

On approval of the rules for maintaining the register of independent experts, as well as the grounds for inclusion in the unified register of independent experts and exclusion from it

Unofficial translation

Order of the Minister of Health of the Republic of Kazakhstan dated October 21, 2020 No. ҚР DSM-145/2020. Registered with the Ministry of Justice of the Republic of Kazakhstan on October 26, 2020 No. 21509.

Unofficial translation

In compliance with subparagraph 18) of Article 8 of the Code of the Republic of Kazakhstan dated July 7, 2020 "On people's health and the health care system" **ORDER:**

1. To approve the attached rules for maintaining the register of independent experts, as well as the grounds for inclusion in the unified register of independent experts and exclusion from it.

2. The Committee for Quality Control and Safety of Goods and Services of the Ministry of Health of the Republic of Kazakhstan, in accordance with the procedure established by the legislation of the Republic of Kazakhstan, shall ensure:

1) state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) posting this order on the Internet resource of the Ministry of Health of the Republic of Kazakhstan after its official publication;

3) within ten working days after the state registration of this order, submission to the Legal Department of the Ministry of Health of the Republic of Kazakhstan information on the implementation of the measures provided for in subparagraphs 1) and 2) of this paragraph.

3. Control over the execution of this order shall be entrusted to the supervising Vice-Minister of Health of the Republic of Kazakhstan.

4. This order shall be enforced the expiration of ten calendar days after the day of its first official publication.

*The Minister of Healthcare
of the Republic of Kazakhstan*

A. Tsoy

Confirmed by the order of the
Minister of Healthcare
of the Republic of Kazakhstan
October 21, 2020
№ RK MH-145/2020

Regulations for maintaining the register of independent experts, as well as the grounds for inclusion in the unified register of independent experts and exclusion from it

Chapter 1. General provisions

1. These rules for maintaining the register of independent experts, as well as the grounds for inclusion in the unified register of independent experts and exclusion from it (hereinafter - the Rules) are developed in accordance with subparagraph 18) of Article 8 of the Code of the Republic of Kazakhstan dated July 7, 2020 "On the health of the people and the system health care "and determine the procedure for maintaining the register of independent experts, as well as the grounds for inclusion in the unified register of independent experts and exclusion from it.

2. The following concept is used in these Rules:

independent expert - an individual who meets the requirements determined by the authorized body and is included in the register of independent experts.

Chapter 2. Procedure for maintaining the register of independent experts

3. The unified register of independent experts (hereinafter referred to as the register) is maintained by the state body in the field of medical services (assistance) (hereinafter referred to as the state body) in the Kazakh and Russian languages, in electronic form in accordance with Appendix 1 to these Rules.

4. The register shall be formed on the basis of applications submitted by individuals (a specialist and (or) an applicant) applying for the provision of services to conduct an independent examination of the quality of medical services (assistance) or subjects of healthcare, carrying out an independent examination in the field of healthcare (hereinafter - the subject) in the form according to Appendix 2 to these Rules.

The application shall be submitted to the address indicated on the official website of the state body, from Monday to Friday, in accordance with the established work schedule from 9.00 to 18.30, excluding weekends and holidays.

Footnote. Paragraph 4 is in the wording of the order of the Minister of Healthcare of the Republic of Kazakhstan dated 23.09.2021 No. KR MHC-99 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

5. Electronic copies of the following documents shall be attached to the application for inclusion in the register:

1) an identity document;

2) a diploma of higher medical education (for education documents issued by foreign educational organizations, it is necessary to have a document confirming the passage of the recognition or nostrification procedure in accordance with Article 39 of the Law of the Republic of Kazakhstan "On Education");

3) a document confirming the presence of a continuous work experience of at least 7 years in the declared specialty (work record book or other document in accordance with Article 35

of the Labour Code of the Republic of Kazakhstan), and it is also necessary to carry out activities in the field of healthcare in the declared specialty at the time of an independent examination;

4) a document confirming the completion of additional and non-formal education for the past 5 years on the issues of conducting an independent examination, in the total amount of at least 4 credits (120 hours);

5) a certificate of a specialist in the field of healthcare, confirming the qualifications of an independent expert and his/her readiness for professional activities in the field of healthcare, including readiness for clinical practice.

Footnote. Paragraph 5 is in the wording of the order of the Minister of Healthcare of the Republic of Kazakhstan dated 23.09.2021 No. KR MHC-99 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

6. An employee of the office of a state body, on the day of receipt of documents, shall receive, register and transfer it for execution to the appropriate structural unit of the state body.

When sending documents after the end of working hours, on weekends and holidays, the application is accepted on the next working day.

7. A specialist of the relevant structural unit of the state body, within 2 (two) working days from the date of registration of the documents specified in paragraph 5 of these Rules, verifies the completeness and validity of the submitted documents.

In the event that an incomplete package of documents is submitted and (or) their validity expires within the specified time frame, a motivated refusal is prepared for further consideration of the application.

A motivated refusal is registered in the document management system of a state body and sent to the e-mail of an independent expert or subject.

With a full package of documents, the specialist of the relevant structural unit of the state body, within 15 (fifteen) working days from the date of registration of the application by the office, enters the data of the independent expert into the register.

8. A specialist of the relevant structural unit of the state body verifies the relevance of the data of independent experts included in the register twice a year.

Chapter 3. Grounds for inclusion and exclusion from the unified register of independent experts

9. The basis for inclusion in the unified register of independent experts shall be the compliance of an individual (a specialist and (or) an applicant) who submitted the application with the requirements approved in accordance with the order of the Minister of Healthcare of the Republic of Kazakhstan dated October 12, 2020 No. KR MHC-125/2020 "On approval of requirements for the subjects of healthcare on provision of services for conducting an independent examination of the quality of medical services (assistance)"(registered in the Register of state registration of regulatory legal acts under No. 21421).

Footnote. Paragraph 9 is in the wording of the order of the Minister of Healthcare of the Republic of Kazakhstan dated 23.09.2021 No. KR MHC-99 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

10. Grounds for excluding independent experts from the roster are:

1) submission to a state body within one calendar year of 3 (three) or more substantiated complaints about the quality of the work of an independent expert, confirmed by an expert opinion;

2) receipt of an application to a state body from an independent expert to exclude him from the register;

3) in relation to the independent expert, there is a court decision (verdict) that has entered into legal force on the prohibition of engaging in medical activities (in the declared specialty);

4) termination (expiration) of one or more documents that were the basis for inclusion in the register;

5) detection during the period of activity for the conduct of an independent examination of inaccurate information in the documents submitted for inclusion in the register.

Appendix 1
to the Rules for maintaining the
Register of independent experts,
grounds for inclusion and
exclusion from the unified register
of independent experts
Form

The Register of independent experts

Footnote. Appendix 1 is in the wording of the order of the Minister of Healthcare of the Republic of Kazakhstan dated 23.09. 2021 No. KR MHC-99 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

No s/n	Full name (if any) of the independent expert	Specialty of the independent expert	Place of work of the independent expert	Subject of healthcare carrying out an independent examination in the field of healthcare	Date of inclusion in the register	Note

Appendix 2
to the Rules for maintaining the
Register of independent experts,
grounds for inclusion and
exclusion from the unified register
of independent experts
To _____
(full name of a state body)
from _____

Application

Footnote. Appendix 2 is in the wording of the order of the Minister of Healthcare of the Republic of Kazakhstan dated 23.09.2021 No. KR MHC-99 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

I hereby ask to include in the Register of independent experts

(surname, name, patronymic (if any)

as an independent expert in the field of healthcare in the specialty

Information about an individual (a specialist and (or) an applicant) applying for
for the provision of services for conducting an independent examination of the quality of
medical services (assistance):

1. Data of the identity document:

(type of document, issued by and when, validity period)

2. Data of the diploma of higher medical education:

(number, series of diploma, name of higher educational institution, date of issue,
date of nostrification (if any)

" " _____ year signature _____

3. Data about the place of work

name of organization

4. Data on the completion of additional and non-formal education

for the last 5 years on the issues of conducting an independent examination of
qualifications:

(course topic, number, name of the educational organization, date of issue of the
document

about completion of additional and non-formal education)

Attached documents:

1)

2)

3)

4)

" " _____ year signature _____

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the Republic of Kazakhstan