SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON PREVENTION AND CONTROL OF INFECTIOUS DISEASES

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Article 1 (Purpose)

The purpose of this Ordinance is to contribute to improving and maintaining citizens' health by preventing the outbreak and prevalence of hazardous, infectious diseases and by prescribing matters necessary to prevent and control such diseases, under the Infectious Disease Control and Prevention Act and the Enforcement Decree of the same Act.

Article 2 (Definitions)

The terms used in this Ordinance shall be defined as follows:

1. The term "infectious disease" means any infectious disease defined under subparagraph 1 of Article 2 of the Infectious Disease Control and Prevention Act (hereinafter referred to as the "Act");
2. The term "patient of an infectious disease" means a person defined under subparagraph 13 of the Article 2 of the Act;
3. The term "infectious disease investigative officer" means a person who has undergone the curriculum designated by the Seoul Metropolitan Government or the Ministry of Health and Welfare among public health clinic doctors;
4. The term "official in charge of epidemiological investigations" means a person who has received specialized education related to infectious diseases (such as a course for epidemiological investigation or a course for infectious disease specialists) among public officials in charge of affairs relating to infectious diseases.

Article 3 (Mayor's Responsibilities)

(1) The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall perform the following projects in order to respect human dignity and worth of patients, etc. of an infectious disease, protect their basic rights, and prevent and control hazardous, infectious diseases:

1. Preventive and quarantine measures against infectious diseases;
2. Medical treatment and protection of patients, etc. of an infectious disease;
3. Formulation and implementation of vaccination plans to prevent infectious diseases;
4. Education and publicity concerning infectious diseases;
5. Collection, analysis, and provision of information on infectious diseases;
6. Investigation and research of infectious diseases;
7. Fostering experts to prevent infectious diseases;
8. Stockpiling medicines, etc. to treat and prevent infectious diseases;
9. Establishing and operating an information system to prevent and control infectious diseases;
10. Preparation, education, and training for the transmission of new overseas infectious diseases into the Republic of Korea;
11. Establishing system for preventing and coping with new overseas infectious diseases subject to control through the collection of information on, analysis of the characteristics of, and research on, pathogens, etc. of those diseases, and the publication of reports (including manuals) on such new overseas infectious diseases;
12. Other projects necessary to prevent infectious diseases and the spread thereof.

(2) When performing the projects referred to in paragraph (1), the Mayor shall take necessary measures to ensure that no citizen suffers discrimination on the basis of his/her gender, disability, age, religion, race, social status, or economic or regional circumstances.

Article 4 (Duties and Rights of Medical Personnel, etc.)

(1) Medical personnel, the heads of medical institutions, etc., under the Medical Service Act within the Seoul Metropolitan Government (hereinafter referred to as the "Seoul Government") shall have the right to be provided information on the medical treatment of patients of infectious diseases, and may be compensated for any damage caused by the diagnosis, treatment, etc., of patients of infectious diseases.

(2) Medical personnel, the heads of medical institutions, etc., under the Medical Service Act shall make utmost efforts for the diagnosis, management, treatment, etc., of patients of infectious diseases, and shall actively cooperate to comply with administrative orders issued by the Mayor.

(3) Medical personnel, the heads of medical institutions, etc., under the Medical Service Act shall actively cooperate with the Mayor

in performing the affairs of the surveillance, prevention, and control of outbreaks of infectious diseases, and epidemiological investigations.

Article 5 (Duties and Rights of Citizens)

(1) Any citizen isolated or medically treated due to an infectious disease may be compensated for any damage caused by such isolation or medical treatment.
(2) Each citizen shall have the right to know information on the situation of the outbreak of infectious diseases and the prevention and control of infectious diseases and how to cope therewith; the Mayor shall promptly disclose relevant information.
(3) Each citizen shall have the right to receive a diagnosis and medical treatment of any infectious disease under this Ordinance at a medical institution, and the Mayor shall bear expenses incurred therein.
(4) Each citizen shall actively cooperate with the Mayor in conducting activities to prevent and control infectious diseases, such as treatment and isolation measures.

Article 6 (Formulation and Execution of Implementation Plans)

(1) The Mayor shall formulate and execute an implementation plan to prevent infectious diseases annually in accordance with the master plan referred to in Article 7 (1) of the Act.
(2) The implementation plan referred to in paragraph (1) shall include the following:
1. Basic objectives of and direction-setting for implementing the prevention and control of infectious diseases;
2. Plans for projects for the prevention and control of major infectious diseases, and methods of implementation;
3. Schemes for fostering personnel specialized in infectious diseases, and for strengthening the capabilities to respond to emergencies with respect to infectious diseases;
4. Schemes for managing statistics and information on infectious diseases;
5. Schemes for sharing information on infectious diseases among medical institutions;
6. Other matters necessary for preventing and controlling infectious diseases.

(3) The Mayor may request relevant administrative agencies or organizations to provide data necessary for formulating and executing implementation plans.
(4) Upon receipt of a request under paragraph (3), the heads of relevant administrative agencies or organizations shall comply therewith, except in extenuating circumstances.

Article 7 (Establishment and Operation of Infectious Disease Emergency Response Center)

(1) In order to support the execution of implementation plans referred to in Article 6, the affairs of international cooperation, etc., the Mayor may establish an infectious disease emergency response center consisting of private experts, and may fully or partially entrust the operation thereof to a corporation, organization, etc.
(2) Where affairs are entrusted pursuant to paragraph (1), expenses incurred in entrusting the affairs may be fully or partially subsidized, within the budget.

Article 8 (Sentinel Surveillance, etc. of Infectious Diseases)

(1) The Mayor may request the head of a sentinel surveillance of infectious diseases-related institution to submit necessary data in connection with the sentinel surveillance of infectious diseases, or to provide cooperation necessary for preventing and controlling infectious diseases.
(2) The Mayor shall provide relevant institutions, organizations, establishments, or citizens with important information on citizens' health collected pursuant to paragraph (1).
(3) The Mayor may subsidize an institution of sentinel surveillance with expenses incurred in engaging in sentinel surveillance activities.

Article 9 (Fact-Finding Surveys)

(1) The Mayor may conduct fact-finding surveys to understand the status of control of, and infection by, infectious diseases, pursuant to Article 17.
(2) Fact-finding surveys referred to in paragraph (1) shall include the details specified in Article 15 of the Enforcement Rule of the Infectious Disease Control and Prevention Act (hereinafter referred to as the "Enforcement Rule").

Article 10 (Epidemiological Investigations)

(1) Where the Mayor deems that an infectious disease breaks out and is likely to prevail subsequently, he/she shall conduct, without delay, an epidemiological investigation under Article 18 of the Act.
(2) The Mayor shall establish an epidemiological investigation team to conduct epidemiological investigations, and the epidemiological investigation team shall have an epidemiological investigative officer, infectious disease investigative officer, and official in charge of epidemiological investigations.
(3) Where any adverse reaction case is discovered after vaccination, the Mayor shall conduct an epidemiological investigation under Article 29 of the Act.
(4) No person shall refuse, interfere with, or evade an epidemiological investigation conducted by the Mayor without any justifiable

ground.
(5) No patient or their guardians shall make any false or fraudulent statement in relation to an epidemiological investigation.

Article 11 (Formulation and Implementation of Crisis Control Measures against Infectious Diseases)

(1) The Mayor shall formulate and implement the Seoul Government's crisis control measures against infectious diseases under Article 35 (2) of the Act.
(2) A plan to implement the crisis control measures against infectious diseases under paragraph (1), shall include the following:
1. A system for responding to the occurrence of a disaster and the transmission of new overseas infectious diseases, and role for each agency;
2. Judgment on a disaster or emergency, decision on emergency warning, and disaster and emergency management systems;
3. Preparation of lists of experts, such as medical personnel, facilities, and medical institutions to be mobilized during an infectious disease emergency;
4. Schemes for stockpiling and securing medical supplies;
5. Training for actual situations, such as citizens' codes of conduct and education and map exercise for the personnel, facilities, and institutions to be mobilized, for each disaster or emergency;
6. Other matters deemed by the Mayor necessary for copying with disasters or emergencies.

Article 12 (Designation, etc. of Infectious Disease Control Institutions)

(1) The Mayor may designate hospitals and general hospitals referred to in Article 3 (2) 3 of the Medical Service Act as infectious disease control institutions, pursuant to Article 28 of the Enforcement Rule.
(2) The heads of infectious disease control institutions designated pursuant to paragraph (1) shall establish control facilities for preventing infectious diseases and treating patients, etc. of an infectious disease.
(3) The Mayor shall fully or partially subsidize expenses incurred in establishing and operating infectious disease control facilities, for infectious disease control institutions.

Article 13 (Establishment of Infectious Disease Control Institutions during Infectious Disease Emergencies)

(1) Where patients are infected by an infectious disease epidemic, or the infectious disease control institutions designated pursuant to Article 12 are insufficient to accommodate all patients, etc. of an infectious disease, the Mayor may take the following measures:
1. Designating any medical institution, other than infectious disease control institutions designated pursuant to Article 12, as an infectious disease control institution for a specified period;
2. Establishing and operating isolation wards, sanatoriums, or clinics.
(2) The head of an infectious disease control institution designated pursuant to paragraph (1) 1 shall establish infectious disease control facilities, pursuant to Article 30 of the Enforcement Rule.
(3) The Mayor shall fully or partially subsidize expenses incurred in establishing and operating facilities under paragraph (2), for infectious disease control institutions.
(4) No head of an infectious disease control institution designated pursuant to paragraph (1) 1, shall refuse to comply with any order issued under paragraph (2) without any justifiable grounds.

Article 14 (Prohibition of Refusal to Hospitalize Patients, etc. of Infectious Disease)

No infectious disease control institution shall refuse to hospitalize patients, etc. of an infectious disease without any justifiable grounds.

Article 15 (Control of Patients, etc. of Infectious Disease)

(1) Patients, etc. of an infectious disease with a particularly high risk of transmission which is publicly notified by the Minister of Health and Welfare shall receive inpatient treatment at an infectious disease control institution.
(2) Where patient beds at an infectious disease control institution are fully occupied, and thus the infectious disease control institution is unable to accommodate more patients, etc. of an infectious disease, the Mayor may permit such patients, etc. to receive inpatient treatment at medical institutions other than infectious disease control institutions.
(3) The Mayor may permit any of the following persons to undergo treatment at his/her home or infectious disease control facilities:
1. A person other than those subject to inpatient treatment under paragraphs (1) and (2);
2. A person who is at the risk of infection or transmission of an infectious disease through contact with a patient, etc. of an infectious disease.

Article 16 (Compulsory Dispositions with respect to Infectious Diseases)

(1) The Mayor may require the relevant public official to conduct a necessary investigation or medical diagnosis by entering the residence, means of transportation, such as a ship, aircraft, or train; or any other place where a patient, etc. of any disease referred to in Article 42 (1) of the Act is deemed present; where he/she is deemed to be a patient, etc. of an infectious disease by such medical diagnosis, the relevant public official may escort and require him/her to undergo medical treatment or be hospitalized.
(2) A public official who conducts an investigation or medical diagnosis under paragraph (1) shall carry a certificate indicating his/her authority and present it to relevant persons.

Article 17 (Hospitalization Notice to Patients, etc. of Infectious Disease)
Where a patient, etc. of an infectious disease needs to receive inpatient treatment under Article 15, the Mayor shall notify the fact to the person subject to inpatient treatment and his/her guardian.

Article 18 (Epidemic Control Measures against Prevalence of Infectious Diseases)
(1) In order to prevent any further prevalence or spread of an infectious disease upon the outbreak of the infectious disease, the Mayor shall take all or some of the measures specified in Article 47 of the Act.
(2) The Mayor shall require infectious disease control institutions or public health clinics to dispose of medical waste generated after patients of the infectious disease referred to in paragraph (1) are transported.

Article 19 (Preventive Measures against Infectious Diseases)
The Mayor shall take all or some of the measures specified in Article 49 of the Act to prevent any infectious disease.

Article 20 (Recommendation for Disinfection)
(1) Where the Mayor deems that an infectious disease breaks out and is likely to prevail subsequently, he/she may recommend the heads of autonomous Gus (hereinafter referred to as the "heads of Gus") to disinfect facilities, etc., used by many persons and thus deemed to require disinfection for public sanitation, even though such facilities, etc., are not subject to compulsory disinfection under Article 51 (2) of the Act.
(2) In cases of paragraph (1), the Mayor may partially subsidize expenses incurred in disinfection, within the budget.

Article 21 (Epidemiological Investigative Officers)
In order to perform affairs relating to epidemiological investigations of infectious diseases, the Mayor shall have at least two epidemiological investigative officers as public officials of the Seoul Metropolitan Government: Provided, That the Mayor may have epidemiological investigative officers in autonomous Gus as well, if necessary to perform affairs relating to epidemiological investigations.

Article 22 (Quarantine Inspection Commissioners)
Where necessary to prevent infectious diseases, the Mayor may appoint a quarantine inspection commissioner to perform affairs relating to quarantine inspections, and may require the commissioner to quarantine any means of transportation, etc., if particularly necessary.

Article 23 (Education and Training)
The Mayor may entrust the private sector with education and training for nurturing professional capability to strengthen capability to cope with infectious diseases.

Article 24 (Support for Persons under Home Quarantine, etc.)
The Mayor may support persons falling under Article 41 (3) of the Act as follows:
1. Providing daily necessities and emergency aid and support for persons isolated or hospitalized (including foreigners);
2. Providing nursing or childcare services, when daycare centers and kindergartens are closed or children are not permitted to attend such establishments;
3. Providing meals to undernourished children when schools are closed.
4. Providing medical services in relation to infectious diseases;
5. Supplying waste disposal bags and disinfectants during home quarantine;
6. Offering psychological counselling for persons under home quarantine, victims, and bereaved families;
7. Facilitating the transportation of persons under home quarantine to hospitals, and helping them remove inconveniences of life;
8. Isolating persons under home quarantine in establishments, if they wish to be isolated therein.

Article 25 (Subsidization for Expenses for Private Medical Manpower)
Where the Mayor requests a private medical institution or medical personnel designated by the Seoul Government to provide medical manpower in order to treat infectious diseases, he/she may subsidize expenses incurred in providing medical manpower, to the head of the private medical institution to which such medical manpower belongs or to the relevant medical personnel.

Article 26 (Subsidization for Facilities)
Where the Mayor deems that subsidization for facilities is crucial even for private facilities, to prevent and stop the spread of an infectious disease, he/she may subsidize the operation, etc., of facilities for selective medical treatment, quarantine treatment, etc.

Article 27 (Compensation for Loss)
(1) The Mayor shall pay compensation equivalent to losses, within the budget, to the manager of the relevant medical institution suffering from such loss because his/her medical institution is used as infectious disease control facilities pursuant to Article 37 of the Act, and to the owner of a building suffering from such loss due to disinfection or other measures taken under Article 49 (1) 13 of the Act.
(2) Article 28 of the Enforcement Decree of the Infectious Disease Control and Prevention Act shall apply to compensation for loss

under paragraph (1).

Article 28 (Order for Mediation)

Where an infectious disease breaks out in at least two autonomous Gus and, thus, joint response is required, the Mayor may issue an order for intervention after hearing opinions of the heads of the relevant Gus.

Article 29 (Administrative Assistance)

(1) Where necessary to efficiently perform the affairs of preventing hazards related to infectious diseases while implementing various control measures against outbreaks of infectious diseases, such as epidemiological investigations and vaccination, he/she may request the heads of Gus to provide administrative assistance.
(2) The Mayor may fully or partially subsidize expenses incurred in providing administrative assistance under paragraph (1).

Article 30 (Establishment of Cooperation System)

In order to prevent infectious diseases, treat them efficiently, and prevent the spread thereof, the Mayor shall share all relevant information with the central government, local governments, the Seoul Metropolitan Office of Education, local medical institutions, etc., and establish a close medical network and cooperation system therewith.

ADDENDUM

This Ordinance shall enter into force on the date of its promulgation.