



VELFERÐARRÁÐUNEYTIÐ

Ministry of Welfare

Health Service Act, No. 40/2007, as amended by Act No. 160/2007, No. 12/2008, No. 112/2008, No. 59/2010, No. 162/2010, No. 126/2011, No. 28/2012 and No. 106/2014.

SECTION I

Scope, policymaking and definitions.

Article 1

Scope and objectives.

This Act applies to the organisation of health care. Its objective is that all people of Iceland shall have access to the optimum health service which it is possible to provide at any time in order to safeguard mental, physical and social health in accord with the provisions of this Act, [the Health Insurance Act],¹⁾ the Patients' Rights Act and other legislation as applicable.

¹⁾ Act No. 112/2008, Article 59.

Article 2

Authority.

Health affairs are under the authority of [the Minister].¹⁾

¹⁾ Act No. 126/2011, Article 451.

Article 3

Policymaking.

The Minister formulates policy on health services within the framework of this Act. The Minister may apply necessary measures in order to implement such policy, with respect to organisation of health services, prioritisation of tasks within the service, the efficiency, quality and security of the service, and access to it.

In organisation of health service, the aim shall invariably be to provide the service at the appropriate level of the service, and that the primary healthcare level shall normally be the patient's starting-point.

Article 4

Definitions.

In this Act the following terms shall have the following meanings:

1. *Health service*: All forms of primary healthcare, medical care, nursing, general and specialised hospital service, transport of patients, medical-aids service, and service from health personnel within and outside healthcare facilities, provided in order to promote health, to prevent, diagnose or treat illness, and to rehabilitate patients.
2. *General health service*: Primary healthcare, service and nursing at nursing homes and nursing facilities of institutions, and general hospital service.
3. *Specialised health service*: Health service other than general health service under item 2.

4. *Primary healthcare*: General medical care, nursing, health protection and preventive medicine, emergency and casualty treatment and other health services provided by primary healthcare centres.
5. *General hospital service*: General internal medicine, nursing, casualty care, rehabilitation and necessary support services.
6. *Specialised hospital service*: Hospital service other than general hospital service under item 5.
7. *Healthcare practitioner*: Person working in health services, licensed by the [Medical Director of Health]¹⁾ to use the professional title of an authorised health profession.
8. *Healthcare facility*: An institution where health service is provided.
9. *Nursing facility*: Facilities at a nursing home or hospital where nursing is provided for those who require care and treatment which can be provided outside a hospital.
10. *University hospital*: A hospital which provides services in almost all recognised fields of medicine and nursing, with emphasis on research, development and teaching. The hospital is in close collaboration with a university which carries out teaching and research in medicine and most other fields of health sciences, and as applicable with secondary schools. Hospital personnel who meet the university's standards of competence are employed both at the hospital and at the university, or have other professional ties with the university. Treatment of patients, tuition and research are combined in the daily work of the hospital.
11. *Teaching hospital*: A hospital which provides services in the principal specialist fields of medicine and nursing and has ties with a university which carries out tuition and research in medicine and other fields of health sciences, and with secondary schools as applicable. Hospital personnel involved in tuition and research work closely with the university faculties connected with the hospital.
12. *Premises of self-employed healthcare practitioner*: Facilities of self-employed healthcare practitioner, where health services are provided with or without State contribution to costs.

¹⁾ Act No. 12/2008, Article 12.

SECTION II

Organisation of health services.

Article 5

Health regions.

The country shall be divided into health regions, and the division shall be determined in regulations.¹⁾ Healthcare facilities which provide general health service in each region shall collaborate on the organisation of health services in the region. The Minister can, after consultation with the relevant local authorities and the Association of Local Authorities in Iceland, decide to merge healthcare facilities within the health region, by regulations.²⁾

Notwithstanding the division of the country into health regions, patients shall normally have the right to attend the primary healthcare centre or healthcare facility most accessible to them at any time.

¹⁾ Regulation No. 1084/2008. ²⁾ Regulations No. 764/2008. cf. No. 1083/2008, No. 448/2009 and No. 562/2009. Regulation No. 76/2011. Regulation No. 674/2014.

Article 6

General health services.

In each health region a healthcare facility or healthcare facilities shall operate which provide general health services in the region.

The Minister can by regulations¹⁾ make further provision for the activities of healthcare facilities in each region, and the health services provided there.

¹⁾ Regulations No. 1084/2008.

Article 7

Specialised health services.

Specialised hospital services shall be provided at Landspítali University Hospital and Akureyri Hospital and other hospitals and healthcare facilities as determined by the Minister or by contracts made in accord with the provisions of Section VII [and the Health Insurance Act].¹⁾

Other specialised health services shall be provided at specialised healthcare facilities and other healthcare facilities as determined by the Minister or on the basis of contracts under Section VII [and the Health Insurance Act].¹⁾

At premises of self-employed healthcare practitioners, specialised health services are provided as applicable in accord with contracts made under the provisions of Section VII [and the Health Insurance Act].¹⁾

¹⁾ Act No. 112/2008, Article 59.

SECTION III

Management of healthcare facilities.

Article 8

Scope.

The provisions of this section apply to healthcare facilities run by the State. The provisions of Articles 10 and 12, however, apply also to healthcare facilities operated on the basis of an agreement under Section VII [and the Health Insurance Act],¹⁾ as may be applicable.

¹⁾ Act No. 112/2008, Article 59.

Article 9

Chief executives of healthcare facilities.

Chief executives of healthcare facilities are appointed by the Minister for a period of five years at a time. A chief executive shall have a university qualification and/or experience of management and administration which is useful in his/her work.

The Minister shall appoint a committee of three persons for a term of four years to evaluate the qualifications of applicants for posts of chief executive of a healthcare facility. The members of the committee shall have knowledge of management, human resources, administration and health services. No person may be appointed to such a post unless deemed qualified by the committee.

The Minister issues a document of appointment to chief executives of healthcare facilities, which shall state the principal objectives in the services and operations of the facility, and its short-term and long-term tasks.

The chief executive is responsible for the facility he/she manages operating in accord with law, government directives, and the letter of appointment under paragraph 3. The chief executive is responsible for the service provided by the facility, for the operating expenditure and performance of the facility being in accord with the Budget, and for effective use of funding.

Chief executives of healthcare facilities appoint staff to the facility. Staff in management positions may be appointed temporarily for up to five years.

Article 10

Professional management.

Healthcare facilities shall have a medical director, a nursing director, and as applicable other directors of professional fields, who are answerable in their respective professional fields to the chief executive for the services provided at the facility.

Heads of specialist medical fields or of specialist departments within a healthcare facility are answerable in their professional field for medical services under their authority, to the medical director or to their immediate superior according to the facility's organisation chart.

Departmental heads of nursing at healthcare facilities are answerable in their professional field for the nursing services under their authority to the director of nursing or to their immediate superior according to the healthcare facility's organisation chart.

Other administrators in professional fields within a healthcare facility are responsible in their professional field for the services they provide, and under their authority, in accord with their position in the facility's organisation chart.

Article 11

Organisation charts of healthcare facilities.

The chief executive of the healthcare facility shall in consultation with the executive board make a proposal for the facility's organisation chart, which shall be submitted to the Minister for approval.

Article 12

Executive boards of healthcare facilities.

A three-person executive board shall operate at a healthcare facility, under the direction of the chief executive. The director of medicine and director of nursing, and as applicable other directors of professional fields, shall appoint the members of the executive board, together with the chief executive. An executive board may comprise more than three people if the facility's organisation chart so provides.

Before the chief executive makes important decisions regarding the facility's services and operations, he/she shall discuss the matter in the forum of the executive board, and elicit the advice and views of the board members.

The executive board shall call information and consultation meetings with the staff of the facility as necessary, and at least once a year.

Executive boards of healthcare facilities in health regions and those of Primary Health Care of the Capital Area shall seek to keep local government and users of services in the region informed of the activities of their facilities, and consult with them as necessary.

Article 13

Professional boards.

In university hospitals and teaching hospitals, a medical board and nursing board shall operate, and as appropriate other professional boards. Such boards may operate in other healthcare facilities.

Physicians, nurses and other healthcare practitioners employed at a healthcare facility may establish a single combined professional board.

Professional boards, including medical and nursing boards where they exist, shall advise the chief executive and the executive board on matters in their professional fields in the operation of the healthcare facility. The views of professional boards must be elicited with respect to important decisions concerning the health service provided at the facility, including, as applicable, the opinion of the medical board on medical services, and that of the nursing board on nursing services.

Professional boards shall formulate their rules of procedure, which shall be confirmed by the chief executive.

SECTION IV

General health services.

Article 14

Healthcare facilities in health regions.

In each health region one or more healthcare facility shall operate, which shall operate primary healthcare centres and regional hospitals which provide general health services in the region.

Healthcare facilities as provided in paragraph 1 may undertake tuition of healthcare professionals on the basis of agreements with educational institutions, teaching hospitals or university hospitals.

Article 15

Primary Health Care of the Capital Area.

Primary Health Care of the Capital Area provides primary healthcare in the health region of the capital area.

Primary Health Care of the Capital Area shall undertake tuition of healthcare professionals on the basis of agreements with universities and other educational institutions, university hospitals or teaching hospitals, and shall carry out scientific research in the field of primary healthcare.

Article 16

Nursing homes and nursing facilities.

[In nursing facilities of regional hospitals, nursing homes and old people's homes, nursing services shall be provided for health-insured persons who have been assessed to be in need of a nursing placement. [No person can reside for a long term in a nursing facility unless previous evaluation of a skill- and health-evaluation committee for the need of a residence according to the Act on the Affairs of the Elderly.]¹⁾²⁾

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¹⁾ Act No. 28/2012, Article 7. ²⁾ Act No. 112/2008, Article 59.

Article 17

Primary healthcare centres.

Primary healthcare centres provide primary healthcare.

[Chief executives and executive boards of healthcare facilities shall consult with the professional heads of a primary healthcare centre when matters specifically concerning the centre are to be decided.]¹⁾

The Minister shall make further provision in regulations²⁾ for the operation of primary healthcare centres and the services they are to provide.

¹⁾ Act No. 59/2010, Article 1. ²⁾ Regulation No. 787/2007, cf. No. 215/2015.

Article 18

Regional hospitals.

Regional hospitals shall provide general hospital care, inter alia in outpatient departments as appropriate. In connection with these, nursing facilities shall also normally be provided. Regional hospitals shall normally provide obstetric care, provided that professional standards are met, and other health services which the hospital has been assigned to provide, or which have been agreed under the provisions of Section VII [and the Health Insurance Act],¹⁾ provided that the hospital meets professional standards for providing that service.

At healthcare facilities which provide both general hospital service and primary healthcare, both activities shall be combined, and staff shall be appointed to work in both fields as applicable.

The Minister may make further provision in regulations on the activities and services of regional hospitals.

¹⁾ Act No. 112/2008, Article 59.

SECTION V

Specialised health services.

Article 19

Providers of specialised health services.

Specialised health service is provided at Landspítali University Hospital, Akureyri Hospital, specialised healthcare facilities, other healthcare facilities and at the premises of self-employed healthcare practitioners, cf. Article 7.