

**Cabinet Resolution No. (15) of 2020**  
**On Newborn Medical Examination System**

**The Cabinet:**

- After perusal of the Constitution;
- Federal Law No. (1) of 1972 on the Jurisdictions of the Ministries and the Competences of the Ministers, and its amendments;
- Federal Law No. (18) of 2009 on the Regulation of the Registration of Births and Deaths;
- Federal Law No. (4) of 2015 on Private Health Facilities;
- Federal Law No. (14) of 2016 on Violations and Administrative Penalties in the Federal Government;
- Cabinet Resolution No. (18) of 2013 Concerning Fees of Health Card and Therapeutic and Diagnostic Services for Non-Citizens;
- And pursuant to the proposal of the Minister of Health and Prevention and the approval of the Cabinet;

**Decided the following:**

**Article (1)**

**Definitions**

In implementing the provisions of this Resolution, the following words and expressions shall have the meanings indicated opposite each of them, unless the context requires otherwise:

The Country	:	The United Arab Emirates
MOHAP/ the Ministry	:	The Ministry of Health and Prevention
The Minister	:	Minister of Health and Prevention
Health Authority	:	The Ministry or any federal or local government health authority in the Country.
Health Facility	:	Any facility prepared and licensed to conduct medical examination for patients, provide advice or medical assistance with regard to diagnosing their diseases, providing treatment, nursing services, and residence for the purpose of their treatment, or performing any kind of works related to their treatment or rehabilitation, whether such facility is owned or managed by a natural or legal person, including health facilities affiliated to faculties of medicine in the Country in case they provide any of the above mentioned health services or clinical examinations for patients.
Newborn	:	Infants from the time of birth until 28 days of age.

\*In case of any misinterpretation, the Arabic version of this legislation prevails.



- Premature/ Pre-term Baby : Every baby born before the completion of the 37<sup>th</sup> week of pregnancy.
- Newborn Examination System : The procedures, controls and rules that regulate the medical examination process for newborns, including follow-up and verification of examinations to ensure the accuracy of examination results, as well as clinical and biochemical evaluation of the examination results.
- Health Problems : Any condition that causes mental or physical disability or leads to death.
- Newborn Examination Process : All procedures that include taking a blood sample from newborns to carry out the necessary biochemical tests for them at the reference laboratory in order to check their health problems, especially those related to pathological genetic conditions, in addition to conducting hearing test to check hearing impairments, and cardiac examination to check any critical congenital heart defects or any other relevant examinations added to the protocols later.
- Reference Laboratory : The reference laboratory determined by the Ministry, which, within the scope of this Resolution, analyses the blood samples taken from newborns.

### **Article (2)**

#### **Scope of Application**

1. Newborns who were born in the Country are subject to the Newborn Examination Process according to the controls specified in this Resolution;
2. The provisions of Clause (1) of this Article shall apply to newborns who were born outside the Country, subject to the following:
  - a. The newborn has not previously undergone a newborn examination;
  - b. The medical examination be conducted within a maximum period of (28) days from the date of birth;
  - c. In the event that the newborn is a non-citizen of the Country, the guardian of the newborn must be a resident of the Country according to the provisions of Article (6) of this Resolution.

### **Article (3)**

#### **Objectives of the Resolution**

The medical examination of newborns aims to diagnosing health problems of newborns, providing early treatment thereto or preventing the disease exacerbation.

### **Article (4)**

#### **Period of the Newborn Examination Process**

\*In case of any misinterpretation, the Arabic version of this legislation prevails.



Newborn examination process shall be conducted during the period prescribed in accordance with the protocols approved by the Ministry in coordination with all health authorities, including special protocols to ensure that the examination is conducted for premature, underweight children, or patients who must have blood transfusions.

#### **Article (5)**

##### **Diseases Covered by the Newborn Medical Examination System**

The Newborn Medical Examination System covers all diseases determined in accordance with the protocols approved by the Ministry in coordination with all health authorities. The examination cost is included in the total cost of childbirth.

#### **Article (6)**

##### **Persons Responsible for Subjecting a Newborn to the Medical Examination**

Newborn's father must subject his son or daughter to the newborn examination in accordance with the provisions of this Resolution, and in the event that the father is not present or is unable to attend, the obligation shall be transferred to the baby's mother or guardian according to the Law.

##### **Obligations of the Health Facility Where the Childbirth Takes Place**

#### **Article (7)**

1. The health facility in which the childbirth takes place shall give to one of the persons mentioned in Article (6) hereof, as the case may be, an instructive leaflet that includes all information about the newborn's examination, during the period of pregnancy monitoring or immediately after delivery, as per the form to be prescribed by a resolution issued by the Minister in coordination with all health authorities;
2. The health facility referred to in Clause (1) of this Article shall conduct the Newborn Medical Examination for every child born therein in accordance with the provisions of this Resolution, unless it is proven that the parents of the newborn or any of the persons mentioned in Article (6) hereof, as the case may be, refuse conducting such examination. Such refusal shall be proven in writing through an acknowledgment bearing the signature of the person refusing to subject the newborn to the Newborn Medical Examination. In the event that such person refuses to sign the aforementioned acknowledgment, a report shall be drawn up, signed by the director of the health facility or his/ her representative and shall be signed by the supervisor in charge of examination in the health facility;

Every health facility in which a childbirth takes place must notify the competent health authority of each childbirth and provide it with evidence of conducting the Newborn Medical Examination for the newborn or an evidence that such examination was not performed along with the reason thereof. If the reason is the refusal of the newborn's parents or any of the persons mentioned in Article (6) hereof, a written proof of such refusal must be submitted to the competent health authority.

\*In case of any misinterpretation, the Arabic version of this legislation prevails.



#### **Article (8)**

Blood samples are taken from newborns in all health facilities that must provide all the necessary capabilities to conduct blood sampling and send such samples to the reference laboratory to conduct the tests included in the Newborn Examination System. Further, such health facilities must provide the necessary capabilities to conduct the hearing and heart examinations.

#### **Article (9)**

Reference laboratory shall analyze blood samples taken from newborns, prepare the necessary reports related thereto, and send back the examination results to the health facility from which the blood sample was sent. The newborn's parents or any of the persons mentioned in Article (6) hereof, as the case may be, must be informed of the blood test results by the health facility in which the blood sample was taken. The reference laboratory must take the necessary measures to treat or transfer the positive case according to the protocols set out in this regard and the health authorities shall be provided with periodic reports of the newborn examination results.

#### **Article (10)**

##### **Violations and Administrative Penalties**

1. A private health facility shall be subject to a fine of AED 5,000 (five thousand dirhams) for each case, if it is proven that it failed to perform the Newborn Medical Examination or failed to take the necessary action to conduct such examination, unless it proves that the failure to conduct such examination resulted from the refusal of the newborn's parents or any of the persons mentioned in Article (6) hereof;
2. A fine of AED 2000 (two thousand dirhams) shall be imposed on any of the persons mentioned in Article (6) hereof if it is proven that he/she has refused to subject the newborn to the medical examination stipulated in this Resolution;

The Minister or Head of the Health Authority or whomsoever they delegate, each within its competence, as the case may be, shall issue a decision on the penalties to be applied on whoever commits any of the violations mentioned in clauses (1) and (2) of this Article.

#### **Article (11)**

##### **Grievance Against Administrative Penalties**

1. A grievance may be filed against the decision issued regarding the penalties stipulated in Article (10) hereof to the Minister or Head of the Health Authority, provided that such grievance is submitted within a maximum period of 15 (fifteen) days from the date of notifying the violator against whom the penalty decision is issued. The grievance shall be reasoned and supported by all documents as per the procedures prescribed by the Ministry or the Health Authority, as the case may be;
2. The Minister or Head of the Health Authority shall decide on the grievance within a maximum period of 15 (fifteen) days from the date of its submission. The decision issued on the grievance shall be final. In the event that no reply is received during this period, the grievance shall be deemed rejected.

\*In case of any misinterpretation, the Arabic version of this legislation prevails.



**Article (12)**

**Issuance of Executive Resolutions**

The Minister, in coordination with the health authorities, issues the resolutions and procedures necessary to implement the provisions of this Resolution.

**Article (13)**

**Abrogation**

All provisions in violation of or in contradiction with the provisions of this Resolution shall be abrogated.

**Article 31**

**Publication and Enforcement of the Resolution**

This Resolution shall be published in the Official Gazette and shall come into force six months after the publication thereof.

**Mohammed bin Rashid Al Maktoum**

**Prime Minister of the United Arab Emirates**

Promulgated by us:

On: Rajab 22, 1441 A.H

Corresponding to: March 17, 2020 A.D

\*In case of any misinterpretation, the Arabic version of this legislation prevails.

