Article, the minister may request the prefectural governor to hear the opinion of the person subject to the disposition, and may substitute the relevant hearing of opinion for the hearing to be conducted by the Minister of Health, Labour and Welfare.

4 行政手続法（平成五年法律第八十八号）第三章第二節（第二十五条、第二十六条及び第二十八条を除く。）の規定は、都道府県知事が前項の規定により意見の聴取を行う場合について準用する。この場合において、同節中「聴聞」とあるのは「意見の聴取」と、同法第十五条第一項中「行政庁」とあるのは「都道府県知事」と、同条第三項（同法第二十二条第三項において準用する場合を含む）中「行政庁は」とあるのは「都道府県知事は」と、「当該行政庁が」とあるのは「当該都道府県知事が」と、「当該行政庁の」とあるのは「当該都道府県の」と、同法第十六条第四項並びに第十八条第一項及び第三項中「行政庁」とあるのは「都道府県知事」と、同法第十九条第一項中「行政庁が指名する職員その他政令で定める者」とあるのは「都道府県知事が指名する職員」と、同法第二十条第一項、第二項及び第四項中「行政庁」とあるのは「都道府県」と、同条第六項、同法第二十四条第三項及び第二十七条第一項中「行政庁」とあるのは「都道府県知事」と読み替えるものとする。

(4) The provisions of Chapter III, Section 2 (excluding Article 25, Article 26, Article 28) of the Administrative Procedure Act (Act No.88 of 1993) apply mutatis mutandis to cases when the prefectural governor hears an opinion pursuant to the provisions of the preceding paragraph. In this case, the term "hearing" in that Section is deemed to be replaced with "hearing their opinions,"; the term the "administrative authority" in Article 15, paragraph (1) of that Act is deemed to be replaced with the "prefectural governor"; in

paragraph (3) of that Article (including as applied mutatis mutandis pursuant to Article 22, paragraph (3) of that Act) the phrase the "administrative authority must" is deemed to be replaced with the "prefectural governor must," the phrase the "administrative authority" is deemed to be replaced with the "prefectural governor," and the phrase "of the administrative authority" is deemed to be replaced with "of the prefecture"; the phrase "the administrative authority" in Article 16, paragraph (4) and Article 18, paragraphs (1) and (3) of that Act is deemed to be replaced with the "prefectural governor"; the phrase an "official designated by the administrative authority or other persons specified by Cabinet Order" in Article 19, paragraph (1) of that Act is deemed to be replaced with an "official designated by the prefectural governor"; the term the "administrative authority" in Article 20, paragraphs (1), (2), and (4) of that Act is deemed to be replaced with the "prefecture"; and the term the "administrative authority" in paragraph (6) of that Article and in Article 24, paragraph (3) and Article 27, paragraph (1) of that Act is deemed to be replaced with the "prefectural governor."

5 厚生労働大臣は、都道府県知事から当該処分の原因となる事実を証する書類その他意見の聴取を行う上で必要となる書類を求められた場合には、速やかにそれらを当該都道府県知事あて送付しなければならない。

(5) If so requested by the prefectural governor, the Minister of Health, Labour and Welfare must promptly send the documents proving the facts that constitute grounds for the relevant disposition and other documents necessary for the hearing of opinions to the prefectural governor.

6 都道府県知事は、第三項の規定により意見の聴取を行う場合において、第四項において読み替えて準用する行政手続法第二十四条第三項の規定により同条第一項の調書及び同条第三項の報告書の提出を受けたときは、これらを保存するとともに、当該処分の決定についての意見を記載した意見書を作成し、当該調書及び報告書の写しを添えて厚生労働大臣に提出しなければならない。

(6) If the prefectural governor conducts a hearing of opinions pursuant to the provisions of paragraph (3), and receives the record referred to in Article 24, paragraph (1) of the Administrative Procedure Act and the written report referred to in paragraph (3) of that Article that have been submitted pursuant to the provisions of paragraph (3) of that Article, as applied mutatis mutandis pursuant to paragraph (4) of this Article following the deemed replacement of terms, in addition to preserving the record and written report, the prefectural governor must prepare a written opinion providing their opinion about a decision to implement the relevant disposition, and must submit this written opinion, along with copies of the record and the written report, to the Minister of Health, Labour and Welfare.

7 厚生労働大臣は、意見の聴取の終結後に生じた事情にかんがみ必要があると認めるときは、都道府県知事に対し、前項の規定により提出された意見書を返戻して主宰者

に意見の聴取の再開を命ずるよう求めることができる。行政手続法第二十二条第二項本文及び第三項の規定は、この場合について準用する。

(7) If the Minister of Health, Labour and Welfare finds it necessary to do so in light of the circumstances that have arisen after the official heard the opinions, the minister may return the written opinion that have been submitted pursuant to the provisions of the preceding paragraph and request the prefectural governor to order the presiding official to reopen the hearing of opinions. The provisions of the main clause of Article 22, paragraph (2) and paragraph (3) of the Administrative Procedure Act apply mutatis mutandis in this case.

8 厚生労働大臣は、当該処分の決定をするときは、第六項の規定により提出された意見書並びに調書及び報告書の写しの内容を十分参酌してこれをしなければならない。

(8) The Minister of Health, Labour and Welfare must make a decision on the disposition only after the minister gives due consideration to the contents of the written opinion and the copies of the record and written report submitted pursuant to the provisions of paragraph (6).

9 厚生労働大臣は、前条第一項の規定による業務の停止の命令をしようとするときは、都道府県知事に対し、当該処分に係る者に対する弁明の聴取を行うことを求め、当該弁明の聴取をもって、厚生労働大臣による弁明の機会の付与に代えることができる。

(9) When the Minister of Health, Labour and Welfare intends to issue an order to suspend the license pursuant to the provisions of paragraph (1) of the preceding Article, the minister may request the prefectural governor to hear the explanation of the person subject to the disposition, and may substitute the hearing for the grant of an opportunity for explanation by the minister.

10 前項の規定により弁明の聴取を行う場合において、都道府県知事は、弁明の聴取を行うべき日時までに相当な期間において、当該処分に係る者に対し、次に掲げる事項を書面により通知しなければならない。

(10) If the explanation is to be heard pursuant to the provisions of the preceding paragraph, the prefectural governor must notify the person subject to the disposition of the following particulars in writing, by giving the person sufficient time before the date on which the explanation is heard:

一 前条第一項の規定を根拠として当該処分をしようとする旨及びその内容

(i) the fact that a disposition is to be implemented pursuant to the provisions of paragraph (1) of the preceding Article, and the details of the disposition.

二 当該処分の原因となる事実

(ii) the facts that constitute grounds for the relevant disposition.

三 弁明の聴取の日時及び場所

(iii) the time, date, and place where the explanation is to be heard.

11 厚生労働大臣は、第九項に規定する場合のほか、厚生労働大臣による弁明の機会の付与に代えて、医道審議会の委員に、当該処分に係る者に対する弁明の聴取を行わせることができる。この場合においては、前項中「前項」とあるのは「次項」と、

「都道府県知事」とあるのは「厚生労働大臣」と読み替えて、同項の規定を適用する。

(11) Other than the case prescribed in the preceding paragraph (9), the Minister of Health, Labour and Welfare may have a member of the Medical Ethics Council hear the explanation of the person subject to the disposition, instead of granting an opportunity for explanation by the minister. In this case, the phrase "preceding paragraph" in the preceding paragraph is deemed to be replaced with "following paragraph," the phrase the "prefectural governor" is deemed to be replaced with the "Minister of Health, Labour and Welfare," and the provisions of that paragraph apply.

1 2 第十項（前項後段の規定により読み替えて適用する場合を含む。）の通知を受けた者は、代理人を出頭させ、かつ、証拠書類又は証拠物を提出することができる。

(12) A person who has received the notification referred to in paragraph (10) (including as applied mutatis mutandis pursuant to the provisions of the second sentence of the preceding paragraph following the deemed replacement of terms), may have a representative appear in the office, and may submit documentary evidence or articles of evidence.

1 3 都道府県知事又は医道審議会の委員は、第九項又は第十一項前段の規定により弁明の聴取を行つたときは、聴取書を作り、これを保存するとともに、当該処分についての意見を記載した報告書を作成し、厚生労働大臣に提出しなければならない。

(13) If the prefectural governor or a member of the Medical Ethics Council has heard an explanation pursuant to the provisions of paragraph (9) or the first sentence of paragraph (11), in addition to creating and preserving the hearing record, the prefectural governor or member of the Medical Ethics Council must prepare a written report containing an opinion about the decision on the relevant disposition and submit this to the Minister of Health, Labour and Welfare.

1 4 厚生労働大臣は、第三項又は第九項の規定により都道府県知事が意見の聴取又は弁明の聴取を行う場合においては、都道府県知事に対し、あらかじめ、次に掲げる事項を通知しなければならない。

(14) If the prefectural governor hears person's opinion or explanation pursuant to the provisions of paragraph (3) or paragraph (9), the Minister of Health, Labour and Welfare must notify the prefectural governor of the following particulars in advance:

一 当該処分に係る者の氏名及び住所

(i) the name and address of the person subject to the disposition.

二 当該処分の内容及び根拠となる条項

(ii) the details of the disposition and the provisions that constitute grounds for the disposition.

三 当該処分の原因となる事実

(iii) The facts that constitute grounds for the relevant disposition.

1 5 第三項の規定により意見の聴取を行う場合における第四項において読み替えて準

用する行政手続法第十五条第一項の通知又は第九項の規定により弁明の聴取を行う場合における第十項の通知は、それぞれ、前項の規定により通知された内容に基づいたものでなければならない。

- (15) The notification referred to in Article 15, paragraph (1) of the Administrative Procedure Act, as applied mutatis mutandis pursuant to paragraph (4) following the deemed replacement of terms, or the notification referred to in paragraph (10) that is to be issued when an explanation is to be heard pursuant to paragraph (9), must be based on the contents of the notification issued pursuant to the provisions of the preceding paragraph.
- 16 都道府県知事は、前条第二項の規定による業務の停止の命令をしようとするときは、都道府県知事による弁明の機会の付与に代えて、准看護師試験委員に、当該処分に係る者に対する弁明の聴取を行わせることができる。
- (16) When the prefectural governor intends to issue an order to suspend nursing practice pursuant to the provisions of paragraph (2) of the preceding Article, the prefectural governor may have a member of the Assistant Nursing Examination Board hear the explanation of the person subject to the disposition, instead of granting an opportunity for explanation by the prefectural governor.
- 17 第十項、第十二項及び第十三項の規定は、准看護師試験委員が前項の規定により弁明の聴取を行う場合について準用する。この場合において、第十項中「前項」とあるのは「第十六項」と、「前条第一項」とあるのは「前条第二項」と、第十二項中「第十項（前項後段の規定により読み替えて適用する場合を含む。）」とあるのは「第十七項において準用する第十項」と、第十三項中「都道府県知事又は医道審議会の委員」とあるのは「准看護師試験委員」と、「第九項又は第十一項前段」とあるのは「第十六項」と、「厚生労働大臣」とあるのは「都道府県知事」と読み替えるものとする。
- (17) The provisions of paragraph (10), paragraph (12), and paragraph (13) apply mutatis mutandis to cases where a member of the Nursing Assistant Examination Board hears an explanation pursuant to the provisions of the preceding paragraph. In this case, the phrase the "preceding paragraph" in paragraph (10) is deemed to be replaced with "paragraph (16)" and the phrase "paragraph (1) of the preceding Article" in that paragraph is deemed to be replaced with "paragraph (2) of the preceding Article"; the phrase "paragraph (10) (including as applied mutatis mutandis pursuant to the provisions of the second sentence of the preceding paragraph following the deemed replacement of terms)" in paragraph (12) is deemed to be replaced with "paragraph (10) as applied mutatis mutandis pursuant to paragraph (17)"; the phrase the "prefectural governor or a member of the Medical Ethics Council" in paragraph (13) is deemed to be replaced with a "member of the Nursing Assistant Examination Board", the phrase "paragraph (9) or the first sentence of paragraph (11)" in that paragraph is deemed to be replaced with "paragraph

(16)," and the phrase the "Minister of Health, Labour and Welfare" in that paragraph is deemed to be replaced with the "prefectural governor."

- 18 第三項若しくは第九項の規定により都道府県知事が意見の聴取若しくは弁明の聴取を行う場合、第十一項前段の規定により医道審議会の委員が弁明の聴取を行う場合又は第十六項の規定により准看護師試験委員が弁明の聴取を行う場合における当該処分については、行政手続法第三章（第十二条及び第十四条を除く。）の規定は、適用しない。

(18) If the prefectural governor hears person's opinion or an explanation pursuant to the provisions of paragraph (3) or paragraph (9), when a member of the Medical Ethics Council hears person's explanation pursuant to the provisions of the first sentence of paragraph (11), or when a member of the Nursing Assistant Examination Board hears person's explanation pursuant to the provisions of paragraph (16), the provisions of Chapter III (excluding Article 12 and Article 14) of the Administrative Procedure Act do not apply to the relevant disposition.

（保健師等再教育研修）

(Refresher Training for Public Health Nurses)

- 第十五条の二 厚生労働大臣は、第十四条第一項第一号若しくは第二号に掲げる処分を受けた保健師、助産師若しくは看護師又は同条第三項の規定により保健師、助産師若しくは看護師に係る再免許を受けようとする者に対し、保健師、助産師若しくは看護師としての倫理の保持又は保健師、助産師若しくは看護師として必要な知識及び技能に関する研修として厚生労働省令で定めるもの（以下「保健師等再教育研修」という。）を受けるよう命ずることができる。

Article 15-2 (1) The Minister of Health, Labour and Welfare may order a public health nurse, midwife, or nurse who has been subject to the disposition set forth in Article 14, paragraph (1) or paragraph (2), or a person intends to acquire a license for the second time pursuant to provisions of paragraph (3) of that Article for a public health nurse, midwife, or nurse, to undergo the training specified by Order of the Ministry of Health, Labour and Welfare as a training regarding maintaining ethics of public health nurses, midwives, or nurses, or as a training regarding the knowledge and skills required for a public health nurse, midwife, or nurse (hereinafter referred to as "refresher training for public health nurses, etc.").

- 2 都道府県知事は、第十四条第二項第一号若しくは第二号に掲げる処分を受けた准看護師又は同条第三項の規定により准看護師に係る再免許を受けようとする者に対し、准看護師としての倫理の保持又は准看護師として必要な知識及び技能に関する研修として厚生労働省令で定めるもの（以下「准看護師再教育研修」という。）を受けるよう命ずることができる。

(2) The prefectural governor may order a nursing assistant who has been subject to the disposition set forth in Article 14, paragraph (1) or paragraph (2), or a

person who intends to acquire a license for a nursing assistant for the second time, pursuant to the provisions of paragraph (3) of that Article, to undergo the training specified by Order of the Ministry of Health, Labour and Welfare as the training regarding maintaining ethics of nursing assistants, or as the training regarding the knowledge and skills required for a nursing assistant (hereinafter referred to as "refresher training program for nursing assistants").

3 厚生労働大臣は、第一項の規定による保健師等再教育研修を修了した者について、その申請により、保健師等再教育研修を修了した旨を保健師籍、助産師籍又は看護師籍に登録する。

(3) The Minister of Health, Labour, and Welfare registers the persons who have completed the refresher training program for public health nurses, etc. under the provisions of paragraph (1) as those having completed the refresher training for public health nurses, etc., in the Public Health Nurse Registry, Midwife Registry, or Nurse Registry.

4 都道府県知事は、第二項の規定による准看護師再教育研修を修了した者について、その申請により、准看護師再教育研修を修了した旨を准看護師籍に登録する。

(4) The prefectural governor registers the persons who have completed the refresher training for nursing assistants under the provisions of paragraph (2) as those having completed the refresher training for nursing assistants, in the Nursing Assistant Registry.

5 厚生労働大臣又は都道府県知事は、前二項の登録をしたときは、再教育研修修了登録証を交付する。

(5) After having completed a registration referred to in the preceding two paragraphs, the Minister of Health, Labour, and Welfare or the prefectural governor issues a registration certificate of completion of refresher training.

6 第三項の登録を受けようとする者及び保健師、助産師又は看護師に係る再教育研修修了登録証の書換交付又は再交付を受けようとする者は、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。

(6) A person intends to be registered in the registry referred to in paragraph (3) or a person intending to acquire an updated registration certificate of completion of the refresher training for public health nurses, midwives, or nurses or intends to have the registration certificate reissued, must pay the fee specified by Cabinet Order based on the actual costs.

7 前条第九項から第十五項まで（第十一項を除く。）及び第十八項の規定は、第一項の規定による命令をしようとする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(7) The provisions of paragraphs (9) through paragraph (15) (excluding paragraph (11)) and paragraph (18) of the preceding Article apply mutatis mutandis to cases where the relevant person who intends to issue an order under the provisions of paragraph 1. In this case, the necessary technical replacement of terms is specified by Cabinet Order.

(政令等への委任)

(Provisions Governed by Cabinet Order)

第十六条 この章に規定するもののほか、免許の申請、保健師籍、助産師籍、看護師籍及び准看護師籍の登録、訂正及び抹消、免許証の交付、書換交付、再交付、返納及び提出並びに住所の届出に関して必要な事項は政令で、前条第一項の保健師等再教育研修及び同条第二項の准看護師再教育研修の実施、同条第三項の保健師籍、助産師籍及び看護師籍の登録並びに同条第四項の准看護師籍の登録並びに同条第五項の再教育研修修了登録証の交付、書換交付及び再交付に関して必要な事項は厚生労働省令で定める。

Article 16 Beyond what is provided for in this Chapter, other necessary particulars for application for license; registration in, corrections to, and deletions from the Public Health Nurse Registry, Midwife Registry, Nurse Registry, and Nursing Assistant Registry; the issuance, updated issuance, reissuance, return, or submission of a license; and notice of address, are specified by Cabinet Order; and the necessary particulars for implementing the refresher training for public health nurses, etc. referred to in paragraph (1) of the preceding Article and the refresher training for nursing assistants referred to in paragraph (2) of that Article; for registration in the Public Health Nurse Registry, Midwife Registry, or Nurse Registry referred to in paragraph (3) of that Article or registration in the Nursing Assistant Registry referred to in paragraph (4) of that Article; or for the issuance, updated issuance, or reissuance of a registration certificate of completion of the refresher training referred to in paragraph (5) of that Article, are specified by Order of the Ministry of Health, Labour and Welfare.

第三章 試験

Chapter III Examinations

(試験の内容)

(Contents of the Examinations)

第十七条 保健師国家試験、助産師国家試験、看護師国家試験又は准看護師試験は、それぞれ保健師、助産師、看護師又は准看護師として必要な知識及び技能について、これを行う。

Article 17 The National Licensing Examination for Public Health Nurses, National Licensing Examination for Midwives, National Licensing Examination for Nurses, and Licensing Examination for Nursing Assistants, are conducted with regard to the knowledge and skills required for public health nurses, midwives, nurses, and nursing assistants, respectively.

(試験の実施)

(Administration of the Examinations)

第十八条 保健師国家試験、助産師国家試験及び看護師国家試験は、厚生労働大臣が、准看護師試験は、都道府県知事が、厚生労働大臣の定める基準に従い、毎年少なくとも一回これを行う。

Article 18 The Minister of Health, Labour and Welfare holds the National Licensing Examination for Public Health Nurses, the National Licensing Examination for Midwives, and the National Licensing Examination for Nurses; and the prefectural governor holds the Licensing Examination for Nursing Assistants, at least once a year, in accordance with the criteria specified by the Minister of Health, Labour and Welfare.

(保健師国家試験の受験資格)

(Eligibility Requirements for the National Licensing Examination for Public Health Nurses)

第十九条 保健師国家試験は、次の各号のいずれかに該当する者でなければ、これを受けることができない。

Article 19 Only a person who falls under any of the following items is eligible for the National Licensing Examination for Public Health Nurses:

一 文部科学省令・厚生労働省令で定める基準に適合するものとして、文部科学大臣の指定した学校において一年以上保健師になるのに必要な学科を修めた者

(i) a person who has studied the course required to become a public health nurse for at least one year and completed the course, at a school designated by the Minister of Education, Culture, Sports, Science and Technology as a person who meets the criteria specified by Order of the Ministry of Education, Culture, Sports, Science and Technology and Order of the Ministry of Health, Labour and Welfare.

二 文部科学省令・厚生労働省令で定める基準に適合するものとして、厚生労働大臣の指定した保健師養成所を卒業した者

(ii) a person who has graduated from a public health nurse training school designated by the Minister of Health, Labour and Welfare as a person who meets the criteria specified by Order of the Ministry of Education, Culture, Sports, Science and Technology and Order of the Ministry of Health, Labour and Welfare.

三 外国の第二条に規定する業務に関する学校若しくは養成所を卒業し、又は外国において保健師免許に相当する免許を受けた者で、厚生労働大臣が前二号に掲げる者と同等以上の知識及び技能を有すると認めたもの

(iii) a person who has graduated from a school or training school for the practice provided for in Article 2 in a foreign country or who has acquired a licensure equivalent to a public health nurse license in a foreign country, and the Minister of Health, Labour and Welfare finds that the person has knowledge and skills equivalent to or better than those of the persons set

forth in the preceding two items.

(助産師国家試験の受験資格)

(Eligibility Requirements for the National Licensing Examination for Midwives)

第二十条 助産師国家試験は、次の各号のいずれかに該当する者でなければ、これを受けることができない。

Article 20 Only a person who falls under any of the following items is eligible for the National Licensing Examination for Midwives:

一 文部科学省令・厚生労働省令で定める基準に適合するものとして、文部科学大臣の指定した学校において一年以上助産に関する学科を修めた者

(i) a person who has studied a course of midwifery for at least one year and completed the course, at a school designated by the Minister of Education, Culture, Sports, Science and Technology as a person who meets the criteria specified by Order of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare.

二 文部科学省令・厚生労働省令で定める基準に適合するものとして、厚生労働大臣の指定した助産師養成所を卒業した者

(ii) a person who has graduated from a midwife training school designated by the Minister of Health, Labour and Welfare as a person who meets the criteria specified by Order of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare.

三 外国の第三条に規定する業務に関する学校若しくは養成所を卒業し、又は外国において助産師免許に相当する免許を受けた者で、厚生労働大臣が前二号に掲げる者と同等以上の知識及び技能を有すると認めたもの

(iii) a person who has graduated from a school or training school for the nursing practice in a foreign country specified in Article 3 or who has acquired a license comparable to a midwife licensure in a foreign country, and the Minister of Health, Labour and Welfare finds that the person has knowledge and skills equivalent to or better than those of the persons set forth in the preceding two items.

(看護師国家試験の受験資格)

(Eligibility Requirements for the National Licensing Examination for Nurses)

第二十一条 看護師国家試験は、次の各号のいずれかに該当する者でなければ、これを受けることができない。

Article 21 Only a person who falls under any of the following items is eligible for the National Licensing Examination for Nurses:

一 文部科学省令・厚生労働省令で定める基準に適合するものとして、文部科学大臣の指定した学校教育法（昭和二十二年法律第二十六号）に基づく大学（短期大学を除く。第四号において同じ。）において看護師になるのに必要な学科を修めて卒業

した者

(i) a person who has completed the course required for becoming a nurse at a university (excluding a junior college; the same applies in item (iv)) under the School Education Act (Act No. 26 of 1947) which is designated by the Minister of Education, Culture, Sports, Science and Technology and graduated the school as a person who meets the criteria specified by Order of the Ministry of Education, Culture, Sports, Science and Technology and Order of the Ministry of Health, Labour and Welfare.

二 文部科学省令・厚生労働省令で定める基準に適合するものとして、文部科学大臣の指定した学校において三年以上看護師になるのに必要な学科を修めた者

(ii) a person who has studied the course required for becoming a nurse for at least three years and completed the course, at a school designated by the Minister of Education, Culture, Sports, Science and Technology as a person who meets the criteria specified by Order of the Ministry of Education, Culture, Sports, Science and Technology and Order of the Ministry of Health, Labour and Welfare.

三 文部科学省令・厚生労働省令で定める基準に適合するものとして、厚生労働大臣の指定した看護師養成所を卒業した者

(iii) a person who has graduated from a training school for nurses designated by the Minister of Health, Labour and Welfare as a person who meets the criteria specified by Order of the Ministry of Education, Culture, Sports, Science and Technology and Order of the Ministry of Health, Labour and Welfare.

四 免許を得た後三年以上業務に従事している准看護師又は学校教育法に基づく高等学校若しくは中等教育学校を卒業している准看護師で前三号に規定する大学、学校又は養成所において二年以上修業したもの

(iv) a nursing assistant who has practiced nursing for at least three years after acquiring the licensure, or a nursing assistant who has graduated from a high school or a secondary school under the School Education Act and gotten trained for at least two years at a university, school, or training school specified in the preceding three items.

五 外国の第五条に規定する業務に関する学校若しくは養成所を卒業し、又は外国において看護師免許に相当する免許を受けた者で、厚生労働大臣が第一号から第三号までに掲げる者と同等以上の知識及び技能を有すると認めたもの

(v) a person who has graduated from a school or training school for nursing practice specified in Article 5 or who has acquired a license comparable to a nurse license in a foreign country, and the Minister of Health, Labour and Welfare finds that the person has knowledge and skills equivalent to or better than those of the persons set forth in items (i) to (iii).

(准看護師試験の受験資格)

(Eligibility Requirements for the Licensing Examination for Nursing Assistants)

第二十二条 准看護師試験は、次の各号のいずれかに該当する者でなければ、これを受けることができない。

Article 22 Only a person who falls under any of the following items is eligible for the Licensing Examination for Nursing Assistants:

一 文部科学省令・厚生労働省令で定める基準に適合するものとして、文部科学大臣の指定した学校において二年の看護に関する学科を修めた者

(i) a person who has studied a course in nursing for two years and completed the course, at a school designated by the Minister of Education, Culture, Sports, Science and Technology as a person who meets the criteria specified by Order of the Ministry of Education, Culture, Sports, Science and Technology and Order of the Ministry of Health, Labour and Welfare.

二 文部科学省令・厚生労働省令で定める基準に適合するものとして、厚生労働大臣の定める基準に従い、都道府県知事の指定した准看護師養成所を卒業した者

(ii) a person who has graduated from a training school for nursing assistants designated by the prefectural governor according to the criteria provided by the Minister of Health, Labour and Welfare as a person who meets the criteria provided by Order of the Ministry of Education, Culture, Sports, Science and Technology and Order of the Ministry of Health, Labour and Welfare.

三 前条第一号から第三号まで又は第五号に該当する者

(iii) a person who falls under any of items (i) through (iii) or item (v) of the preceding Article.

四 外国の第五条に規定する業務に関する学校若しくは養成所を卒業し、又は外国において看護師免許に相当する免許を受けた者のうち、前条第五号に該当しない者で、厚生労働大臣の定める基準に従い、都道府県知事が適当と認めたもの

(iv) a person who has graduated from a school or training school for nursing practice specified in Article 5 in a foreign country or who has acquired a licensure comparable to a nurse licensure in a foreign country, who does not fall under item (v) of the preceding Article, and the prefectural governor finds that the person is appropriate for nursing, in accordance with the criteria specified by the Minister of Health, Labour and Welfare.

(医道審議会の意見聴取)

(Hearing Opinions of the Medical Ethics Council)

第二十二條の二 厚生労働大臣は、保健師国家試験、助産師国家試験若しくは看護師国家試験の科目若しくは実施若しくは合格者の決定の方法又は第十八条に規定する基準を定めようとするときは、あらかじめ、医道審議会の意見を聴かなければならない。

Article 22-2 (1) The Minister of Health, Labour and Welfare must hear the opinion of the Medical Ethics Council when the minister intends to establish

the methods for deciding the subjects, administration, and successful examinees with regard to the National Licensing Examination for Public Health Nurses, the National Licensing Examination for Midwives, and the National Licensing Examination for Nurses, and to establish the criteria provided for in Article 18.

- 2 文部科学大臣又は厚生労働大臣は、第十九条第一号若しくは第二号、第二十条第一号若しくは第二号、第二十一条第一号から第三号まで又は前条第一号若しくは第二号に規定する基準を定めようとするときは、あらかじめ、医道審議会の意見を聴かなければならない。

- (2) The Minister of Education, Culture, Sports, Science and Technology or the Minister of Health, Labour and Welfare must hear the opinion of the Medical Ethics Council when the minister intends to establish criteria provided for in Article 19, item (i) or item (ii); Article 20, item (i) or (ii); from Article 21, item (i) to item (iii); or item (i) or item (ii) of the preceding Article.

(保健師助産師看護師試験委員の設置)

(Appointment of Members of the Public Health Nurse, Midwife, and Nurse Examination Committee)

第二十三条 保健師国家試験、助産師国家試験及び看護師国家試験の実施に関する事務をつかさどらせるため、厚生労働省に保健師助産師看護師試験委員を置く。

Article 23 (1) The Ministry of Health, Labour and Welfare appoints the members of the Public Health Nurse, Midwife, and Nurse Examination Committee, in order to have the committee members handle the functions to implement the National Licensing Examination for Public Health Nurses, National Licensing Examination for Midwives, and National Licensing Examination for Nurses.

- 2 保健師助産師看護師試験委員に関し必要な事項は、政令で定める。

- (2) The particulars necessary for the members of the Public Health Nurse, Midwife, and Nurse Examination Committee are specified by Cabinet Order.

第二十四条 削除

Article 24 Deletion

(准看護師試験委員)

(Members of Nursing Assistant Examination Committee)

第二十五条 准看護師試験の実施に関する事務をつかさどらせるために、都道府県に准看護師試験委員を置く。

Article 25 (1) Assistant Nursing Examination Boards are established in The prefectural governments appoint the members of the Nursing Assistant Examination Committee, in order to have them handle the functions to implement the Nursing Assistant Examinations.

- 2 准看護師試験委員に関し必要な事項は、都道府県の条例で定める。

(2) The particulars necessary for the members of the Nursing Assistant Examination are provided by Prefectural Ordinance

第二十六条 削除 (平一一法八七)

Article 26 Deletion (Act No. 87 of 1999)

(試験事務担当者の不正行為禁止)

(Prohibition of Misconduct by Persons In Charge Of Examination Administration)

第二十七条 保健師助産師看護師試験委員、准看護師試験委員その他保健師国家試験、助産師国家試験、看護師国家試験又は准看護師試験の実施に関する事務をつかさどる者は、その事務の施行に当たっては厳正を保持し、不正の行為のないようにしなければならない。

Article 27 A members of the Public Health Nurse, Midwife, and Nurse Examination Committee, a member of the Nursing Assistant Examination Committee, and any other person takes charge of functions to implement the National Licensing Examination for Public Health Nurses, National Licensing Examination for Midwives, National Licensing Examination for Nurses, or Nursing Assistant Examination, must maintain a strictly fair attitude in performing the functions, and must prevent any examination misconduct.

(政令及び厚生労働省令への委任)

(Provisions Governed by Cabinet Order and Ministerial Order)

第二十八条 この章に規定するもののほか、第十九条から第二十二条までの規定による学校の指定又は養成所に関して必要な事項は政令で、保健師国家試験、助産師国家試験、看護師国家試験又は准看護師試験の試験科目、受験手続その他試験に関して必要な事項は厚生労働省令で定める。

Article 28 Beyond what is provided for in this Chapter, other particulars necessary for the designation of a school or training school under the provisions of Articles 19 through 22 are provided by Cabinet Order, and examination subjects, application procedures for the National Licensing Examination for Public Health Nurses, National Licensing Examination for Midwives, National Licensing Examination for Nurses, or Licensing Examination for Nursing Assistants, and other particulars necessary for examinations are provided by Order of the Ministry of Health, Labour and Welfare.

(保健師、助産師、看護師及び准看護師の研修)

(Training for Public Health Nurses, Midwives, Nurses, and Nursing Assistants)

第二十八条の二 保健師、助産師、看護師及び准看護師は、免許を受けた後も、臨床研

修その他の研修（保健師等再教育研修及び准看護師再教育研修を除く。）を受け、その資質の向上を図るように努めなければならない。

Article 28-2 Public health nurses, midwives, nurses, and nursing assistants must undergo clinical training and other training (excluding refresher training for public health nurses, and refresher training for nursing assistants), must strive to improve their professional quality, even after having acquired the license.

第四章 業務

Chapter IV Nursing Practice

（保健師業務の制限）

(Restrictions on Public Health Nursing Practice)

第二十九条 保健師でない者は、保健師又はこれに類似する名称を用いて、第二条に規定する業をしてはならない。

Article 29 No person other than a public health nurse may not practice nursing specified in Article 2 by using the title of public health nurse or any title similar thereto.

（助産師業務の制限）

(Restrictions on Midwifery Practice)

第三十条 助産師でない者は、第三条に規定する業をしてはならない。ただし、医師法（昭和二十三年法律第二百一号）の規定に基づいて行う場合は、この限りでない。

Article 30 No person other than a midwife may engage in practice specified in Article 3; provided, however, that this does not apply if the person engages in the practice pursuant to the provisions of the Medical Practitioners Act (Act No. 201 of 1948).

（看護師業務の制限）

(Restrictions on Nursing Practice)

第三十一条 看護師でない者は、第五条に規定する業をしてはならない。ただし、医師法又は歯科医師法（昭和二十三年法律第二百二号）の規定に基づいて行う場合は、この限りでない。

Article 31 (1) No person other than a nurse may engage in practice specified in Article 5; provided, however, that this does not apply if the person engages in the practice pursuant to the provisions of the Medical Practitioners Act or Dentists Act (Act No. 202 of 1948).

2 保健師及び助産師は、前項の規定にかかわらず、第五条に規定する業を行うことができる。

(2) A public health nurse or midwife may engage in the practice specified in Article 5, notwithstanding the provisions of the preceding paragraph.

(准看護師業務の制限)

(Restrictions on Nursing Assistant Practice)

第三十二条 准看護師でない者は、第六条に規定する業をしてはならない。ただし、医師法又は歯科医師法の規定に基づいて行う場合は、この限りでない。

Article 32 No person other than a nursing assistant may engage in the practice specified in Article 6; provided, however, that this does not apply if the person engages in the practice pursuant to the provisions of the Medical Practitioners Act or Dentists Act.

(氏名、住所等の届出義務)

(Obligation to Notify Name, Address, etc.)

第三十三条 業務に従事する保健師、助産師、看護師又は准看護師は、厚生労働省令で定める二年ごとの年の十二月三十一日現在における氏名、住所その他厚生労働省令で定める事項を、当該年の翌年一月十五日までに、その就業地の都道府県知事に届け出なければならない。

Article 33 A practicing public health nurse, midwife, nurse, or nursing assistant must notify their current name, address, and any other particulars as of December 31 of the alternating years specified by Order of the Ministry of Health, Labour and Welfare, to the governor of the prefecture in which they work, no later than January 15 of the following year.

第三十四条 削除

Article 34 Deletion

(保健師に対する主治医の指示)

(Family Physician's Instructions to a Public Health Nurse)

第三十五条 保健師は、傷病者の療養上の指導を行うに当たって主治の医師又は歯科医師があるときは、その指示を受けなければならない。

Article 35 A public health nurse must be instructed by the family physician or dental practitioner, if an injured or ill person has any, in providing guidance to the person receiving medical treatment.

(保健師に対する保健所長の指示)

(Health Center Director's Instructions to a Public Health Nurse)

第三十六条 保健師は、その業務に関して就業地を管轄する保健所の長の指示を受けたときは、これに従わなければならない。ただし、前条の規定の適用を妨げない。

Article 36 If a public health nurse is instructed about their practice by the director of the public health center having jurisdiction over the region in which the public health nurse works, the public health nurse must follow director's instructions; provided, however, that this does not preclude the application of

the provisions of the preceding Article.

(禁止行為)

(Prohibited Conduct)

第三十七条 保健師、助産師、看護師又は准看護師は、主治の医師又は歯科医師の指示があつた場合を除くほか、診療機械を使用し、医薬品を授与し、医薬品について指示をしその他医師又は歯科医師が行うのでなければ衛生上危害を生ずるおそれのある行為をしてはならない。ただし、臨時応急の手当をし、又は助産師がへその緒を切り、浣腸を施しその他助産師の業務に当然に付随する行為をする場合は、この限りでない。

Article 37 Except the cases where a public health nurse, midwife or nursing assistant is instructed by the family physician or dental practitioner, the public health nurse, midwife, Nurse, or nursing assistant may not use medical equipment, give a person medicine or give instructions about medicine, or take any other medical practice that may harm person's health unless it is done by a physician or dental practitioner; provided, however, that this does not apply when a public health nurse, midwife, nurse, or nursing assistant provides emergency first-aid treatment, or when a midwife cuts an umbilical cord, administers an enema, or provides any other treatment usually accompanied by midwifery practice.

(異常妊産婦等の処置禁止)

(Prohibition of Treatment of Pregnant Women with Fetal Abnormalities)

第三十八条 助産師は、妊婦、産婦、じよく婦、胎児又は新生児に異常があると認めたときは、医師の診療を求めさせることを要し、自らこれらの者に対して処置をしてはならない。ただし、臨時応急の手当については、この限りでない。

Article 38 If a midwife finds that a pregnant woman, parturient woman, or puerperal woman, or a fetus or a newborn baby has abnormality, the midwife is required to direct the relevant person to a physician for medical care, and may not personally provide treatment for the person; provided, however, that this does not apply to a midwife providing emergency first-aid treatment.

(保健指導義務及び証明書等の交付義務)

(Obligation to Give Health Guidance and Obligation to Issue Certificates)

第三十九条 業務に従事する助産師は、助産又は妊婦、じよく婦若しくは新生児の保健指導の求めがあつた場合は、正当な事由がなければ、これを拒んではならない。

Article 39 (1) If a practicing midwife is requested to provide midwifery care or health guidance for a pregnant woman, a puerperal woman, or a newborn baby, the practicing midwife must not deny the request without reasonable grounds.

2 分べんの介助又は死胎の検案をした助産師は、出生証明書、死産証書又は死胎検案書の交付の求めがあつた場合は、正当な事由がなければ、これを拒んではならない。

(2) If a midwife who has assisted in a delivery or carried out a postmortem

examination of a fetus may not, if requested to issue a birth certificate, certificate of stillbirth, or fetal postmortem examination certificate, the midwife must not deny the request without reasonable grounds.

(証明書等の交付に関する制限)

(Restrictions on the Issuance of Certificates)

第四十条 助産師は、自ら分べんの介助又は死胎の検案をしないで、出生証明書、死産証書又は死胎検案書を交付してはならない。

Article 40 A midwife must not issue a birth certificate, certificate of stillbirth, or fetal postmortem examination certificate without having personally assisted with the delivery or carried out the postmortem examination of the fetus.

(異常死産児の届出義務)

(Obligation to Report Anomalous Stillbirths)

第四十一条 助産師は、妊娠四月以上の死産児を検案して異常があると認めたときは、二十四時間以内に所轄警察署にその旨を届け出なければならない。

Article 41 If a midwife, having conducted a postmortem examination of a stillborn fetus after 4 months of pregnancy, finds that the stillborn fetus has an anomaly, the midwife must report this to the competent police station within 24 hours.

(助産録の記載及び保存)

(Entries in Midwifery Records and Preservation Thereof)

第四十二条 助産師が分べんの介助をしたときは、助産に関する事項を遅滞なく助産録に記載しなければならない。

Article 42 (1) When a midwife assists in a delivery, the midwife must enter the particulars of the delivery that the midwife has assisted in a midwifery record, without delay.

2 前項の助産録であつて病院、診療所又は助産所に勤務する助産師が行つた助産に関するものは、その病院、診療所又は助産所の管理者において、その他の助産に関するものは、その助産師において、五年間これを保存しなければならない。

(2) The midwifery record of the delivery that a midwife working at a hospital, clinic or midwifery care center has assisted referred to in the preceding paragraph must be preserved for five years, by the administrator of the hospital, clinic, or midwifery care center, and the midwifery record for other deliveries that a midwife has assisted, must be kept for five years by the midwife personally.

3 第一項の規定による助産録の記載事項に関しては、厚生労働省令でこれを定める。

(3) The particulars to be entered in the midwifery record under the provisions of paragraph (1) are specified by Order of the Ministry of Health, Labour and Welfare.

(秘密保持義務)

(Duty of Confidentiality)

第四十二条の二 保健師、看護師又は准看護師は、正当な理由がなく、その業務上知り得た人の秘密を漏らしてはならない。保健師、看護師又は准看護師でなくなった後においても、同様とする。

Article 42-2 A public health nurse, nurse, or nursing assistant may not disclose the confidential information of any person they come to know in the course of their practice without reasonable grounds. The same applies even after the person ceases to be a public health nurse, nurse, or nursing assistant.

第四十二条の三 保健師でない者は、保健師又はこれに紛らわしい名称を使用してはならない。

Article 42-3 (1) No person other than a public health nurse may use the title of public health nurse or any other similar or misleading title.

2 助産師でない者は、助産師又はこれに紛らわしい名称を使用してはならない。

(2) No person other than a midwife may use the title of midwife or any other similar or misleading title.

3 看護師でない者は、看護師又はこれに紛らわしい名称を使用してはならない。

(3) No person other than a nurse may use the title of nurse or any other similar or misleading title.

4 准看護師でない者は、准看護師又はこれに紛らわしい名称を使用してはならない。

(4) No person other than a nursing assistant may use the title of nursing assistant or any other similar or misleading title.

第四章の二 雑則

Chapter IV-2 Miscellaneous Provisions

(事務の区分)

(Categories of Administrative Functions)

第四十二条の四 第十五条第三項及び第七項前段、同条第九項及び第十項（これらの規定を第十五条の二第七項において準用する場合を含む。）、第十五条第四項において準用する行政手続法第十五条第一項及び第三項（同法第二十二条第三項において準用する場合を含む。）、第十六条第四項、第十八条第一項及び第三項、第十九条第一項、第二十条第六項並びに第二十四条第三項並びに第十五条第七項後段において準用する同法第二十二条第三項において準用する同法第十五条第三項の規定により都道府県が処理することとされている事務は、地方自治法（昭和二十二年法律第六十七号）第二条第九項第一号に規定する第一号法定受託事務とする。

Article 42-4 Functions that are to be administered by the relevant prefecture pursuant to the provisions of Article 15, paragraph (3), the first clause of Article 15, paragraph (7), and Article 15, paragraphs (9) and (10) (including as

applied mutatis mutandis pursuant to Article 15-2, paragraph (7)); Article 15, paragraphs (1) and (3) of the Administrative Procedure Act (including as applied mutatis mutandis pursuant to Article 22, paragraph (3) of said Act), Article 16, paragraph (4) of that Act, Article 18, paragraphs (1) and (3) of that Act, Article 19, paragraph (1) of that Act, Article 20, paragraph (6) of that Act, and Article 24, paragraph (3) of that Act, as applied mutatis mutandis pursuant to Article 15, paragraph (4) of this Act; and Article 15, paragraph (3) of the Administrative Procedure Act as applied mutatis mutandis pursuant to Article 22, paragraph (3) of that Act, as applied mutatis mutandis pursuant to the second clause of Article 15, paragraph (7) of this Act; are Type 1 statutorily entrusted functions specified in item (i) of paragraph (9) of Article 2 of the Local Autonomy Act (Act No.67 of 1947).

第四十二条の五 この法律に規定する厚生労働大臣の権限は、厚生労働省令で定めるところにより、地方厚生局長に委任することができる。

Article 42-5 (1) The authority of the Minister of Health, Labour and Welfare provided for in this Act may be delegated to the Director General of the Regional Bureau of Health and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 前項の規定により地方厚生局長に委任された権限は、厚生労働省令で定めるところにより、地方厚生支局長に委任することができる。

(2) The authority delegated to the Director General of the Regional Bureau of Health and Welfare pursuant to the provisions of the preceding paragraph may be delegated to the Director General of Regional Branch Bureau of Health and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

第五章 罰則

Chapter V Penal Provisions

第四十三条 次の各号のいずれかに該当する者は、二年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。

Article 43 (1) A person who falls under any of the following items is punished by imprisonment with work for not more than two years, a fine of not more than five hundred thousand yen, or both:

一 第二十九条から第三十二条までの規定に違反した者

(i) a person who violates any provision of Articles 29 through 32.

二 虚偽又は不正の事実に基づいて免許を受けた者

(ii) a person who acquires a license based on false or fabricated fact.

2 前項第一号の罪を犯した者が、助産師、看護師、准看護師又はこれに類似した名称を用いたものであるときは、二年以下の懲役若しくは百万円以下の罰金に処し、又は

これを併科する。

- (2) If a person who has committed the offenses referred to in item (i) of the preceding paragraph uses the title of public health nurse, midwife, nurse, nursing assistant, or any other similar title, the person is punished by imprisonment with work for not more than 2 years, a fine of not more than one million yen, or both.

第四十四条 第二十七条の規定に違反して故意若しくは重大な過失により事前に試験問題を漏らし、又は故意に不正の採点をした者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 44 A person who leaks examination questions intentionally or through gross negligence prior to the examination or who intentionally manipulates the examination scores, in violation of Article 27, is punished by imprisonment with work for not more than 1 year or a fine of not more than five hundred thousand yen.

第四十四条の二 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五十万円以下の罰金に処し、又はこれを併科する。

Article 44-2 A person who falls under any of the following items is punished by imprisonment with work for not more than six months, a fine of not more than five hundred thousand yen, or both:

一 第十四条第一項又は第二項の規定により業務の停止を命ぜられた者で、当該停止を命ぜられた期間中に、業務を行つたもの

(i) a person who has been ordered to suspend the practice pursuant to the provisions of Article 14, paragraph (1) or paragraph (2), but engages in the practice during the period in which the person has been ordered to suspend the practice.

二 第三十五条から第三十八条までの規定に違反した者

(ii) a person who violates any of the provisions of Articles 35 through 38.

第四十四条の三 第四十二条の二の規定に違反して、業務上知り得た人の秘密を漏らした者は、六月以下の懲役又は十万円以下の罰金に処する。

Article 44-3 (1) A person who discloses the confidential information of any person the person has come to know by professional conduct in violation of the provisions of Article 42-2 is punished by imprisonment with work for not more than six months or a fine of not more than one hundred thousand yen.

2 前項の罪は、告訴がなければ公訴を提起することができない。

(2) A prosecution for the offense referred to in the preceding paragraph may not be instituted without a criminal complaint.

第四十五条 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。

Article 45 A person who falls under any of the following items is punished by a fine not exceeding five hundred thousand yen:

一 第十五条の二第一項又は第二項の規定による命令に違反して保健師等再教育研修又は准看護師再教育研修を受けなかつた者

(i) a person who fails to undergo refresher training for public health nurses, etc. or refresher training for nursing assistant, in violation of an order under the provisions of Article 15 paragraph (1) or (2).

二 第三十三条又は第四十条から第四十二条までの規定に違反した者

(ii) A person who violates the provisions of Article 33 or Articles 40 through 42.

第四十五条の二 第四十二条の三の規定に違反した者は、三十万円以下の罰金に処する。

Article 45-2 A person who violates the provisions of Article 42-3 is punished by a fine of not more than three hundred thousand yen.

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第四十六条 この法律中、学校及び養成所の指定に関する部分並びに第四十七条から第五十条までの規定は、医師法施行の日（昭二三・一〇・二七）から、看護婦に関する部分は、昭和二十五年九月一日から、その他の部分は、昭和二十六年九月一日から、これを施行する。

Article 46 The part concerning the designation of a school or training school and the provisions of Articles 47 through 50 of this Act comes into effect on the date on which the Medical Practitioners Act comes into effect (October 27, 1948), and the part concerning female nurses come into effect on September 1, 1950, and all other parts come into effect on September 1, 1951.

(保健婦助産婦看護婦令の廃止)

(Repeal of the Order on Female Public Health Nurses, Midwives, and Nurses)

第四十七条 保健婦助産婦看護婦令（昭和二十二年政令第百二十四号）は、これを廃止する。

Article 47 The Order on Female Public Health Nurses, Midwives, and Nurses (Cabinet Order No. 124 of 1947) is hereby repealed.

(旧令による文部大臣または厚生大臣の指定の効力)

(Validity of Designation by the Minister for Education or Minister for Health and Welfare under the Former Order)

第四十八条 保健婦助産婦看護婦令第二十一条から第二十四条までの規定によつて文部大臣又は厚生大臣の行つた指定は、それぞれこの法律の相当規定によつてなしたものの

とみなす。

Article 48 A designation by the Minister for Education or the Minister for Health and Welfare under the provisions of Articles 21 through 24 of the Order on Female Public Health Nurses, Midwives, and Nurses is deemed to a designation under the corresponding provisions of this Act respectively.

(保健婦及び助産婦に関する経過措置)

(Transitional Measures for Female Public Health Nurses and Midwives)

第四十九条 保健婦及び助産婦について必要な事項は、昭和二十六年八月三十一日まで
は、命令でこれを定める。

Article 49 (1) On or before August 31, 1951, any particulars necessary for public health nurses and midwives are set forth by Orders.

2 国民医療法に基く保健婦規則（昭和二十年厚生省令第二十一号、以下旧保健婦規則という。）及び同法に基く助産婦規則（明治三十二年勅令第三百四十五号、以下旧助産婦規則という。）は、昭和二十六年八月三十一日までは、これを前項の規定に基く命令とみなす。

(2) The Regulations for Female Public Health Nurses (Health and Welfare Ministry Order No. 21 of 1945; hereinafter referred to as the Former regulations for Public Health Nurses) under the National Medical Service Act and the Regulations for Female Midwives (Imperial Order No. 345 of 1899; hereinafter referred to as the Former Regulations for Midwives) under that Act are deemed to be the Orders under the provisions of the preceding paragraph, up to August 31, 1951.

3 第一項の規定に基く命令の規定に違反し、免許を受けないで保健婦の名称を用いて保健婦の業務をなし、又は登録を受けないで助産婦の業務をした者は、これを六月以下の懲役又は五千人以下の罰金に処する。

(3) A person who has practiced nursing as a female public health nurse using the title of female public health nurse without acquiring a license, or who has practiced midwifery without being registered, in violation of the provisions of the Orders under the provisions of paragraph (1), is punished by imprisonment with work for not more than 6 months or a fine of not more than five thousand yen.

4 第一項の規定に基く命令の規定に違反し、保健婦若しくは助産婦の業務上の義務を怠った者又は業務停止中の保健婦若しくは助産婦であつてその業務をしたものは、これを五千人以下の罰金に処する。

(4) A person who has failed to fulfill their duties as a female public health nurse or midwife, or a female public health nurse or midwife whose license has been suspended but practiced nursing or midwifery, in violation of the provisions of the Orders under the provisions of paragraph (1), is punished by a fine of not more than five thousand yen.

5 第一項の規定に基く命令の規定に違反し、免許、登録又は届出に関する必要な手続

を怠つた者は、これを五百円以下の罰金に処する。

- (5) A person who failed to follow the necessary procedures for licensing, registration, or notification, in violation of the provisions of one of the Orders under the provisions of paragraph (1), is punished by a fine of not more than five hundred yen.

(看護婦に関する経過措置)

(Transitional Measures for Female Nurses)

第五十条 看護婦について必要な事項は、昭和二十五年八月三十一日までは、命令でこれを定める。

Article 50 (1) Up until August 31, 1950, any particulars necessary for female nurses are set forth by Order.

- 2 国民医療法に基く看護婦規則（大正四年内務省令第九号、以下旧看護婦規則という。）は、昭和二十五年八月三十一日までは、これを前項の規定に基く命令とみなす。

(2) The Regulations for Female Nurses (Home Ministry Order No. 9 of 1915; hereinafter referred as the Regulations for Former Nurses) under the National Medical Care Act are deemed to be the Orders under the preceding paragraph, until August 31, 1950.

- 3 第一項の規定に基く命令の規定に違反し、免許を受けないで看護婦の業務をした者は、これを六月以下の懲役又は五千円以下の罰金に処する。

(3) A person who practiced as a female nurse without acquiring a license in violation of the provisions of the Order under paragraph (1), is punished by imprisonment without work for not more than 6 months or a fine of not more than five thousand yen.

- 4 第一項の規定に基く命令の規定に違反し、看護婦の業務上の義務を怠つた者又は業務停止中の看護婦であつてその業務をしたものは、これを五千円以下の罰金に処する。

(4) A person who failed to fulfill their duties as a female nurse, or a female nurse who practices during a period in which her nursing license has been suspended, in violation of the provisions of the Order under the provisions of paragraph (1), is punished by a fine of not more than five thousand yen.

- 5 第一項の規定に基く命令の規定に違反し、免許、登録又は届出に関する必要な手続を怠つた者は、これを五百円以下の罰金に処する。

(5) A person who failed to follow the necessary procedures for licensing, registration, or notification, in violation of the provisions of the Order under the provisions of paragraph (1), is punished by a fine of not more than five hundred yen.

(旧令による保健師免許を受けた者)

(Persons Who Acquired Public Health Nurse License under the Former Order)

第五十一条 旧保健婦規則により都道府県知事の保健婦免許を受けた者は、第二十九条の規定にかかわらず、保健師の名称を用いて第二条に規定する業を行うことができる。

Article 51 (1) A person who has acquired the public health nurse license from the prefectural governor pursuant to the Former Regulations for Public Health Nurses may practice the profession provided for in Article 2 using the title Public Health Nurse, notwithstanding the provisions of Article 29.

2 前項の者については、この法律中保健師に関する規定を準用する。

(2) The provisions of this Act for public health nurses apply mutatis mutandis to the person referred to in the preceding paragraph.

3 第一項の者は、第七条第一項の規定にかかわらず、厚生労働大臣の免許を受けることができる。

(3) The person referred to in paragraph (1) may acquire a license from the Minister of Health, Labour and Welfare, notwithstanding the provisions of Article 7.

(旧令による助産婦名簿登録者)

(Persons Registered in the Midwife Registry under the Former Order)

第五十二条 旧助産婦規則により助産婦名簿に登録を受けた者は、第三十条の規定にかかわらず、第三条に規定する業をなすことができる。

Article 52 (1) A person who has been registered in the Midwife Registry pursuant to the Former Regulations for Midwives may engage in the practice specified in Article 3, notwithstanding the provisions of Article 30.

2 前項の者については、この法律中助産師に関する規定（第三十一条第二項の規定を除く。）を準用する。

(2) The provisions of this Act for midwives (except the provisions of Article 31, paragraph (2)) apply mutatis mutandis to the person referred to in the preceding paragraph.

3 第一項の者は、第七条第二項の規定にかかわらず、厚生労働大臣の免許を受けることができる。

(3) The person referred to in paragraph (1) may acquire a license from the Minister of Health, Labour and Welfare, notwithstanding the provisions of Article 7.

4 前項の規定により免許を受けた者に対しては、第三十一条第二項の規定を適用しない。

(4) The provisions of paragraph (2) of Article 31 do not apply to a person who has acquired the license pursuant to the provisions of the preceding paragraph.

(旧令による看護婦免許を受けた者)

(Persons Who Acquired Nursing License under the Former Order)

第五十三条 旧看護婦規則により都道府県知事の看護婦免許を受けた者は、第三十一条及び第四十二条の三第三項の規定にかかわらず、看護師の名称を用いて、第五条に規定する業を行うことができる。

Article 53 (1) A person who has acquired the nursing license from the

prefectural governor pursuant to the Former Regulations for Nurses may engage in the practice specified in Article 5 using the title of nurse, notwithstanding the provisions of Article 31 and paragraph (3) of Article 42-3.

2 前項の者については、その従事することのできる業務の範囲以外の事項に関しては、この法律のうち准看護師に関する規定を準用する。

(2) The provisions of this Act for nursing assistants apply mutatis mutandis to the person referred to in the preceding paragraph with respect to the matters other than the scope of the practice in which the person is permitted to engage.

3 第一項の者は、第七条第三項の規定にかかわらず、厚生労働大臣の免許を受けることができる。

(3) The person referred to in paragraph (1) may acquire a licensure from the Minister of Health, Labor and Welfare, notwithstanding the provisions of Article 7.

4 第一項の者で第十九条各号のいずれかに該当するものは、同条の規定にかかわらず、保健師国家試験を受けることができる。

(4) A person referred to in paragraph (1) who falls under any of the items of Article 19 is eligible for the National Licensing Examination for Public Health Nurses, notwithstanding the provisions of that Article.

5 第一項の者で第二十条各号のいずれかに該当するものは、同条の規定にかかわらず、助産師国家試験を受けることができる。

(5) A person referred to in paragraph (1) who falls under any of the items of Article 20 is eligible for the National Licensing Examination for Midwives, notwithstanding the provisions of that Article.

第五十四条から第五十六条まで 削除

Articles 54 through 56 Deletion

(旧令による業務停止処分の効力)

(Validity of Dispositions Implemented under the Former Order for the Suspension of License)

第五十七条 旧保健婦規則、旧助産婦規則又は旧看護婦規則によつてなした業務停止の処分は、この法律の相当規定によつてなしたものとみなす。この場合において停止の期間は、なお従前の例による。

Article 57 A disposition of suspending a person's license which has been implemented pursuant to the Former Regulations for Public Health Nurses, the Former Regulations for Midwives, or the Former Regulations for Nurses is deemed to have been implemented pursuant to the corresponding provisions of this Act. In this case, prior laws continue to govern the period of suspension.

(助産婦不足地域における特殊免許の効力)

(Validity of Specific License in Areas That Do Not Have Enough Midwives)

第五十八条 旧助産婦規則第十九条により都道府県知事の免許を受けた者については、
なお従前の例による。

Article 58 Prior laws continue to govern a person who has acquired the license
from the prefectural governor pursuant to Article 19 of the Former Regulations
for Midwives.

(准看護婦)

(Nursing Assistants)

第五十九条 旧看護婦規則による准看護婦については、なお従前の例による。

Article 59 Prior law continue to govern nursing assistants under the Former
Regulations for Nurses.

(看護人への準用)

(Mutatis Mutandis Application to Male Nurses)

第六十条 旧看護婦規則による看護人については、第五十三条の規定を準用する。

Article 60 The provisions of Article 53 apply mutatis mutandis to a male nurse
under the Former Regulations for Nurses.

附 則 〔昭和二十五年三月三十一日法律第三十四号〕

Supplementary Provisions [Act No. 34 of March 31, 1950]

この法律は、昭和二十五年四月一日から施行する。

This Act comes into effect as of April 1, 1951.

附 則 〔昭和二十六年四月十四日法律第四十七号〕〔抄〕

Supplementary Provisions [Act No. 147 of April 14, 1951] [Extract]

1 この法律は、昭和二十六年九月一日から施行する。

(1) This Act comes into effect as of September 1, 1951.

2 この法律において「新法」とはこの法律による改正後の保健婦助産婦看護婦法をい
い、「旧法」とは従前の保健婦助産婦看護婦法をいう。

(2) The term the "the New Act" as used in this Act means the Act on Public
Health Nurses, Midwives, and Nurses amended by this Act, and the "Former
Act" means the Former Act on Public Health Nurses, Midwives, and Nurses.

3 旧法の規定により甲種看護婦国家試験に合格した者は、新法の規定による看護婦国
家試験に合格した者とみなす。

(3) A person who has passed the National Licensing Examination for Class-A
Nurses pursuant to the provisions of the Former Act is deemed to have passed
the National Licensing Examination for Nurses under the provisions of the
New Act.

4 この法律施行の際、現に厚生大臣の免許を受けて甲種看護婦籍に登録されている者

は、当然新法の規定により厚生大臣の免許を受けて看護婦籍に登録された者とする。

(4) A person who has acquired the license from the Minister for Health and Welfare and been registered in the Class-A Nurse Registry as of the date on which this Act comes into effect, is deemed to be a person who acquires the license from the Minister for Health and Welfare and is registered in the Nurse Registry pursuant to the provisions of the New Act.

5 この法律施行の際、現に就業甲種看護婦名簿に記載されている者は、当然新法の規定によりその記載事項を届け出て就業看護婦名簿に記載された者とする。

(5) A person whose name has already been entered on the Class-A Practicing Nurses Register as of the date on which this Act comes into effect, is deemed to be a person who has notified the particulars required to be entered and whose name has been entered on the Practicing Nurse pursuant to the provisions of the New Act by operation of law.

6 旧法の規定により交付を受けた甲種看護婦免許証及び甲種看護婦業務従事証は、新法の規定により交付された看護婦免許証及び看護婦業務従事証とみなす。

(6) Class-A Nursing Licenses and Certificates for Practicing Class-A Nursing issued under the provisions of the Former Act are deemed to be Nursing Licenses and Certificates for Practicing Nursing issued pursuant to the provisions of the New Act.

7 この法律施行の際、現に存する旧法第二十一条第一号又は第二号に規定する学校又は甲種看護婦養成所は、新法第二十一条第一号又は第二号に規定する学校又は看護婦養成所とし、当該学校又は養成所において修業中の者に関する必要な規定は、文部大臣又は厚生大臣が定める。

(7) A school or Class-A training school for nurses specified in Article 21, item (i) or (ii) of the Former Act, which already exists on the date on which this Act comes into effect, is deemed to be a school or training school for nurses specified in Article 21, item (i) or (ii) of the New Act, and the provisions necessary for persons currently undergoing training at the school or training school are provided for by the Minister for Education or the Minister for Health and Welfare.

8 旧法第二十一条第一号又は第二号に規定する学校又は甲種看護婦養成所の卒業生は、新法第二十一条の規定にかかわらず、看護婦国家試験を受けることができる。

(8) A person graduated from a school or Class-A training school for nurses specified in Article 21, item (i) or (ii) of the Former Act is eligible for the National Licensing Examination for Nurses, notwithstanding the provisions of Article 21 of the New Act.

9 この法律施行の際、現に存する旧法第二十二条第一号又は第二号に規定する学校又は乙種看護婦養成所は、昭和二十九年三月三十一日まで旧法の規定に基づき存続することができる。

(9) A school or Class-B training school for nurses specified in Article 22, item (i) or (ii) of the Former Act, which already exists on the date on which this Act

comes into effect, may continue to exist under the provisions of the Former Act until March 31, 1954.

1 0 旧法の規定による乙種看護婦試験は、昭和六十三年三月三十一日までの間、なお従前の例により行う。

(10) Prior laws continue to govern the Licensing Examination for Class-B Nurses under the provisions of the Former Act, until March 31, 1988.

1 1 乙種看護婦試験に合格した者は、新法の適用については、国民医療法に基く看護婦規則（大正四年内務省令第九号、以下旧看護婦規則という。）による看護婦試験に合格した者とみなす。

(11) With regard to the application of the New Act, a person who has passed the Licensing Examination for Class-B Nurses is deemed to be a person who has passed the Licensing Examination for Nurses under the Regulations for Nurses under the National Medical Care Act (Home Ministry Order No. 9 of 1915; hereinafter referred to as the Former Regulations for Nurses).

附 則 〔昭和二十六年十一月六日法律第二百五十八号〕
Supplementary Provisions [Act No. 258 of November 6, 1951]

この法律は、公布の日から施行する。

This Act comes into effect on the day of its promulgation.

附 則 〔昭和二十七年十二月二十二日法律第三百十六号〕〔抄〕
Supplementary Provisions [Act No. 316 of December 22, 1952] [Extract]

この法律は、公布の日から施行する。

This Act comes into effect on the day of its promulgation.

附 則 〔昭和二十八年八月十五日法律第二百十三号〕〔抄〕
Supplementary Provisions [Act No. 213 of August 15, 1953] [Extract]

1 この法律は、昭和二十八年九月一日から施行する。〔後略〕

(1) This Act comes into effect on September 1, 1953. [Further provisions omitted]

2 この法律施行前従前の法令の規定によりなされた許可、認可その他の処分又は申請、届出その他の手続は、それぞれ改正後の相当規定に基いてなされた処分又は手続とみなす。

(2) Dispositions such as licenses and authorization which have been granted and procedures such as applications and notifications which have been filed pursuant to the provisions of laws and regulations prior to amendment by this Act, are deemed to be dispositions implemented and procedures followed under the corresponding provisions amended by this Act respectively.

附 則 〔昭和二十九年四月二十二日法律第七十一号〕〔抄〕
Supplementary Provisions [Act No. 71 of April 22, 1954] [Extract]

(施行期日)

(Effective Date)

1 この法律は、昭和二十九年五月一日から施行する。

(1) This Act comes into effect on May 1, 1954.

附 則 〔昭和二十九年六月一日法律第百三十六号〕〔抄〕
Supplementary Provisions [Act No. 136 of June 1, 1954] [Extract]

1 この法律は、公布の日から施行する。〔後略〕

(1) This Act comes into effect on the day of its promulgation. [Further provisions omitted]

附 則 〔昭和四十二年八月一日法律第百二十号〕〔抄〕
Supplementary Provisions [Act No. 120 of August 1, 1967] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から施行する。

(1) This Act comes into effect on the day of its promulgation.

(経過規定)

(Transitional Provisions)

3 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(3) Prior laws continue to govern the application of penal provisions to conduct in which a person engages before this Act comes into effect.

附 則 〔昭和四十三年六月一日法律第八十四号〕〔抄〕
Supplementary Provisions [Act No. 84 of June 1, 1968] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から施行する。

(1) This Act comes into effect on the day of its promulgation.

附 則 〔昭和四十四年六月二十五日法律第五十一号〕
Supplementary Provisions [Act No. 51 of June 25, 1969]

この法律は、〔中略〕昭和四十四年十一月一日から施行する。

This Act . . . come[s] into effect on November 1, 1969.

附 則 〔昭和五十六年五月二十五日法律第五十一号〕 〔抄〕

Supplementary Provisions [Act No. 51 of May 25, 1981] [Extract]

この法律は、公布の日から施行する。

This Act comes into effect on the day of its promulgation.

附 則 〔昭和五十七年七月二十三日法律第六十九号〕 〔抄〕

Supplementary Provisions [Act No. 69 of July 23, 1982] [Extract]

(施行期日等)

(Effective Date)

1 この法律は、公布の日から施行する。〔後略〕

(1) This Act comes into effect on the day of its promulgation. [Further provisions omitted]

附 則 〔平成五年十一月十二日法律第八十九号〕 〔抄〕

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、行政手続法（平成五年法律第八十八号）の施行の日から施行する。

Article 1 This Act comes into effect on the date on which the Administrative Procedure Act comes into effect (Act No. 88 of 1993).

(諮問等がされた不利益処分に関する経過措置)

(Transitional Measures for Adverse Dispositions After Consultation)

第二条 この法律の施行前に法令に基づき審議会その他の合議制の機関に対し行政手続法第十三条に規定する聴聞又は弁明の機会の付与の手続その他の意見陳述のための手続に相当する手続を執るべきことの諮問その他の求めがされた場合においては、当該諮問その他の求めに係る不利益処分の手続に関しては、この法律による改正後の関係法律の規定にかかわらず、なお従前の例による。

Article 2 Notwithstanding the provisions of the relevant Acts amended by this Act, if a request for a consultation or any other request has been filed with a council or other panel, with regard to the necessity for starting the procedure for hearing, procedure for granting an opportunity for explanation, or any other procedure for making a statement specified in Article 13 of the Administrative Procedure Act pursuant to laws and regulations before this Act comes into effect prior to the enforcement of this Act, the provisions then in force remain applicable to any adverse disposition proceedings connected with

said request for consultation or other request.

(保健婦助産婦看護婦法の一部改正に伴う経過措置)

(Transitional Measures for the Partial Amendment to the Act on Public Health Nurses, Midwives, and Nurses)

第八条 第九十八条の規定の施行前に、同条の規定による改正前の保健婦助産婦看護婦法第十五条第三項後段の規定による通知がされた場合においては、当該通知に係る免許の取消し及び業務の停止の手續に関しては、第九十八条の規定による改正後の同法の規定にかかわらず、なお従前の例による。

Article 8 If a notification under the provisions of the latter clause of Article 15, paragraph (3) of the Act on Public Health Nurses, Midwives, and Nurses prior to amendment by that Article is filed prior to the enforcement of the provisions of Article 98, prior laws continue to govern the procedure for revocation or suspension of license pertaining to the notification, notwithstanding the provisions of that Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 13 Prior laws continue to govern the application of penal provisions to conduct in which a engages before this Act comes into effect.

(聴聞に関する規定の整理に伴う経過措置)

(Transitional Measures for the Consolidation of Provisions for Hearings)

第十四条 この法律の施行前に法律の規定により行われた聴聞、聴問若しくは聴聞会（不利益処分に係るものを除く。）又はこれらのための手續は、この法律による改正後の関係法律の相当規定により行われたものとみなす。

Article 14 A hearing, questioning, or hearing by administrative organs (excluding those related to adverse dispositions) that was held, or any procedures therefor that were followed pursuant to the provisions of the Act before this Act comes into effect, is deemed to have been held or followed pursuant to the corresponding provisions of the relevant Acts amended by this Act.

(政令への委任)

(Provisions Governed by Cabinet Order)

第十五条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 15 Beyond what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, transitional measures necessary for the

enforcement of this Act are provided for by Cabinet Order.

附 則 〔平成五年十一月十九日法律第九十号〕 〔抄〕

Supplementary Provisions [Act No. 90 of November 19, 1993] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して十日を経過した日から施行する。

Article 1 This Act comes into effect on the day on which ten days have elapsed from the day of its promulgation.

(経過措置)

(Transitional Measures)

第二条 この法律の施行の際現に保健婦助産婦看護婦法第十九条第一号又は第二号の規定による指定を受けている学校又は保健婦養成所は、この法律による改正後の第五十九条の二の規定により準用する第十九条第一号又は第二号の規定による指定を受けたものとみなす。

Article 2 A school or training school for public health nurses that has been designated pursuant to the provisions of Article 19, item (i) or item (ii) of the Act on Public Health Nurses, Midwives, and Nurses as of the date on which this Act comes into effect, is deemed to have been designated pursuant to the provisions of Article 19, item (i) or item (ii) as applied mutatis mutandis pursuant to the provisions of Article 59-2 amended by this Act.

第三条 保健婦助産婦看護婦法第十九条第一号の規定による指定を受けている学校において、この法律の施行の際現に保健士として必要な知識及び技能の修得を終えている者又はこの法律の施行の際現に保健士として必要な知識及び技能を修得中であり、その修得をこの法律の施行後に終えた者は、保健士になるための国家試験を受けることができる。

Article 3 A person who has acquired the knowledge and skills required for a public health nurse at a school that has been designated pursuant to the provisions of Article 19, item (i) of the Act on Public Health Nurses, Midwives, and Nurses as of the date on which this Act comes into effect, or who has been acquiring the knowledge and skills required for a public health nurse at the school on the date on which this Act comes into effect and completes the acquisition thereof after the enforcement of this Act, is eligible for the National Licensing Examination for Public Health Nurses.

附 則 〔平成十年六月十二日法律第百一号〕 〔抄〕

Supplementary Provisions [Act No. 101 of June 12, 1998] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十一年四月一日から施行する。〔後略〕

Article 1 This Act comes into effect on April 1, 1999. [Further provisions omitted]

附 則 〔平成十一年七月十六日法律第八十七号〕 〔抄〕

Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2000; provided, however, that the provisions set forth in the following items come into effect on the date specified in the relevant item:

一 〔前略〕附則〔中略〕第百六十条、第百六十三条、第百六十四条〔中略〕の規定公布の日〔平一一・七・一六〕

(i) . . . the provisions of Articles . . . 160, 163, 164 . . . of the Supplementary Provisions: the date of promulgation. (1999, 1995, 2004)

二～六 〔省略〕

(ii) through (vi) [Omitted]

(国等の事務)

(Administrative Functions of the National Government, etc.)

第百五十九条 この法律による改正前のそれぞれの法律に規定するもののほか、この法律の施行前において、地方公共団体の機関が法律又はこれに基づく政令により管理し又は執行する国、他の地方公共団体その他公共団体の事務（附則第百六十一条において「国等の事務」という。）は、この法律の施行後は、地方公共団体が法律又はこれに基づく政令により当該地方公共団体の事務として処理するものとする。

Article 159 Beyond what is provided for in the respective Acts prior to amendment by this Act, the functions of the national government, a local government, or any other public organization (referred to as the "functions of the national government, etc." in Article 161 of the Supplementary Provisions) administered or performed pursuant to the Acts or Cabinet Orders under the Acts by a local government agency, are to be administered as the functions of the local government pursuant to the Acts or Cabinet Orders under the Acts, after the enforcement of this Act.

(処分、申請等に関する経過措置)

(Transitional Measures for Dispositions and Requests)

第百六十条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び附則第百六十三条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 160 (1) With regard to the application of the respective Acts amended by this Act after the enforcement of this Act, with the exception of what is set forth in the provisions of Article 2 through the preceding Article of the Supplementary Provisions and in the provisions for transitional measures for the respective Acts amended by this Act (including Orders under these Acts), a disposition such as a permission, etc. granted or other actions taken (hereinafter referred to as an "action such as a disposition" in this Act) pursuant to the provisions of the respective Acts prior to amendment by this Act (with regard to the provisions of the items of Article 1 of the Supplementary Provisions, the relevant provisions; hereinafter the same applies in this Article and Article 163 of the Supplementary Provisions), or a request for permission, etc. filed or other action taken pursuant to the provisions of the respective Acts prior to the amendment of this Act when this Act comes into effect (hereinafter referred to as an "action such as a request" in this Article), if the person who is to perform the relevant functions will be different on the date this Act comes into effect, is deemed to be an action such as a disposition or an action such as a request performed pursuant to the corresponding provisions of the respective Acts amended by this Act.

2 この法律の施行前に改正前のそれぞれの法律の規定により国又は地方公共団体の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく政令に別段の定めがあるもののほか、これを、改正後のそれぞれの法律の相当規定により国又は地方公共団体の相当の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、この法律による改正後のそれぞれの法律の規定を適用する。

(2) Unless otherwise prescribed by this Act or by Cabinet Order under this Act, any particular which needs to be reported, notified, or submitted to a national or local government agency or for which the procedure required by the agency must be followed pursuant to the provisions of the respective Acts prior to amendment of this Act, before the enforcement of this Act, a particular is deemed to be a particular for which the procedure, such as reporting,

notification, or submission to a national or local government agency has not been followed pursuant to the corresponding provisions of the respective Acts amended by this Act, and the provisions of the respective Acts amended by this Act apply.

(不服申立てに関する経過措置)

(Transitional Measures for Appeals)

第百六十一条 施行日前にされた国等の事務に係る処分であつて、当該処分をした行政庁（以下この条において「処分庁」という。）に施行日前に行政不服審査法に規定する上級行政庁（以下この条において「上級行政庁」という。）があつたものについての同法による不服申立てについては、施行日以後においても、当該処分庁に引き続き上級行政庁があるものとみなして、行政不服審査法の規定を適用する。この場合において、当該処分庁の上級行政庁とみなされる行政庁は、施行日前に当該処分庁の上級行政庁であつた行政庁とする。

Article 161 (1) For an appeal under the Administrative Appeals Act against a disposition, implemented prior to the effective date, pertaining to the functions of the national government, etc., in connection with which the administrative authority that implemented the disposition (hereinafter referred to as the "administrative authority reaching the disposition" in this Article) had a higher administrative authority specified in the Administrative Appeals Act (hereinafter referred to as a "higher administrative authority" in this Article) before the effective date, the relevant administrative authority reaching the disposition is deemed to continuously have a higher administrative authority even after the effective date, and the provisions of the Administrative Appeals Act apply. In this case, the administrative authority deemed to be the higher administrative authority of the administrative authority reaching the disposition is the administrative authority that was the higher administrative authority of the administrative authority reaching the disposition before the effective date.

2 前項の場合において、上級行政庁とみなされる行政庁が地方公共団体の機関であるときは、当該機関が行政不服審査法の規定により処理することとされる事務は、新地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

(2) In the case referred to in the preceding paragraph, if the administrative authority deemed to be the higher administrative authority is a local government agency, the functions that are to be administered pursuant to the provisions of the Administrative Complaint Review Act are Type 1 statutorily entrusted functions specified in Article 2, paragraph (9), item (i) of the New Local Autonomy Act.

(手数料に関する経過措置)

(Transitional Measures for Fees)

第百六十二条 施行日前においてこの法律による改正前のそれぞれの法律（これに基づく命令を含む。）の規定により納付すべきであった手数料については、この法律及びこれに基づく政令に別段の定めがあるもののほか、なお従前の例による。

Article 162 Unless otherwise provided by the respective Acts prior to amendment by this Act, prior laws continue to govern any fees that must have been paid pursuant to the provisions of the respective Acts (including any Order under those Acts) before the effective date.

（罰則に関する経過措置）

(Transitional Measures for Penal Provisions)

第百六十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 163 Prior laws continue to govern the application of the penal provisions to conduct in which a person engages before this Act comes into effect.

（その他の経過措置の政令への委任）

(Other Transitional Measures Governed by Cabinet Order)

第百六十四条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 164 (1) Beyond what is provided for in the Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures for penal provisions) are provided for by Cabinet Order.

2 附則第十八条、第五十一条及び第百八十四条の規定の適用に関して必要な事項は、政令で定める。

(2) Particulars necessary for the application of the provisions of Article 18, Article 51 and Article 184 of the Supplementary Provisions are provided for by Cabinet Order.

（検討）

(Reviews)

第二百五十条 新地方自治法第二条第九項第一号に規定する第一号法定受託事務については、できる限り新たに設けることのないようにするとともに、新地方自治法別表第一に掲げるもの及び新地方自治法に基づく政令に示すものについては、地方分権を推進する観点から検討を加え、適宜、適切な見直しを行うものとする。

Article 250 A new type 1 statutorily entrusted functions specified in Article 2, paragraph (9), item (i) of the New Local Autonomy Act must not be created whenever possible, and, the functions listed in Appended Table 1 of the New Local Autonomy Act and functions specified by Cabinet Order under the New Local Autonomy Act are to be examined from the perspective of promoting decentralization, and must be revised as appropriate.

第二百五十一条 政府は、地方公共団体が事務及び事業を自主的かつ自立的に執行できるよう、国と地方公共団体との役割分担に応じた地方税財源の充実確保の方途について、経済情勢の推移等を勘案しつつ検討し、その結果に基づいて必要な措置を講ずるものとする。

Article 251 The government is to examine how to secure adequate sources of local tax revenue based on the sharing of roles between the national and local governments in consideration of the changes in economic environment, and take the necessary measures based on the results of examination, so that the local governments may perform their functions and undertakings autonomously and independently.

第二百五十二条 政府は、医療保険制度、年金制度等の改革に伴い、社会保険の事務処理の体制、これに従事する職員の在り方等について、被保険者等の利便性の確保、事務処理の効率化等の視点に立って、検討し、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 252 The government is to review the system to administer social insurance programs and the officials engaged therein along with the reforms in the medical insurance programs, the pension programs, etc., from the perspective of securing convenience for insured persons, etc. and improving the efficiency, etc. in performing the functions, and, whenever the government finds it necessary, is to take the necessary measures based on the results of the review.

附 則 〔平成十一年十二月二十二日法律第百六十号〕 〔抄〕

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律〔中略〕は、平成十三年一月六日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act . . . comes into effect on January 6, 2001; provided, however, that the provisions of the following items come into effect on the day set forth in the relevant item:

一 〔前略〕第千三百五条〔中略〕第千三百四十四条の規定 公布の日

(i) . . . the provisions of Article 1305, . . . and Article 1344: the date of promulgation.

二 〔省略〕

(ii) [Omitted]

附 則 〔平成十三年六月二十九日法律第八十七号〕 〔抄〕

Supplementary Provisions [Act No. 87 of June 29, 2001] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一月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。〔平成一三年政令第二三五号で同年七月一六日から施行〕

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one month from the day of its promulgation, [July 16, 2001 by Cabinet Order No. 235 of 2001].

(検討)

(Review)

第二条 政府は、この法律の施行後五年を目途として、この法律による改正後のそれぞれの法律における障害者に係る欠格事由の在り方について、当該欠格事由に関する規定の施行の状況を勘案して検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 2 In approximately five years after the enforcement of this Act, the government is to conduct a review on the grounds for disqualification of persons with disability in the respective Acts amended by this Act, in consideration of the implementation status of the provisions for the relevant grounds for disqualification, and is to take the necessary measures based on the results of the review.

(再免許に係る経過措置)

(Transitional Measures for Reissued Licenses)

第三条 この法律による改正前のそれぞれの法律に規定する免許の取消事由により免許を取り消された者に係る当該取消事由がこの法律による改正後のそれぞれの法律により再免許を与えることができる取消事由（以下この条において「再免許が与えられる免許の取消事由」という。）に相当するものであるときは、その者を再免許が与えられる免許の取消事由により免許が取り消された者とみなして、この法律による改正後のそれぞれの法律の再免許に関する規定を適用する。

Article 3 If the grounds for revocation pertaining to a person whose license has been revoked based on the grounds for revoking license provided for in the respective Acts prior to amendment by this Act fall under the grounds for revoking the license, wherein the license may be reissued pursuant to the respective Acts amended by this Act (hereinafter referred to as the "grounds for revoking the license which may be reissued" in this Article), the person is deemed to be the person whose license has been revoked based on the grounds for revoking the license which may be reissued, and the provisions for reissuance of license of the respective Acts amended by this Act apply.

(罰則に係る経過措置)

(Transitional Measures for Penal Provisions)

第四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 Prior laws continue to govern the application of the penal provisions to conduct in which a person engages before this Act comes into effect.

附 則 〔平成十三年十二月十二日法律第百五十三号〕 〔抄〕

Supplementary Provisions [Act No. 153 of December 12, 2001] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月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。〔平成一四年政令第三号で同年三月一日から施行〕

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding six months from the day of its promulgation [March 1, 2002 by Cabinet Order No. 3].

(旧法の規定による免許を受けた者)

(Persons Who Acquired Licenses Under the Provisions of the Former Act)

第二条 この法律の施行の際現にこの法律による改正前の保健婦助産婦看護婦法（以下「旧法」という。）の規定による保健婦免許若しくは保健士の免許、助産婦免許、看護婦免許若しくは看護士の免許又は准看護婦免許若しくは准看護士の免許を受けている者は、この法律による改正後の保健師助産師看護師法（以下「新法」という。）の規定による保健師免許、助産師免許、看護師免許又は准看護師免許を受けた者とみなす。

Article 2 A person who, as of the time this Act comes into effect, has acquired a public health nurse license or a license for male public health nurse, midwife license, nursing license or a license for male nurse, or a license for nursing assistant or a license for male nursing assistant under the provisions of Act on Public Health Nurses, Midwives, and Nurses (hereinafter referred to as the "Former Act") prior to amendment by this Act, is deemed to be a person who has acquired a public health nurse license, midwife license, nursing licensure, or nursing assistant licensure under the provisions of the Act on Public Health Nurses, Midwives, and Nurses amended by this Act (hereinafter referred to as the "New Act").

(旧法の規定による試験に合格した者)

(Persons Who Have Passed Examinations Under the Provisions of the Former Act)

第三条 旧法の規定による保健婦国家試験（保健士になるためのものを含む。附則第六条及び第七条において同じ。）、助産婦国家試験、看護婦国家試験（看護師になるた

めのものを含む。附則第六条及び第七条において同じ。）又は准看護婦試験（准看護師になるためのものを含む。附則第六条及び第七条において同じ。）に合格した者は、新法の規定による保健師国家試験、助産師国家試験、看護師国家試験又は准看護師試験に合格した者とみなす。

Article 3 A person who has passed the National Licensing Examination for Public Health Nurses (including the National Licensing Examination for becoming a public health nurse; hereinafter the same applies in Article 6 and Article 7 of the Supplementary Provisions), the National Licensing Examination for Midwives, the National Licensing Examination for Nurses (including the National Licensing Examination for becoming a nurse; hereinafter the same applies in Article 6 and Article 7 of the Supplementary Provisions), or the Licensing Examination for Nursing Assistants (including the Licensing Examination for becoming a nursing assistant nurse; hereinafter the same applies in Article 6 and Article 7) under the provisions of the Former Act, is deemed to be a person who has passed the National Licensing Examination for Public Health Nurses, the National Licensing Examination for Midwives, the National Licensing Examination for Nurses, or the Licensing Examination for Nursing Assistants under the provisions of the New Act.

（旧法の規定による籍）

（Registries Under the Former Act）

第四条 旧法の規定による保健婦籍若しくは保健士の籍、助産婦籍、看護婦籍若しくは看護師の籍又は准看護婦籍若しくは准看護師の籍は、新法の規定による保健師籍、助産師籍、看護師籍又は准看護師籍とみなし、旧法の規定によりなされた保健婦籍若しくは保健士の籍、助産婦籍、看護婦籍若しくは看護師の籍又は准看護婦籍若しくは准看護師の籍への登録は、新法の規定によりなされた保健師籍、助産師籍、看護師籍又は准看護師籍への登録とみなす。

Article 4 The Public Health Nurse Registry and the Male Public Health Nurse Registry, the Midwife Registry, the Nurse Registry and the Male Nurse Registry, and the Nursing Assistant Registry and the Male Nursing Assistant Registry under the provisions of the Former Act are deemed to be the Public Health Nurse Registry, the Midwife Registry, the Nurse Registry, and the Nursing Assistant Registry under the provisions of the New Act; and the person who has been registered in the Public Health Nurse Registry or the Male Public Health Nurse Registry, the Midwife Registry, the Nurse Registry or the Male Nurse Registry, or the Nursing Assistant Registry or the Male Nursing Assistant Registry pursuant to the provisions of the Former Act is deemed to be the person who is registered in the Public Health Nurse Registry, the Midwife Registry, the Nurse Registry, or the Nursing Assistant Registry pursuant to the provisions of the New Act.

(旧法の規定による免許証)

(Licenses Under the Provisions of the Former Act)

第五条 旧法の規定により交付された保健婦免許証若しくは保健士の免許証、助産婦免許証、看護婦免許証若しくは看護師の免許証又は准看護婦免許証若しくは准看護師の免許証は、新法の規定により交付された保健師免許証、助産師免許証、看護師免許証又は准看護師免許証とみなす。

Article 5 A public health nurse license or a male public health nurse license, a midwife license, a nurse license or a male nurse license, or a nursing assistant license or a male nursing assistant license that has been issued pursuant to the provisions of the Former Act is deemed to be a public health nurse license, midwife license, nurse License, or nursing assistant license issued pursuant to the provisions of the New Act.

(試験に関する経過措置)

(Transitional Measures for Examinations)

第六条 この法律の施行の日の属する年において旧法の規定により行われた保健婦国家試験、助産婦国家試験、看護婦国家試験又は准看護婦試験は、新法の規定により行われた保健師国家試験、助産師国家試験、看護師国家試験又は准看護師試験とみなす。

Article 6 The National Licensing Examination for Public Health Nurses, National Licensing Examination for Midwives, National Licensing Examination for Nurses, and Licensing Examinations for Nursing Assistants that have been conducted pursuant to the provisions of the Former Act in the year of the date on which this Act comes into effect, are deemed to be the National Licensing Examination for Public Health Nurses, National Licensing Examination for Midwives, National Licensing Examination for Nurses, and Licensing Examination for Nursing Assistants conducted pursuant to the provisions of the New Act.

(受験資格に関する経過措置)

(Transitional Measures for Eligibility Requirements for Examinations)

第七条 この法律の施行の際現に保健婦国家試験、助産婦国家試験、看護婦国家試験又は准看護婦試験を受けることができる者は、保健師国家試験、助産師国家試験、看護師国家試験又は准看護師試験を受けることができる。

Article 7 A person who, as of the date on which this Act comes into effect, is eligible for the National Licensing Examination for Public Health Nurses, the National Licensing Examination for Midwives, the National Licensing Examination for Nurses, or the Licensing Examination for Nursing Assistants is eligible for the National Licensing Examination for Public Health Nurses, the National Licensing Examination for Midwives, the National Licensing Examination for Nurses, or the Licensing Examination for Nursing Assistants.

(旧法の規定による指定を受けた学校又は養成所)

(Schools and Training Schools Designated Under the Provisions of the Former Act)

第八条 この法律の施行の際現に旧法第十九条第一号、第二十条第一号、第二十一条第一号若しくは第二十二条第一号（これらの規定（旧法第二十条第一号を除く。）を旧法第五十九条の二又は第六十条第一項において準用する場合を含む。）の規定による指定を受けている学校又は旧法第十九条第二号、第二十条第二号、第二十一条第二号若しくは第二十二条第二号（これらの規定（旧法第二十条第二号を除く。）を旧法第五十九条の二又は第六十条第一項において準用する場合を含む。）の規定による指定を受けている養成所は、それぞれ、新法第十九条第一号、第二十条第一号、第二十一条第一号若しくは第二十二条第一号の規定により指定を受けた学校又は新法第十九条第二号、第二十条第二号、第二十一条第二号若しくは第二十二条第二号の規定により指定を受けた養成所とみなす。

Article 8 As of the date on which this Act comes into effect, a schools that has been designated pursuant to the provisions of Article 19, item (i); Article 20, item (i); Article 21, item (i); or Article 22, item (i) of the Former Act (including as applied mutatis mutandis pursuant to the provisions of Article 59-2 or Article 60, paragraph (1) of the Former Act (excluding Article 20, item (i) of the Former Act) or a training school that has been designated pursuant to the provisions of Article 19, item (ii); Article 20, item (ii); Article 21, item (ii); or Article 22, item (ii) of the Former Act (including as applied mutatis mutandis pursuant to the provisions of Article 59-2 or Article 60, paragraph (1) of the Former Act (excluding Article 20, item (ii) of the Former Act) is deemed to be a school that is designated pursuant to the provisions of Article 19, item (i); Article 20, item (i); Article 21, item (i); or Article 22, item (i) of the New Act or a training school that is designated pursuant to Article 19, item (ii); Article 20, item (ii); Article 21, item (ii); or Article 22, item (ii) of the New Act.

(助産婦の業務に関する経過措置)

(Transitional Measures for the Practice of Midwives)

第九条 この法律の施行前に助産婦がした旧法第四十一条に規定する検案に係る同条の規定による届出については、なお従前の例による。

Article 9 (1) Prior laws continue to govern the report under the provisions of Article 41 of the Former Act on a postmortem examination specified in that Article that has been conducted by a female midwife before this Act comes into effect.

2 この法律の施行前に助産婦がした分べんの介助に係る旧法第四十二条の規定による助産録への記載及び助産録の保存については、なお従前の例による。

(2) Prior laws continue to govern the entries in midwifery records and the keeping of midwifery records under the provisions of Article 42 of the Former Act for delivery during which assistance was provided by a midwife before this

Act comes into effect.

(秘密を守る義務等に関する経過措置)

(Transitional Measures for Duty of Confidentiality)

第十条 この法律の施行前に保健婦若しくは保健士、看護婦若しくは看護師又は准看護婦若しくは准看護師でなくなった者の旧法第四十二条の二（旧法第五十九条の二及び第六十条第一項において準用する場合を含む。以下この条において同じ。）に規定するその業務上知り得た人の秘密については、旧法第四十二条の二の規定（これに係る罰則を含む。）は、この法律の施行の日以後も、なおその効力を有する。

Article 10 The provisions of Article 42-2 of the Former Act (including the relevant penal provisions) remain in effect on or after the date on which this Act comes into effect with regard to the confidential information of any person that a public health nurse or male public health nurse, a nurse or male nurse, or a nursing assistant or male nursing assistant who is no longer a practitioner came to know in the course of their duties specified in Article 42-2 of the Former Act (including as applied mutatis mutandis pursuant to the provisions of Article 59-2 and Article 60, paragraph (1) of the Former Act; hereinafter the same applies in this Article) before this Act came into effect.

(処分、手続等に関する経過措置)

(Transitional Measures for Dispositions and Procedures)

第四十二条 この法律の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 42 Unless otherwise provided for in these Supplementary Provisions, a disposition implemented, a procedure followed, or other action taken pursuant to the provisions of the respective Acts prior to amendment by this Act before this Act comes into effect (including Orders under these Acts; hereinafter the same applies in this Article) for which there are corresponding provisions of the respective Acts amended by this Act is deemed to a disposition implemented, a procedure followed, or other action taken pursuant to the corresponding provisions of the respective Acts amended by this Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第四十三条 この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 43 Prior laws continue to govern the application of the penal provisions for conduct in which a person engages before this Act comes into effect and for

conduct in which a person engages after this Act comes into effect in the cases where prior laws continue to govern pursuant to the provisions of these Supplementary Provisions.

(経過措置の政令への委任)

(Transitional Measures Governed by Cabinet Order)

第四十四条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 44 Beyond what is provided for in the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are provided by Cabinet Order.

附 則 〔平成十八年六月二十一日法律第八十四号〕 〔抄〕

Supplementary Provisions [Act No. 84 of June 21, 2006] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十九年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of April 1, 2007; provided, however, that the provisions set forth in the following items come into effect as of the date set forth in the respective items:

一 〔前略〕 附則第三十一条の規定及び附則第三十二条の規定 公布の日

(i) . . . the provisions of Article 31 of the Supplementary Provisions, and the provisions of Article 32 of the Supplementary Provisions: the date of promulgation.

二 〔省略〕

(ii) [Omitted]

三 〔前略〕 第七条の規定 〔中略〕 附則第十四条第三項 〔中略〕 の規定 〔中略〕 平成二十年四月一日

(iii) . . . the provisions of Article 7, . . . the provisions of Article 14, paragraph (3) . . . of the Supplementary Provisions, . . . : April 1, 2008.

(検討)

(Reviews)

第二条 政府は、この法律の施行後五年を目途として、この法律の施行の状況等を勘案し、この法律により改正された医療法等の規定に基づく規制の在り方について検討を加え、必要があると認めるときは、その結果に基づいて必要な措置を講ずるものとする。

Article 2 In approximately five years after the enforcement of this Act, the government is to conduct a review on the regulations that are based on the

provisions of the Medical Care Act amended by this Act in consideration of the implementation status of this Act, and is to take the necessary measures based on the results of the review when the government finds this to be necessary.

(再免許の交付に関する経過措置)

(Transitional Measures for Reissuance of Licenses)

第十四条 ① [省略]

Article 14 (1) I. [Omitted]

2 [省略]

(2) [Omitted]

3 附則第一条第三号に掲げる規定の施行の日前に第七条の規定による改正前の保健師助産師看護師法第十四条第一項又は第二項の規定による取消処分を受けた者に係る第七条の規定による改正後の保健師助産師看護師法第十四条第三項の規定の適用については、なお従前の例による。

(3) Prior laws continue to govern the application of the provisions of Article 14, paragraph (3) of the Act on Public Health Nurses, Midwives, and Nurses amended by this Act under the provisions of Article 7, to the person whose license was revoked pursuant to the provisions of Article 14, paragraph (1) or paragraph (2) of the Act on Public Health Nurses, Midwives, and Nurses prior to amendment by this Act under the provisions of Article 7 before the provisions of Article 1, item (iii) of the Supplementary Provisions come into effect.

4 [省略]

(4) [Omitted]

(名称の使用制限に関する経過措置)

(Transitional Measures for Restrictions on the Use of Titles)

第十五条 この法律の施行の際現に保健師、助産師、看護師若しくは准看護師又はこれらに紛らわしい名称を使用している者については、第六条の規定による改正後の保健師助産師看護師法第四十二条の三の規定は、施行日から六月間は、適用しない。

Article 15 The provisions of Article 42-3 of the Act on Public Health Nurses, Midwives, and Nurses amended by this Act under the provisions of Article 6 do not apply to any person who has been using the title of public health nurse, midwife, nurse, nursing assistant, or any other similar or misleading title as of the date on which this Act comes into effect, for six months following the effective date.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第三十一条 この法律（附則第一条各号に掲げる規定については、当該各規定）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合にお

けるこの法律の施行後にした行為及びこの附則の規定によりなお効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 31 Prior laws continue to govern the application of the penal provisions for conduct in which a person engages before this Act comes into effect (with regard to the provisions of items of Article 1 of the Supplementary Provisions, the relevant provisions), and conduct in which a person engages after this Act comes into effect in the case where prior laws continue to govern pursuant to the provisions of these Supplementary Provisions, and for conduct in which a person engages in the case where the provisions remain in effect pursuant to these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Order)

第三十二条 附則第三条から第十六条まで及び前条に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 32 Beyond what is provided for in Article 3 through Article 16 and the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are provided for by Cabinet Order.

附 則 〔平成二十一年七月十五日法律第七十八号〕 〔抄〕

Supplementary Provisions [Act No. 78 of July 15, 2009] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十二年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2010.

(保健師助産師看護師法の一部改正に伴う経過措置)

(Transitional Measures for the Partial Amendment to the Act on Public Health Nurses, Midwives, and Nurses)

第二条 次の各号のいずれかに該当する者は、第一条の規定による改正後の保健師助産師看護師法（以下「新法」という。）第十九条の規定にかかわらず、保健師国家試験を受けることができる。

Article 2 A person falling under any of the following items is eligible for the National Licensing Examination for Public Health Nurses, notwithstanding the provisions of Article 19 of the Act on Public Health Nurses, Midwives, and Nurses amended by this Act under Article 1 (hereinafter referred to as the "New Act"):

一 この法律の施行の際現に第一条の規定による改正前の保健師助産師看護師法（以下「旧法」という。）第十九条第一号に該当する者

(i) a person falling under Article 19, item (i) of the Act on Public Health Nurses, Midwives, and Nurses prior to amendment by this Act under the provisions of Article 1 (hereinafter referred to as the "Former Act") as of the date on which this Act comes into effect.

二 この法律の施行の日（以下「施行日」という。）前に旧法第十九条第一号に規定する学校に在学し、施行日以後に同号に規定する要件に該当することとなった者（施行日以後に同号に規定する学校に入学し、当該学校において六月以上保健師になるのに必要な学科を修めた者を除く。）

(ii) a person who was a student at a school specified in Article 19, item (i) of the Former Act before the date on which this Act comes into effect (hereinafter referred to as the "effective date"), who meets the requirements set forth in that item on or after the effective date (excluding a person who has entered a school specified in that item on or after the effective date and studied the course required for becoming a public health nurse at the school for at least six months and completed the course).

第三条 次の各号のいずれかに該当する者は、新法第二十条の規定にかかわらず、助産師国家試験を受けることができる。

Article 3 A person falling under any of the following items is eligible for the National Licensing Examination for Midwives, notwithstanding the provisions of Article 20 of the New Act:

一 この法律の施行の際現に旧法第二十条第一号に該当する者

(i) a person falling under the provisions of Article 20, item (i) of the Former Act as of the date on which this Act comes into effect.

二 施行日前に旧法第二十条第一号に規定する学校に在学し、施行日以後に同号に規定する要件に該当することとなった者（施行日以後に同号に規定する学校に入学し、当該学校において六月以上助産に関する学科を修めた者を除く。）

(ii) a person who was a student at a school specified in Article 20, item (i) of the Former Act before the effective date, who meets the requirements set forth in that Article on or after the effective date (excluding a person who has entered a school specified in that item on or after the effective date, and studied a course in midwifery at the school for at least six months and completed the course).

第四条 この法律の施行の際、現に旧法第二十一条第一号の規定による指定を受けている学校教育法（昭和二十二年法律第二十六号）に基づく大学（短期大学を除く。以下この条において同じ。）は新法第二十一条第一号の規定により指定を受けた大学と、現に旧法第二十一条第一号の規定による指定を受けている学校（大学を除く。）は新法第二十一条第二号の規定により指定を受けた学校と、現に旧法第二十一条第二号の規定による指定を受けている養成所は新法第二十一条第三号の規定により指定を受けた養成所とみなす。

Article 4 (1) A university (excluding junior colleges; hereinafter the same applies in this Article) under the School Education Act (Act No. 26 of 1947) which has been designated pursuant to the provisions of Article 21, item (i) of the Former Act as of the date on which this Act comes into effect is deemed to be a university designated pursuant to the provisions of Article 21, item (i) of the New Act; a school (excluding universities) that has been designated pursuant to Article 21, item (i) of the Former Act as of the date on which this Act comes into effect is deemed to be a school designated pursuant to the provisions of Article 21, item (ii) of the New Act; and a training school that has been designated pursuant to the provisions of Article 21, item (ii) of the Former Act as of the date on which this Act comes into effect is deemed to be a training school designated pursuant to the provisions of Article 21, item (iii) of the New Act.

2 前項の規定により新法第二十一条第一号の規定により指定を受けた大学とみなされた大学についての同号の規定の適用については、当分の間、同号中「卒業した者」とあるのは、「卒業した者その他三年以上当該学科を修めた者」とする。

(2) With regard to the application of the provisions of Article 21, item (i) of the New Act to a university that is deemed to have been designated pursuant to the provisions Article 21, item (i) of the New Act, pursuant to the provisions of the preceding paragraph, the term, a "person who has graduated from university" in that item is deemed to be replaced with a "person who has graduated from university or a person who has studied the course at least three years and completed the course," until otherwise provided for by law.