

Statutes of the Health Care Board

Regulation No. 96 of the Minister of Social Affairs of 6 September 2001 (RTL 2001, 108, 1509),
entered into force 1 January 2002.

This Regulation is established pursuant to subsection 42 (1) of the Government of the Republic Act (RT I 1995, 94, 1628; 1996, 49, 953; 88, 1560; 1997, 29, 447; 40, 622; 52, 833; 73, 1200; 81, 1361 and 1362; 87, 1468; 1998, 28, 356; 36/37, 552; 40, 614; 107, 1762; 111, 1833; 1999, 10, 155; 16, 271 and 274; 27, 391; 29, 398 and 401; 58, 608; 95, 843 and 845; 2000, 49, 302; 51, 319 and 320; 54, 352; 58, 378; 95, 613; 102, 677; 2001, 7, 16; 53, 305; 59, 358).

Chapter 1

General Provisions

§ 1. The Health Care Board (hereinafter the Board) is a government agency which operates within the area of government of the Ministry of Social Affairs, has a directing function within the scope of its authority, exercises state supervision and applies enforcement powers of the state on the basis, to the extent and pursuant to the procedure prescribed by the Health Services Organisation Act (RT I 2001, 50, 284) and other Acts.

§ 2. The Board represents the state in performing its functions.

§ 3. The name of the Board in English is the Health Care Board.

§ 4. The Board has a seal bearing the small national coat of arms of Estonia and its name, and its own budget and bank account. The expenditure of the Board shall be covered from the state budget.

§ 5. The Board shall report to the Minister of Social Affairs, who shall guide and coordinate its activities and exercise supervisory control pursuant to the procedure prescribed by law.

§ 6. The Board is located in Tallinn. Its postal address is Gonsiori 29, 15027 Tallinn.

Chapter 2

Areas of activity and functions

§ 7. The Board shall operate in the following areas of activity: registration of health care professionals; issue of activity licences; exercise of state supervision and application of the enforcement powers of the state on the bases, to the extent and pursuant to the procedure prescribed by the Health Services Organisation Act and other Acts; organisation of the activities of emergency medical care and emergency preparedness within the scope of its authority; and making of proposals for the legal regulation of its areas of activity.

§ 8. For performing its functions in the area of registration of health care professionals, the Board shall:

- 1) register persons as health care professionals on the bases and pursuant to the procedure prescribed by law;
- 2) issue registration certificates to health care professionals;
- 3) revoke registration certificates on the bases and pursuant to the procedure prescribed by law;
- 4) maintain the register of health care professionals.

§ 9. For performing its functions in the area of issue and revocation of activity licences, the Board shall:

- 1) issue activity licences to health care providers on the bases and pursuant to the procedure prescribed by law;
- 2) revoke activity licences on the bases, pursuant to the procedure and under the conditions prescribed by law;
- 3) maintain the register of activity licences.

§ 10. For performing its functions in the area of supervision, the Board shall:

- 1) exercise supervision over compliance with the requirements established for health service providers;
- 2) exercise supervision over the activities of family physicians, providers of emergency medical care, providers of specialised medical care and independent providers of nursing;
- 3) organise the work of the expert committee on the quality of health care.

§ 11. For performing its functions in the area of organising the activities of emergency medical care, the Board shall:

- 1) organise a public competition for selecting the providers of emergency medical care financed from the state budget pursuant to the procedure established by the Minister of Social Affairs;
- 2) approve the number and location of service areas of ambulance crews financed from the state budget and the distribution of ambulance crews by service areas;
- 3) enter into contracts for the provision of emergency medical care with operators of ambulance crews under the conditions and pursuant to the procedure established by the Minister of Social Affairs;
- 4) organise the temporary substitution of ambulance crews.

§ 12. For performing its functions in the area of emergency preparedness, the Board shall:

- 1) organise emergency preparedness within the scope of its authority;
- 2) organise training necessary for resolution of emergencies for health service providers in co-operation with the Ministry of Defence and the Ministry of Internal Affairs.

§ 13. For performing its functions in other areas, the Board shall:

- 1) participate in the drafting of legislation;
- 2) provide opinions on draft legislation governing any of the areas of activity of the Board;
- 3) participate in the harmonisation of the legislation governing its areas of activity with the legislation of the European Union;
- 4) review and resolve applications and requests submitted by patients and other persons;

- 5) organise in-service training for employees of the Board, including experts employed under contracts for services;
- 6) communicate and co-operate with foreign institutions and international organisations;
- 7) possess, use and dispose of the state assets possessed by the Board, under the conditions and pursuant to the procedure prescribed by legislation;
- 8) perform other functions assigned to it by law or other legislation enacted by law.

Chapter 3 Rights of the Board

§ 14. For performing its functions, the Board shall have the right to:

- 1) verify the authenticity of documents certifying the qualifications of persons applying for registration as health care professionals;
- 2) compare the foreign qualifications of a person applying for registration as a health care professional with the qualifications required in Estonia;
- 3) refuse to register a person as a health care professional on the bases and pursuant to the procedure prescribed by law;
- 4) verify data submitted by a person applying for an activity licence;
- 5) refuse to issue an activity licence on the bases and pursuant to the procedure prescribed by law;
- 6) revoke an activity licence in part or in full on the bases prescribed by law;
- 7) enter the place of business of a person being monitored and inspect the conditions for the provision of health services and compliance thereof with the requirements;
- 8) examine documents certifying the provision of health services;
- 9) receive explanations from the management bodies and health care professionals of a person being monitored;
- 10) make proposals to a person being monitored regarding improvement of the person's activities, and issue precepts for the elimination of deficiencies;
- 11) contract consultants and experts;
- 12) publish publications and use any other means of information to communicate information concerning its areas of activity.

Chapter 4 Organisational structure and management

§ 15. The Board shall be managed by the Director General, who shall be appointed to and released from office by the Minister of Social Affairs on the proposal of the Secretary General of the Ministry of Social Affairs.

§ 16. The organisational structure, staff and budget of the Board shall be approved by the Minister of Social Affairs.

§ 17. The Director General of the Board shall:

- 1) manage the work of the Board, and decide and organise the performance of the functions within the authority of the Board;
- 2) be responsible for the accurate and effective compliance with the legislation governing the activities of the Board and report to the Minister of Social Affairs;

- 3) exercise supervisory control to the extent and pursuant to the procedure prescribed by the Minister of Social Affairs;
- 4) appoint to and release from office officials who are on the staff of the Board;
- 5) enter into contracts in the name and on behalf of the Board;
- 6) approve the statutes of the structural units;
- 7) approve the internal procedure rules, the record management procedures and the accounting policies and procedures of the Board, the job descriptions and salary grades of officials of the Board and decide on the payment of additional remuneration in accordance with the applicable legislation and the budget of the Board;
- 8) submit to the Minister of Social Affairs proposals on the budget of expenditure and revenue of the Board, the organisational structure and staffing of the Board, and monitor the accurate and effective implementation of the budget;
- 9) dispose, in accordance with the legislation, of the assets and resources allocated to the Board;
- 10) establish committees and working groups for resolution of matters related to any area of activity of the Board;
- 11) submit proposals to the Minister of Social Affairs for organisation of the areas of activity of the Board;
- 12) issue directives concerning service-related issues pursuant to law, a regulation or order of the Government of the Republic, or a regulation or directive of the Minister of Social Affairs;
- 13) demand explanations from employees of the Board, apply incentives in respect of and impose disciplinary penalties on them in the cases and pursuant to the procedure established by law;
- 14) perform other functions assigned to him or her by law, a regulation or order of the Government of the Republic, or a regulation or directive of the Minister of Social Affairs.

§ 18. In the absence of the Director General, he or she shall be substituted for by a department head designated by the Director General.

§ 19. The organisational structure and the staff of the Board shall be approved by the Minister of Social Affairs.

§ 20. The structural units of the Board shall be departments and divisions whose specific functions and authority shall be determined in the statutes of the departments approved by the Director General.

§ 21. The departments of the Board and their main functions shall be:

- 1) Registers and Licences Department – maintenance and analysis of the registers of health care professionals and activity licences; performance of the registration procedure; issue of registration certificates and activity licences;
- 2) Supervision Department – exercise of supervision over correspondence of the conditions required for the issue of activity licences to health service providers with the conditions indicated in the activity licence; conduct of patient satisfaction surveys, and bringing charges against legal and natural persons in the cases and pursuant to the procedure prescribed by law;
- 3) Emergency Medical Care Department – organisation of provision of emergency medical care and emergency preparedness within its authority;

- 4) Occupational Health Department – responsible for quality assurance in occupational health;
- 5) Juridical department – responsible for juridical issues in Health Care Board, consulting of departments in juridical issues

§ 22. A department of the Board shall be managed by the head of the department, who shall be responsible for the lawful, accurate and timely performance of the functions assigned to the department. The specific responsibilities of the head of a department shall be determined in the statutes of the department approved by the Director General.

§ 23. In the temporary absence of the head of a department, he or she shall be substituted for by the head of a division or by an official designated by the Director General.

Chapter 6 Final Provisions

§ 24. The Board shall be reorganised or its activities shall be terminated pursuant to the procedure provided by law.

§ 25. The Statutes entered into force on 1 January 2002.